

**MINUTES**  
**NEOSHO CITY COUNCIL**  
**March 3, 2015 - 7:00 p.m.**  
**City Hall – Council Chambers**  
**203 E. Main St., Neosho, MO**

**OPENING PRAYER & PLEDGE OF ALLEGIANCE**

David Powell gave the opening prayer and Mayor Davidson led the Pledge of Allegiance.

A quorum being present, Mayor Davidson called the meeting to order at 7:00 p.m.

**ROLL CALL**

COUNCIL PRESENT:

Charles Collinsworth  
Richard Davidson  
Steve Hart  
Tom Workman

COUNCIL ABSENT:

David Ruth

CITY OFFICERS PRESENT:

Steven Hays, City Attorney; Troy Royer, City Manager; Nora Houdyshell, City Clerk

CITY STAFF PRESENT:

David Kennedy, Police Chief	Mike Eads, Fire Chief
Ryan Long, Public Works Director	Daphne Pevahouse, Finance Director
Pam Baker, Human Resources Director	Duane Linch, Utilities Director
Amy Moritz, Parks Director	Dana Daniel, Director of Economic Development
Lieutenant Mike Sharp, Police Dept	John Harrington, Code Enforcement
Wes Franklin, Public Relations/Events Coordinator	

**EXCUSED ABSENCE**

Motion was made to excuse Councilman David Ruth from attending the council meeting due to family obligations by Councilman Hart and seconded by Mayor Davidson. The motion passed unanimously by consensus.

**APPROVAL OF AGENDA**

Motion was made to approve the agenda as presented by Councilman Hart and seconded by Councilman Workman. The motion passed unanimously by consensus.

**CONSENT AGENDA:**

Motion to approve the consent agenda items as listed by Councilman Workman and seconded by Councilman Collinsworth.

Roll call vote:

Charles Collinsworth – Yes  
Richard Davidson – Yes  
Steve Hart – Yes  
Tom Workman - Yes

Motion carried.

**MINUTES:**

The minutes of February 3, 2015, Regular Session was approved as presented.

Council Minutes –March 3, 2015

**PROCLAMATION:**

Mayor Davidson stated that the following proclamation was issued on February 24, 2015.

February Employer of the Month – Café Angelica

**WHEREAS**, the Neosho City Council recognizes selected Employers of our Community for their contribution to the Growth of our Economic Development Base and overall support to the Neosho local Economy; and the selected organization for the month of February, 2015 is *Café Angelica*; and

**WHEREAS**, *Café Angelica* was founded by Chef Randy Collins who puts his own spin on American, European and Asian cuisine; Randy says that his favorite thing is to just be able to create a dish; and

**WHEREAS**, in 1997 *Café Angelica* opened the doors of their 1800 square foot location on the Historic Neosho Square; and

**WHEREAS**, *Café Angelica* has continued to be a popular local eating establishment and caterer; *Café Angelica* has been said to be quaint and charming, kind of like you are having dinner in your own house. There are many dedicated regulars who have their own tables at the restaurant; and

**WHEREAS**, Mr. Collins' previous culinary experience included Sak's 5<sup>th</sup> Avenue and Neiman Marcus; and

**NOW THEREFORE**, I, Richard Davidson, Mayor of the City of Neosho, do hereby proclaim *Café Angelica* to be Neosho's February, 2015, Employer of the Month. We extend our Congratulations to their strong commitment to continue their vision to help these special people and their families, and to grow the local Economic Development Base.

**In Testimony Whereof**, I have hereunto set my hand and caused to be affixed the Official Seal of the City, in the City of Neosho, this 17<sup>th</sup> day of February, 2015.

/s/ Richard Davidson, Mayor

**VISITOR BUSINESS:**

There was none.

**UNFINISHED BUSINESS**

**Bill No. 2015-660...Annexing a parcel of property located in Section 13, Township 25 North, Range 32 West, Neosho, Newton County, Missouri, as petitioned by the City of Neosho, under Zoning District M-2, Heavy Industrial District Classification...2<sup>nd</sup> and 3<sup>rd</sup> Reading.**

Bill No. 2015-660 for Ordinance No. 12-2015 was read by title only by Mr. Hays.

