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

OPENING PRAYER & PLEDGE OF ALLEGIANCE

Mr. Troy Royer gave the opening prayer and Mayor Davidson led the Pledge of Allegiance.

A quorum being present, Mayor Davidson called the meeting to order at 7:01 p.m.

ROLL CALL

COUNCIL PRESENT:
Richard Davidson; Timothy Lewis; Tom Workman

COUNCIL ABSENT:
Charles Collinsworth; Steve Hart

CITY OFFICERS PRESENT:
Steven Hays, City Attorney; Troy Royer, City Manager; Nora Houdyshell, City Clerk

APPROVAL OF AGENDA

Motion was made to approve the agenda as amended by Councilman Lewis and seconded by Councilman Workman. The motion passed unanimously.

CONSENT AGENDA:

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

Roll call vote:

Richard Davidson – Yes
Timothy Lewis – Yes
Tom Workman - Yes

Motion carried.

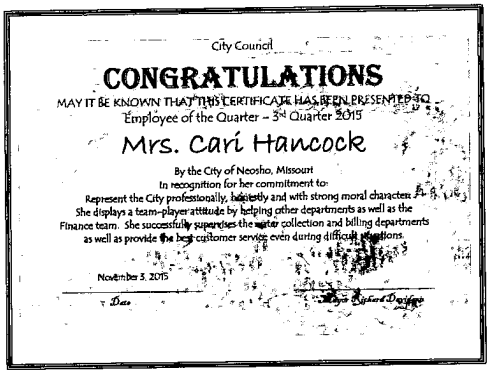
MINUTES:

The minutes of October 20, 2015, Regular and Closed Sessions was approved as presented.

PROCLAMATION:

Mayor Davidson stated that the following proclamation was issued on November 3, 2015.

Employee of the Quarter – 3rd Quarter 2015 – Cari Hancock


City Council

CONGRATULATIONS

MAY IT BE KNOWN THAT THIS CERTIFICATE HAS BEEN PRESENTED TO
Employee of the Quarter – 3rd Quarter 2015

Mrs. Cari Hancock

By the City of Neosho, Missouri
In recognition for her commitment to:
Represent the City professionally, honestly and with strong moral character. She displays a team-player attitude by helping other departments as well as the Finance team. She successfully supervises the water collection and billing departments as well as provide the best customer service even during difficult situations.

November 3, 2015

Date

VISITORS BUSINESS

Mr. Jared Vansandt, Ozark Business Systems – Copier Maintenance

Mr. Vansandt requested to speak during bids pertaining to the copier maintenance.

UNFINISHED BUSINESS

Bill No. 2015-790...Rezoning property described as a grass lot located behind Darden Motors on Neosho Boulevard, Neosho, Newton County, Missouri, from District R-1, First Dwelling House District, to C-3, Commercial Business District, as petitioned by Evelyn Jenell Darden Trust...2nd and 3rd Reading.

Bill No. 2015-790 for Ordinance No. 43-2015 was read by title only by Mr. Hays.

Motion to pass Bill No. 2015-790 on second and third readings by Councilman Lewis and seconded by Councilman Workman

Roll call vote:

Timothy Lewis – Yes
Tom Workman – Yes
Richard Davidson – Yes

Motion carried.

BID

Golf Course – Chemicals

The following bid recommendations were presented for consideration.

Mr. Bill Mulkey, Golf Course Superintendent, informed the council there were two bidders for a partial order of golf course chemicals and recommended the council accept the bid from GreensPro in the amount $20,074.65.

The following bids were received by:

GreensPro	$20,074.65 (Provide rebate in the amount of $910.92)
AgraTruf	$20,074.65

Mr. Mulkey stated his reason for the partial order of chemicals is to claim the rebate offered by GreensPro.

Motion to accept bid from GreensPro in the amount of $20,074.65 by Councilman Workman and seconded by Councilman Lewis

Roll call vote:

Tom Workman – Yes
Richard Davidson - Yes
Timothy Lewis – Yes

Motion carried.

Public Works – Parts

The following bid recommendations were presented for consideration.

Public Works Director Ryan Long informed the council there were four bidders for the water line parts inventory and recommended the council accept the bid from Ferguson Enterprises, Inc. in the amount $25,777.62.

The following bids were received by:

B&L Waterworks Supply:	$24,021.06 quote missing 3 prices for parts
HD Supply Waterworks:	$25,549.92
Ferguson Enterprises, Inc.	$25,777.62
Joplin Supply	$30,419.79 quote missing 1 price for parts

Motion to accept bid from Ferguson Enterprises, Inc. in the amount of $25,777.62 by Councilman Workman and seconded by Councilman Lewis

Roll call vote:

Richard Davidson – Yes
Timothy Lewis – Yes
Tom Workman – Yes

Motion carried.

Recycling Center – Forklift Leasing

The following bid recommendations were presented for consideration.

Economic Development Director Dana Daniel informed the council there were five bids received for the Recycle Center forklift lease and recommended the council accept the bid from Lift Truck Center, Inc. in the amount $466.34 per month.

