

**MINUTES  
NEOSHO CITY COUNCIL  
December 1, 2015 - 7:00 p.m.  
City Hall – Council Chambers  
203 E. Main St., Neosho, MO**

**OPENING PRAYER & PLEDGE OF ALLEGIANCE**

Aaron Decker 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; Timothy Lewis; Tom Workman

CITY OFFICERS PRESENT:

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

**AMEND AGENDA**

By consensus and without objection, Mayor Davidson amended the agenda to include closing under 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

**APPROVAL OF AGENDA**

Motion was made to approve the agenda as amended by Councilman Workman and seconded by Councilman Hart. 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:

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

Motion carried.

**MINUTES:**

The minutes of November 17, 2015, Regular Session was approved as presented.

**VISITORS BUSINESS**

**Mr. Jared Vansandt – New Business Copier Maintenance Bids**

Mr. Vansandt requested to speak during the new business copier maintenance discussions.

Mayor Davidson explained there is no action item under New Business but a discussion item so if Mr. Vansandt had a statement to make, he should do so now.

Mr. Vansandt stated he had no statement to make just available if there were questions.

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**UNFINISHED BUSINESS**

**Bill No. 2015-795...Annexing described property located beginning at the Northwest Corner of the Northeast Quarter of the Southeast Quarter of Section 17, Township 24 North, Range 32 West, Newton County, as petitioned by Jay and Susan Renner, under zoning District R-2, Second Dwelling House Classification...2<sup>nd</sup> and 3<sup>rd</sup> Reading.**

Bill No. 2015-795 for Ordinance No. 46-2015 was read by title only by Mr. Hays.

Motion to pass Bill No. 2015-795 on second and third readings by Councilman Lewis and seconded by Councilman Collinsworth

Roll call vote:

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

Motion carried.

**BID**

**Fire Department – Overhead Doors**

The following bid recommendations were presented for consideration.

Chief Eads informed the council there were four bids mailed wherein two bidders responded for the three new overhead doors at Station 2 and two overhead doors at Station 1 and recommended the council accept the bid from Tri-State Overhead Doors of Neosho in the amount \$10,978.00.

The following bids were received by:

Overhead Door Company of Joplin	\$14,799.00
Tri-State Overhead Doors of Neosho	\$10,978.00
Four State Doors, Inc.	No Bid Received
Garage Door Brokers	No Bid Received

Motion to accept bid from Tri-State Overhead Doors of Neosho in the amount of \$10,978.00 and authorize Mayor to execute by Councilman Collinsworth and seconded by Councilman Workman

Councilman Hart confirmed these items were budgeted for.

Roll call vote:

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

Motion carried.

**Fire Department – New Truck**

The following bid recommendations were presented for consideration.

Chief Eads informed the council, staff determined to use the State Bid to purchase a 2016 Ford Crew cab 4x4 with V-8 auto, tow package and power group option in the amount of \$27,829.00 from Republic Ford

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Motion to accept bid from Republic Ford in the amount of \$27,829.00 and authorize Mayor to execute by Councilman Hart and seconded by Councilman Workman

Discussion followed.

Roll call vote:

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

Motion carried.

**Public Works – Truck**

The following bid recommendations were presented for consideration.

Mr. Ryan Long, Public Works Director informed the council there were two bidders on the MODOT 2015 State Bid and recommended the council accept the bid from Blue Springs Ford in the amount \$37,044.00 for the purchase of a Ford F350 Regular Cab and Chassis 1 ton 4x4 truck with a PGNB utility flat bed.

The following bids were received by:

Blue Springs Ford	\$37,044.00
Joe Machens Ford Lincoln	\$37,581.00

Motion to approve bid from Blue Springs Ford in the amount of \$37,044.00 by Councilman Workman and seconded by Councilman Lewis

Mayor Davidson stated appreciation to Mr. Long for utilizing a budget verification form with the bids he submitted.

Discussion followed.