Motion to pass Bill No. 2015-660 on second and third readings by Councilman Collinsworth and seconded by Councilman Workman

Roll call vote:

Richard Davidson – Yes

Steve Hart – Yes

Tom Workman – Yes

Charles Collinsworth - Yes

Motion carried.

**Bill No. 2015-661...Annexing a parcel of property located in Section 14, Township 25, Range 32, all in Newton County, Missouri, as petitioned by the City of Neosho, under Zoning District R-1, First Dwelling House District Classification...2<sup>nd</sup> and 3<sup>rd</sup> Reading.**

Bill No. 2015-661 for Ordinance No. 13-2015 was read by title only by Mr. Hays.

Motion to pass Bill No. 2015-661 on second and third readings by Councilman Workman and seconded by Councilman Hart

Roll call vote:

Steve Hart – Yes  
Tom Workman - Yes  
Charles Collinsworth – Yes  
Richard Davidson – Yes

Motion carried.

**BID**

**Police Department – Safety Equipment**

Police Chief Kennedy reviewed the grant specifications and safety equipment needed. From the five bids sent out there were two returned.

Ed Roehr Safety Products, St. Louis, Mo	\$6,110.00
Galls Public Safety Equipment, Lexington, KY	\$6,259.84

Motion to approve the bid from Ed Roehr Safety Products in the amount of \$6,110.00 by Councilman Hart and seconded by Councilman Workman

Roll call vote:

Tom Workman – Yes  
Charles Collinsworth – Yes  
Richard Davidson - Yes  
Steve Hart – Yes

Motion carried.

**Public Works – Water Line Parts**

Mr. Ryan Long, Public Works Director reviewed the bids for the water line parts required to replenish their inventory and recommended the low bid from Ferguson Enterprises, Inc.

B&L Waterworks Supply	\$7,017.18
HD Supply Waterworks	\$6,972.16
Ferguson Enterprises, Inc.	\$6,418.20

Motion to approve the bid from Ferguson Enterprises, Inc. in the amount of \$6,418.20 by Councilman Collinsworth and seconded by Councilman Workman

Roll call vote:

Charles Collinsworth – Yes  
Richard Davidson – Yes  
Steve Hart – Yes  
Tom Workman - Yes

Motion carried.

**Public Works – FY2015 Camera System**

Mr. Ryan Long, Public Works Director reviewed the bids for the camera system for the Public Works Facility at 200 Nelson and recommended the bid from U.S. Alarm and Electrical.

U.S. Alarm and Electrical	\$18,504.35
Touchton Electric & Alarms	\$10,870.36
Federal Protection	No Bid

## Council Minutes –March 3, 2015

He further stated justification for the choice of US Alarm and Electrical was due to the equipment specifications, service capabilities and they are currently providing alarm services for the city at other locations.

Discussion followed regarding, but not limited to, confirming purchasing 32 cameras.

Motion to approve the bid from Ferguson Enterprises, Inc. in the amount of \$6,418.20 by Councilman Collinsworth and seconded by Councilman Workman

### Roll call vote:

Richard Davidson – Yes  
Steve Hart – Yes  
Tom Workman – Yes  
Charles Collinsworth - Yes

Motion carried.

### **City Administration – Pesticide Spraying**

Mr. Dana Daniel reviewed the bid for pesticide spraying for several city facilities and recommended approving the bid from the only one received out of five.

Motion to approve bid from Advance-Magdaleno in the amount of \$413.00 per month with the exception of non-seasonal spraying at the pool house and authorize Mayor to execute agreement by Councilman Collinsworth and seconded by Councilman Workman

### Roll call vote:

Steve Hart – Yes  
Tom Workman - Yes  
Charles Collinsworth – Yes  
Richard Davidson – Yes

Motion carried.

### **City Administration – Auction of city owned property**

City Manager Royer reviewed the bid process regarding city-owned property located at the northeast corner of Clemons Drive and Highway 59 and recommended approving the bid from SMB.

Motion to approve the bid from SMB in the amount of \$6,000.00 and authorize Mayor to execute the sale at closing by Councilman Hart and seconded by Councilman Workman

### Roll call vote:

Tom Workman – Yes  
Charles Collinsworth – Yes  
Richard Davidson - Yes  
Steve Hart – Yes

Motion carried.

### **CORRESPONDENCE**

There was none.