The following bids were received:

Yale	$531.90	3000 lb capacity
Toyota	$485.26	5000 lb capacity
Toyota	$466.34	4000 lb capacity
Cat	$602.00	3500 lb capacity
Mitsubishi	$550.00	3000 lb capacity

Motion to accept bid for the forklift from Lift Truck Center, Inc. in the amount of $466.34 per month as staff recommended by Councilman Workman and seconded by Councilman Lewis

Discussion followed.

Roll call vote:

Timothy Lewis – Yes
Tom Workman – Yes
Richard Davidson – Yes

Motion carried.

Information Technology – Copier Maintenance/City Hall

Mayor Davidson turned the floor over to Jared Vansandt for discussion.

Mr. Vansandt voiced his concerns pertaining to the copier maintenance bids and stated the recommendation by staff is misleading quoting "the low bidder by about 15 percent". He explained Ozark Business Systems has had a relationship with the City for over 20 years and has provided good service and fast response time. He reviewed calculations of actual copies multiplied by fee and revealed a $121.50 annual difference in price between Ozark Business and Lakeland Office Systems.

Discussion followed.

City Manager Royer confirmed Ozark Business Systems always responds within the hour of being called for service.

Mr. Vansandt stated he was made aware hours before the meeting of one issue that transpired two months prior wherein one of his employees made negative comments about the City while working inside City Hall which has now been addressed and resolved.

The following bid recommendations were presented for consideration.

City Manager Royer, informed the council there were two bidders for the maintenance services for two copier/printer machines at City Hall and recommended the council accept the bid from Lakeland Office Systems.

The following bids were received by:

CITY HALL MAIN COPIER
Ozark Business Systems $1,300 annually
.065/page Color
.0065/page Black and White after 200,000 copies

Lakeland Office Systems $1,300 annually
.065/page Color
.0065/page Black and White after 200,000 copies

FINANCE DEPARTMENT COPIER
Ozark Business Systems
.0071/page unlimited

Lakeland Office Systems
.0062/page unlimited

Motion to accept bid from Ozark Business Systems as submitted by Councilman Lewis and seconded by Councilman Workman

Roll call vote:

Tom Workman – Yes
Richard Davidson - Yes
Timothy Lewis – Yes

Motion carried.

CORRESPONDENCE

Neosho School District – Senior Citizen Appreciation Banquet

Mayor Davidson reviewed the invitation.

NEW BUSINESS

Bill No. 2015-793…Authorizing the Mayor to execute all documentation necessary to join the Missouri Intergovernmental Risk Management Association; approving the form of certain documents necessary to that end; and fixing the time when this ordinance shall become effective…1st Reading.

Bill No. 2015-793 was read by title only by Mr. Hays.

Motion to pass Bill No. 2015-793 on first reading by Councilman Lewis and seconded by Councilman Workman

Human Resource Director Georgia Holtz stated this is to establish membership with Missouri Intergovernmental Risk Management Agency (MIRMA).

Councilman Workman conferred with City Attorney Hays who confirmed he approves of this bill.

Roll call vote:

Richard Davidson – Yes
Timothy Lewis – Yes
Tom Workman – Yes

Motion carried.

Bill No. 2015-794...Providing that the revenues and expenditures budget be amended for the Fiscal Year beginning October 1, 2014 and ending September 30, 2015...1st Reading.

Bill No. 2015-794 was read by title only by Mr. Hays.

Motion to pass Bill No. 2015-794 on first reading by Councilman Workman and seconded by Councilman Lewis

Finance Director Daphne Pevahouse stated this is to adjust City revenue and expenditure budgets for the Fiscal Year beginning October 1, 2014 and ending September 30, 2015.

Roll call vote:

Timothy Lewis – Yes
Tom Workman – Yes
Richard Davidson – Yes

Motion carried.

Resolution Bill No. 2015-04...Resolving that the City of Neosho adopts the Amendment to Section 125 Premium Only Plan of the Internal Revenue Code.

Resolution Bill No. 2015-04 for Resolution 154-2015 was read by title only by Mr. Hays.

Motion to adopt Resolution Bill No. 2015-04 by Councilman Lewis and seconded by Councilman Workman

Ms. Holtz stated this is to amend the Cafeteria Plan to have an effective date of February 1, 2016.

Discussion followed.

Roll call vote:

Tom Workman – Yes
Richard Davidson - Yes
Timothy Lewis – Yes

Motion carried.

Resolution Bill No 2015-05...Authorizing the offering for sale of refunding certificates of participation to refinance certain of the City's outstanding lease purchase obligations engaging certain professionals in connection therewith.

Resolution Bill No. 2015-05 for Resolution 155-2015 was read by title only by Mr. Hays.

Motion to adopt Resolution Bill No. 2015-05 by Councilman Lewis and seconded by Councilman Workman

City Manger Royer stated the Series 2006A and 2006B are callable and reviewed the debt coverage then turned the floor over to Mr. Jack Dillingham with Piper Jaffrey.

Mr. Dillingham stated the refunding should be completed by the second meeting in January and looked forward to assisting the City in saving money.

Discussion followed.

Roll call vote:

Richard Davidson – Yes
Timothy Lewis – Yes
Tom Workman – Yes

Motion carried.