Roll call vote:

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

Motion carried.

**Public Works – Snow Removal Equipment**

The following bid recommendations were presented for consideration.

Mr. Ryan Long informed the council there were two bidders for the snow removal equipment and recommended the council accept the bid from Grand Truck Equipment in the amount \$27,299.00.

The following bids were received by:

Grand Truck Equipment	(2016 Int 7400 4x2 Options 2,3,4)	\$16,310.00
	(2015 F-350 1 ton 4x4)	<u>\$10,989.00</u>
		\$27,299.00

Trux Equipment - Received after deadline by email - Disqualified

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Motion to accept bid from Grand Truck Equipment in the amount of \$27,299.00 by Councilman Lewis and seconded by Councilman Collinsworth

Roll call vote:

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

Motion carried.

**CORRESPONDENCE**

There was none.

**NEW BUSINESS**

**Bill No. 2015-796...Providing that the revenues and expenditures budget be amended for the Fiscal Year beginning October 1, 2015 and ending September 30, 2016...1<sup>st</sup> Reading.**

Bill No. 2015-796 was read by title only by Mr. Hays.

Motion to pass Bill No. 2015-796 on first reading by Councilman Workman and seconded by Councilman Hart

Finance Director Pevahouse reviewed the budget amendment noting the Airport portion is due to a lightning strike and the Streets Capital Vehicle, Drainage Capital and D&M Capital is due to purchases being approved in Fiscal Year 2015 but transactions were not completed until Fiscal Year 2016.

Mayor Davidson stated appreciation for staff being proactive and keeping an eye on their budgets.

Roll call vote:

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

Motion carried.

**Consider approval of the A.M. Pyrotechnics, LLC agreement.**

Mr. Wes Franklin reminded council the bid for the Celebrate Neosho 2016 fireworks were approved in November and presented the agreement which has been reviewed and approved by the City Attorney.

Motion to approve the agreement with AM Pyrotechnics as presented and authorize Mayor to execute by Councilman Collinsworth and seconded by Councilman Workman

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### Roll call vote:

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

Motion carried.

### **Copier Maintenance Agreement discussion.**

City Manager Royer stated due to recent events, he would request the council reconsider this item at the next meeting and reevaluate the agreement.

After inquiry from Councilman Hart, Mr. Royer explained staff recommended the low bid but the local bidder (Ozark Business Systems) was approved which was a little higher. He stated his discouragement when he overheard Mr. Vansandt in a public place making negative comments towards the City and the process that took place when the bid was approved. He further noted Mr. Vansandt stated his disapproval of his employee making negative comments towards the City prior to the last council meeting and yet Mr. Vansandt was making similar comments.

### **Point of Order**

Mr. Vansandt attempted to interjected comment.

Mr. Royer continued with discussion.

Mayor Davidson confirmed with Mr. Royer, the request is to come back at next meeting and discuss this further and formalize an action.

Councilman Hart confirmed this agreement has been approved and passed.

### **Point of Order**

Mr. Vansandt attempted to interjected comment.

Mayor Davidson reminded Council and the public that they are not here to debate the merits of the statements made or the agreement but Council's desire to bring the agreement back for review.

Councilman Hart inquired as to the history of the staff and council if this has been done before?

Councilman Collinworth stated Mr. Royer runs our day to day affairs and there should be a certain amount of trust between you and our vendors so he would support his decision.

Councilman Hart stated this should be discussed upon business conducted and quality of service not hearsay or rumors

Mr. Royer clarified this was not a rumor as he heard it himself.

Councilman Hart stated the Council should not hold grudges over people's view of the Council and he would like to hear what Mr. Vansandt has to say.

Mayor Davidson stated there is no allegation against Mr. Vansandt right now and reminded Council the request is to bring the agreement back at the next meeting.

Discussion followed.

Mayor Davidson confirmed with Mr. Royer that he would be willing to provide details of the statements he heard Mr. Vansandt make at the following meeting if needed.