### **NEW BUSINESS**

**Bill No. 2015-659...Providing for the amendment of Code Chapter 430.245, Stormwater Runoff Management, Article VII, of the City Code of Ordinances...1<sup>st</sup> Reading.**

**Council Minutes –March 3, 2015**

Bill No. 2015-659 was read by title only by Mr. Hays.

Motion to pass Bill No. 2015-659 on first reading by Councilman Collinsworth and seconded by Councilman Workman

Mr. Daniel reviewed the Chapter 430.245 post construction requirements for storm water management. He stated the code would refer to a 3<sup>rd</sup> party set of guidelines, Best Management Practices (BMP) Manual for Land Disturbance Activity Revised December 2014 – City of Springfield.

Discussion followed.

Roll call vote:

Charles Collinsworth – Yes  
Richard Davidson – Yes  
Steve Hart – Yes  
Tom Workman - Yes

Motion carried.

**Bill No. 2015-662...Providing that the revenues and expenditures budget be amended for fiscal year beginning October 1, 2013 and ending September 30, 2014...1<sup>st</sup> Reading.**

Bill No. 2015-662 was read by title only by Mr. Hays.

City Manager Royer reviewed the 2014 Fiscal Year budget amendment as recommended by the annual auditors in accordance with governmental accounting standards.

Motion to pass Bill No. 2015-662 on first reading by Councilman Workman and seconded by Councilman Hart

Roll call vote:

Richard Davidson – Yes  
Steve Hart – Yes  
Tom Workman – Yes  
Charles Collinsworth - Yes

Motion carried.

**Bill No. 2015-663...Providing that the revenues and expenditures budget be amended for fiscal year beginning October 1, 2014 and ending September 30, 2015...1<sup>st</sup> Reading.**

Bill No. 2015-663 was read by title only by Mr. Hays.

Motion to pass Bill No. 2015-663 on first reading by Councilman Hart and seconded by Councilman Workman

Mr. Long reviewed the budget adjustment for the new security camera system.

Roll call vote:

Steve Hart – Yes  
Tom Workman - Yes  
Charles Collinsworth – Yes  
Richard Davidson – Yes

Motion carried.

**Consider approval of the Irrevocable Consent for property located at 13020 Kalmia Drive.**

Utilities Director Duane Linch stated the Shoal Creek plant started having issues with their clarifier in October 2014. Mr. Linch stated staff has maintained operation while research has been done to alleviate the issue. He further stated the drive from Evoqua can fix the problem and expedite the process in the amount of \$30,500.00. Mr. Linch stated to keep operations going has increased expenditures in the amount of \$10,000.00 over a four month period due to overtime for staff and purchase of polymer mix to feed the pump operation.

Motion to approve the option two from Evoqua to include expedition in the amount of \$30,500.00 by Councilman Workman and seconded by Councilman Collinsworth

Roll call vote:

Charles Collinsworth – Yes  
Richard Davidson – Yes  
Steve Hart – Yes  
Tom Workman - Yes

Motion carried.

**Consider approval of the Irrevocable Consent for property located at 13020 Kalmia Drive.**

Mr. Daniel reviewed the Irrevocable Consent presented by Ms. Hulsey. He stated the property is not currently contiguous with city property and recommended allowing connection to city water.

Motion to approve the Irrevocable Consent to Annex as presented by Councilman Hart and seconded by Councilman Workman

Roll call vote:

Charles Collinsworth – Yes  
Richard Davidson – Yes  
Steve Hart – Yes  
Tom Workman - Yes

Motion carried.

**Consider approval of Stouffer Communications Antenna Lease Agreement.**

Mr. Daniel recommended renewing the lease agreement with Stouffer Communications for space on the City Water Tower located at Crowder College.

Motion to approve the agreement between the City of Neosho and Stouffer Communications and authorize Mayor to execute by Councilman Collinsworth and seconded by Councilman Hart

Discussion followed.

Roll call vote:

Richard Davidson – Yes  
Steve Hart – Yes  
Tom Workman – Yes  
Charles Collinsworth - Yes

Motion carried.

**Consider approval of the MoDOT Application and Agreement regarding the Purple Heart City Signs.**

Mr. Royer reminded council in June 2014 the city was recognized as by the Military Order of the Purple Heart as a Purple Heart City. He recommended approving the agreements so the signs can be installed.