Consider approval of Blue Valley Public Safety annual maintenance agreement.

Fire Chief Eads reviewed the annual maintenance agreement for the outdoor sirens.

Motion to approve the agreement between the City of Neosho and Blue Valley Public Safety as presented and authorize Mayor to execute by Councilman Workman and seconded by Councilman Lewis

Roll call vote:

Timothy Lewis – Yes
Tom Workman – Yes
Richard Davidson – Yes

Motion carried.

Consider approval of EvidenceOnQ Software Agreement.

Police Chief Kennedy explained this software will allow the Police Department to generate reports for evidence tracking and will make audits easier with a bar-coded system.

Discussion followed.

Motion to approve purchase of EvidenceOnQ Software as presented and authorize Mayor to execute letter by Councilman Lewis and seconded by Councilman Workman

Roll call vote:

Tom Workman – Yes
Richard Davidson - Yes
Timothy Lewis – Yes

Motion carried.

Consider approval of Joe Harding Sales & Service Quote along with the Joplin Fire Protection, Inc. Agreement.

Mr. Daniel stated the kitchen hood system and fire suppression system for the Neosho Senior Center needs to be replaced and recommended the only bid received from Joe Harding in the amount of $8,237.00 for the hood and Joplin Fire Protection in the amount of $1,986.00 for the fire suppression system.

Motion to approve the suppression and hood system and authorize Mayor to execute the letter a submitted by Joe Harding and proposal as submitted by Joplin Fire Protection by Councilman Workman and seconded by Councilman Lewis

Roll call vote:

Richard Davidson – Yes
Timothy Lewis – Yes
Tom Workman – Yes

Motion carried.

Consider approval of the Darnell Racing Enterprises agreement.

Mr. Wes Franklin stated this is to approve the Flash Fire Jet Truck for Celebrate Neosho 2016 which includes two performances in the amount of $7,000.00.

Motion to approve the agreement between Darnell Racing Enterprises and the City of Neosho and authorize Mayor to execute by Councilman Workman and seconded by Councilman Lewis

Roll call vote:

Timothy Lewis – Yes
Tom Workman – Yes
Richard Davidson – Yes

Motion carried.

REPORT OF CITY OFFICERS

Troy Royer, City Manager – Transportation Development District (TDD) Update

Mr. Royer stated he will attend a meeting with Public Works Director Ryan Long, two TDD Board members and the MoDOT Engineer to discuss resolving the road repair issues.

Discussion followed pertaining to safety issues and road repair responsibilities.

Troy Royer, City Manager – NABIFI Contract Renewal

Mr. Royer reminded council he forwarded a proposed agreement from Mr. Andy Wood, Attorney at Law between the City of Neosho and NABIFI. He stated he would order an appraisal on the property.

Discussion held including but not limited to, City Attorney Hays stating he would respond to Mr. Wood's email and ask the agreement be amended to reimburse the City for all appraisals with the exception of the first one.

Ryan Long, Public Works Director – Water Loss

Mr. Long reported water loss for September is down to 31%. He stated a 55 meter replacement with the sensus program has been installed. He further stated the information was uploaded in a matter of minutes to the Assistant Finance Director.

Ryan Long, Public Works Director – Surry Seal

Mr. Long informed council there was 1.7 miles of slurry seal bid for 2015. He stated this was not a big enough job for contractors to bid on so he will add to the 2016 slurry seal bids.

City Attorney Steve Hays – Lawsuit Updates

Mr. Hays reported the following:

Copeland vs. City of Neosho – Judge has dismissed
Hart & Ruth vs. City of Neosho – Dismissal has been filed, accepted by Judge

City Manager Royer – Church Sewer Issues

Mr. Royer stated in order to provide sewer to the Church on Baxter, there would need to be a lift station installed or bore under 86 Highway. He further stated staff continues to look into solutions and expenses.

APPOINTMENTS & VACANCIES

Senior Citizen Committee

One vacancy: Begins November 1, 2014 and expires October 31, 2017.
One letter of interest has been received from Mrs. Norma Newton

Without objection City Council agreed to Mr. Dana Daniel request to postpone the appointment to the Senior Citizen Committee until further information is obtained.

CLOSED MEETING:

Motion to close the meeting pursuant to Section 610.021(1) RSMo,...Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys and Section 610.021(2) RSMo,...Leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefore by Mayor Davidson and seconded by Councilman Workman

Roll call vote:

Tom Workman – Yes
Richard Davidson - Yes
Timothy Lewis – Yes

Motion carried.

Mayor Davidson closed the meeting at 8:55 p.m.

The meeting reconvened in open session at 9:10 p.m. and Mayor Davidson announced the council conferred with the city attorney and one vote was taken.

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 November 3, 2015, Regular Session City Council meeting.

Motion to adjourn by Mayor Davidson and seconded by Councilman Lewis. Unanimous vote to adjourn.

Mayor Davidson adjourned the regular session meeting at 9:10 p.m.

APPROVED: **NEOSHO CITY COUNCIL**

_____
Mayor

ATTEST:

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City Clerk