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Motion to have a discussion December 15<sup>th</sup> concerning this contract and any concerns Mr. Royer has about the execution of it by Councilman Collinsworth and seconded by Councilman Workman

Roll call vote:

Timothy Lewis – No  
Tom Workman – Yes  
Charles Collinsworth - Yes  
Richard Davidson – Yes  
Steve Hart – No

Motion carried.

**REPORT OF CITY OFFICERS**

**City Attorney Steven Hays – American Legion**

Mr. Hays stated the American Legion had requested an extension to November 30<sup>th</sup> to give the City an answer regarding the settlement offer the City made. He explained the response was received at approximately 6:00 pm yesterday evening. Mr. Hays informed the Council the American Legion has rejected the offer so the lawsuit will proceed.

**City Manager Troy Royer – NABIFI/Option Agreement**

Mr. Royer stated the updated appraisal has been received for the real estate NABIFI has an option to purchase and the value did not change. He requested council guidance as to how he and the City Attorney should proceed.

**City Manager Troy Royer – Empire Electric**

Mr. Royer stated after the last city council meeting he contacted the City of Joplin regarding Empire Electric rate increase. He stated the City Manager passed the request to the Joplin City Attorney which he has not heard back from. Mr. Royer stated he then received a call from Mr. Rick Hendricks with Empire Electric wherein he stated he would be willing to attend the next Council meeting and discuss how they calculate their rate increases.

Councilman Hart confirmed with Mr. Royer it is an overall rate increase not just for the City.

Mayor Davidson stated just for the Water/Wastewater alone, the City currently has budgeted \$600,000.00 per year for utility costs.

Discussion followed

City Attorney Hays stated the City of Joplin is using its political connection to notify the Public Service Commission as to their position regarding the amount of rate increases over the last five to 10 years.

**City Manager Troy Royer – Clearpath/Sewer Extension Project**

Mr. Royer stated the project has been re-engineered to go under 60 Highway and stay within the City's easement. He explained bids are due back on the 9<sup>th</sup> and will be presented to Council during the December 15<sup>th</sup> meeting.

Discussion followed.

**Councilman Steve Hart – Church Sewer Issues**

Councilman Hart requested an update pertaining to the Church request of sewer problems.

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Mr. Royer stated he has obtained preliminary figures. He explained where sewer stops which would require a lift station which could cost as much as \$70,000.00. Mr. Royer stated this property is in the TIF district.

Discussion held including, but not limited to, the owner of the Church was notified of the sewer issues before they purchased the property.

Mayor Davidson reminded Council this issue is due to a property owner dispute not because the City has done anything wrong.

Discussion followed.

**Mayor Richard Davidson – Finance Director Training**

After inquiry by Mayor Davidson, Ms. Pevahouse, Finance Director stated she will take the second test in January and the last one in April or May for her CGFM (Certified Government Financial Manager).

**APPOINTMENTS & VACANCIES**

**Senior Citizen Committee**

One vacancy: Beginning November 1, 2015 through October 31, 2018

*One letter of interest has been received from Ms. Alice Canfield for re-appointment*

Motion to reappoint Alice Canfield to Senior Citizen Committee by Councilman Collinsworth and seconded by Councilman Workman

Roll call vote:

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

Motion carried.

**CLOSED MEETING:**

Motion to close the meeting pursuant to 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 and 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 by Mayor Davidson and seconded by Councilman Collinsworth

Roll call vote:

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

Motion carried.

Mayor Davidson closed the meeting at 7:36 p.m.

The meeting reconvened in open session at 8:44 p.m. and Mayor Davidson announced the council conferred with the city attorney and one vote was taken.

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**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 December 1, 2015, Regular Session City Council meeting.

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

Mayor Davidson adjourned the regular session meeting at 8:44 p.m.

**APPROVED:**

**NEOSHO CITY COUNCIL**

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**Mayor**

**ATTEST:**

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**City Clerk**