Motion to accept the agreement between the City of Neosho and MoDOT and authorize City Manager to execute by Councilman Collinworth and seconded by Councilman Hart

Roll call vote:

Steve Hart – Yes  
Tom Workman - Yes  
Charles Collinworth – Yes  
Richard Davidson – Yes

Motion carried.

**Consider approval of the MoDOT Railroad Crossing Applications (3).**

Mr. Royer presented three applications from MoDOT for three railroad crossings to be placed on Doniphan Drive as discussed during an open meeting held in conjunction with NABIFI on February 12, 2015.

Mayor Davidson noticed on the agreement there was language referencing the agreement would be approved by an ordinance which has not been provided by MoDOT.

Discussion followed.

Motion to approve applications for the three railroad crossings as presented contingent upon receipt, review and acceptance of ordinance as required by MoDOT by Mayor Davidson and seconded by Councilman Workman

Roll call vote:

Tom Workman – Yes  
Charles Collinworth – Yes  
Richard Davidson - Yes  
Steve Hart – Yes

Motion carried.

**REPORT OF CITY OFFICERS**

**Finance Department – January Financials**

Finance Director Daphne Pevahouse reviewed financials stating appreciation to the city departments for keeping an eye on their budgets.

**City Manager Troy Royer – The Canopy**

Mr. Royer stated The Canopy is currently in the building formerly known as Jon's Pharmacy. He explained Mr. Bridges from The Canopy would like to cut a door on the back side of the building and place steps to the back parking lot. He further stated the stairs would be encroaching on city property.

City Attorney Hays recommended Code Enforcement review the plan and Mr. Bridges would execute an Indemnification Agreement.

Mayor Davidson would like to know the agreement terms for the drive through use between the City of Neosho and Jon's Pharmacy.

**City Manager Royer – Attorney Fees**

Mr. Royer stated as of the end of February 22, 2015, attorney fees are in the amount of \$22,710.83.

**City Manager Royer – Hatchery Trail Project**

Mr. Royer encouraged everyone to visit the improvements made on the Hatchery Trail.

**City Manager Royer – Reclassification**

Mr. Royer stated that a small portion of Industrial Drive and Howard Bush is not classified as a major road. He informed council of a letter he wrote to MoDOT requesting the correction.

**Councilman Charles Collinworth – Road Crew**

Councilman Collinworth stated he received a lot of calls stating what a great job our street crews did with grading the ice and snow. He further stated there was one person who lived in Neosho since 1988 and has never had their road graded.

**Councilman Charles Collinworth – Railroad Crossings**

Councilman Collinworth repeated questions by citizens that should the new railroad crossings go in, could the closed railroad tracks be reopened.

Mr. Royer stated the tracks on Doniphan Drive will be private railroad tracks and will not affect the public railroad tracks that have closed by prior staff.

Mayor Davidson stated typically he railroad crossings are owned and maintained by the railroad companies wherein the project on Doniphan Drive will be owned by the City.

**APPOINTMENTS & VACANCIES**

Mayor Davidson mentioned the below vacancies.

**Board of Adjustments (Zoning):** Three vacancies currently exist for terms of five years, one began November 1, 2007, one began November 1, 2009 and one began November 1, 2010.

**Ethic Board:** One vacancy exists for a remaining term that will expire August 20, 2013.

**Park and Recreation Golf Course Board:** Two vacancies currently exist for an unexpired two-year term that began September 1, 2014.

Motion to appoint Mr. Robert Clark to the Parks Recreation and Golf Course Board for a term of two years made by Councilman Workman and seconded by Councilman Hart.

Roll Call Vote:

Charles Collinworth – Yes  
Richard Davidson – Yes  
Steve Hart – Yes  
Tom Workman - Yes

Motion carried.

**Planning & Zoning Commission:** Two vacancies currently exist for a three-year term beginning September 1, 2014.

**Council Minutes –March 3, 2015**

**ADJOURN**

Mayor Davison asked if there was any further business to come before Council, with no response he asked for a motion to adjourn the March 3, 2015, Regular Session City Council meeting.

Motion to adjourn by Councilman Hart and seconded by Councilman Workman. Unanimous vote to adjourn.

Mayor Davidson adjourned the regular session meeting at 8:04 p.m.

**APPROVED:**

**NEOSHO CITY COUNCIL**

---

**Mayor**

**ATTEST:**

---

**City Clerk**