

MINUTES
NEOSHO CITY COUNCIL
June 7, 2016 - 7:00 p.m.
City Hall – Council Chambers
203 E. Main St., Neosho, MO

OPENING PRAYER & PLEDGE OF ALLEGIANCE

Councilman Doubek gave the opening prayer and Mayor Collinsworth led the Pledge of Allegiance.

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

ROLL CALL

COUNCIL PRESENT:

Ben Baker; Charles Collinsworth; Richard Davidson; William J.P. Doubek

ABSENT:

Timothy Lewis

CITY OFFICERS PRESENT:

Steven Hays, City Attorney; Troy Royer, City Manager; Rachel Holcomb, City Clerk

APPROVAL OF AGENDA

Mayor Collinsworth informed the Council that the agenda needed to be amended:

- There was a proclamation that needed to be added and a typo in “Unfinished Business”.

Motion was made to approve the amended agenda by Councilman Doubek and seconded by Councilman Baker. The motion passed unanimously.

CONSENT AGENDA:

Motion to approve the consent agenda with the minutes of May 17, 2017 from Regular Session meeting by Councilman Baker and seconded by Councilman Doubek.

Roll call vote:

Ben Baker – Yes

Charles Collinsworth - Yes

Richard Davidson – Yes

William J.P. Doubek – Yes

Council Minutes – June 7, 2016

Motion carried.

MINUTES:

The minutes of May 17, 2016 – Regular Session –was approved as presented.

PROCLAMATION

Neosho Newton County Library was acknowledged as Employer of the Month for June 2016.

VISITOR BUSINESS

There was none.

UNFINISHED BUSINESS

Bill No. 2016-810 was read by title only by Mr. Hays.

AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI, ANNEXING THE BELOW DESCRIBED PROPERTY LOCATED WITHIN PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER AND PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 25 NORTH, RANGE 32 WEST, NEWTON COUNTY, MISSOURI ALL OF WHICH IS CONTIGUOUS WITH THE CITY OF NEOSHO, AS PETITIONED BY THE NEOSHO SCHOOL DISTRICT, UNDER ZONING DISTRICT R-1, FIRST DWELLING HOUSE DISCTRICT CLASSIFICATION....2nd and 3rd
Reading

Councilman Davidson has some concerns with approving this annexation. He explained that if we approve this tonight it is the last step towards the school being inside the city limits. The school has not yet purchased building permits. If they are inside the city limits without a building permit, they will have to cease construction until a permit is issued.

Further discussion ensued. Council would like to see copies of the bid to see if permit fees were included.

Motion to postpone further discussion about the passing of Bill No. 2016-810 until the June 21st Council meeting by Councilman Davidson and seconded by Councilman Doubek.

Roll call vote:

Charles Collinsworth - Yes
Richard Davidson – Yes
William J.P. Doubek – Yes
Ben Baker – Yes

Council Minutes – June 7, 2016

Motion carried.

BID

Weir Ditch Repair –Wastewater: Staff recommends that Council accept D&S bid for 3 replacement rotor gearboxes.

Motion to accept bid from D&S Erectors as submitted in the amount of \$34,072.11 by Councilman Doubek and seconded by Councilman Davidson.

Roll call vote:

Richard Davidson – Yes
William J.P. Doubek – Yes
Ben Baker – Yes
Charles Collinworth - Yes

Motion carried.

NEW BUSINESS

Bill No. 2016-811 was read by title only by Mr. Hays.

AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI, VACATING AND ABANDONING THE ROADWAY EASEMENT IDENTIFIED AS PART OF SHERRY LANE IN OAK HILL ESTATES SUB DIVISION, NE ¼ NW ¼ OF SECTION 25, TOWNSHIP 25, RANGE 32, CITY OF NEOSHO, NEWTON COUNTY, MISSOURI....1st reading

Dana Daniel informed council they have been asked to vacate the easement on Sherry Drive. In 2015 the City vacated a portion of the right-of-way. This has been discussed with the City Attorney and this easement serves the City no purpose.

Motion to pass Bill No. 2016-811 on first reading by Mayor Collinworth and seconded by Councilman Doubek

Roll call vote:

William J.P. Doubek – Yes
Ben Baker – Yes
Charles Collinworth – Yes
Richard Davidson – Yes

Motion carried.

Council Minutes – June 7, 2016

Bill No. 2016-812 was read by title only by Mr. Hays.

AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI, PROVIDING THAT THE REVENUES AND EXPENDITURES BUDGET BE AMENDED FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016....1st reading

Daphne Pevahouse explained needs for a budget amendment

- General fund: increase in personnel expenses such as overtime and workman's comp
- City Clerk and Emergency Management both had personnel changes and asking for an overall decrease in both of these departments
- Development Department: purchase of handheld GIS tool that is being split up with a few other departments as well
- Airport received a donation
- Water/wastewater department: originally budgeted for no employees, but salaries were paid for wastewater filtration department
- Auditorium: civic lighting program

Motion to pass Bill No. 2016-812 on first reading by Councilman Baker and seconded by Councilman Doubek

Roll call vote:

Ben Baker – Yes

Charles Collinsworth – Yes

Richard Davidson – Yes

William J.P. Doubek – Yes

Motion carried.

Bill No. 2016-813 was read by title only by Mr. Hays.

AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI, DECLARING CERTAIN PERSONAL PROPERTY AS SURPLUS AND SETTING FORTH THE METHOD FOR DISPOSING OF THE SAME....1st reading

Dana Daniel asked Council to consider a self serve fuel pump a surplus item to be sold in a future City auction

Motion to pass Bill No. 2016-813 on first reading by Mayor Collinsworth and seconded by Councilman Baker

Roll call vote:

Charles Collinsworth – Yes

Richard Davidson – Yes

William J.P. Doubek – Yes

Council Minutes – June 7, 2016

Ben Baker – Yes

Motion carried.

Joplin Mutual Aid Agreement

Chief David Kennedy explained that he and Chief Stewart agreed the agreement needed to be updated due to all of the personnel changes that have occurred since the original contract from the mid 1990's. Nothing else in the contract has changed. This agreement is great to have in place and was essential during the Joplin tornado. The Neosho police department was automatically able to step in and help.

Motion to pass Joplin Mutual Aid agreement and allow the police chief to authorize by Councilman Doubek and seconded by Councilman Baker

Roll call vote:

Richard Davidson – Yes

William J.P. Doubek – Yes

Ben Baker – Yes

Charles Collinsworth – Yes

Motion carried.

Ownership Acceptance of Conveyance of TDD Roads to the City of Neosho

Troy Royer informed Council that he received the Quit Claim Deed from MoDOT,

Mayor Collinsworth advised there had been a number of questions and concerns, one of which was from property owner within the TDD district whose property flooded due to the construction, Mayor Collinsworth asked if we would need to hire an engineer to look at this. City Attorney Steve Hayes assured the city's engineer Allegier Martin would be able to help with this. If there is flooding the City should take it back to the TDD to ask them to get this taken care of because if not it could come back to the city to correct the issue after they had accepted the roads.

Councilman Davidson has a concern about the cooperative agreement. TDD is hesitant to pay the bill in regards to the City fixing the ditch at Waldo Hatler Drive because the work was not bid first. Councilman Davidson asked the question if we do further maintenance on the roads is the TDD going to refuse payment because that work wasn't bid? Attorney Steve Hays advised that the City ask the TDD's attorney to issue an attorney opinion as to whether or not they are responsible under the cooperative agreement to reimburse the City for the expenses they incur as a result of maintenance of the TDD roads. This should be able to be done within two weeks.

Councilman Davidson also acknowledged that the properties were deeded to MoDOT at the end of 2014 and beginning of 2015. These totals were not deducted until 2016. This would mean

Council Minutes – June 7, 2016

those property owners should not have been able to use that acreage for their votes during the TDD elections. City Attorney Steve Hayes explained this is before the course and he should be getting proper acreage.

Further discussion followed.

Motion to postpone further discussion of the Owner Acceptance of the Conveyance of the TDD Roads until the June 21st Council Meeting by Councilman Baker; seconded by Councilman Davidson.

Roll call vote:

William J.P. Doubek – Yes
Ben Baker – Yes
Charles Collinsworth – Yes
Richard Davidson – Yes

Motion carried.

REPORT OF CITY OFFICERS

Troy Royer, City Manager – Historicorps

The RV Park will be closed from June 12th – July 1st for Historicorps. They are coming to town to redo the Carver School House. The Carver Birthplace raised \$35,000 for this program. There are other groups that are donating meals. We are donating the use of the RV Park.

CLOSED MEETING

Motion was made by Councilman Davidson and seconded by Councilman Baker 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(14) RSMo,... Records which are protected from disclosure by law

Roll call vote:

Ben Baker – Yes
Charles Collinsworth – Yes
Richard Davidson – Yes
William J.P. Doubek – Yes

Motion carried.

Mayor Collinsworth closed the meeting at 7:50 p.m.

The meeting reconvened in open session at 9:14 p.m. and Mayor Collinsworth announced there

Council Minutes – June 7, 2016

was 1 vote taken.

ADJOURN

Mayor Collinsworth asked if there was any further business to come before Council, with no response he asked for a motion to adjourn the June 7, 2016, Regular Session City Council meeting.

Motion to adjourn by Councilman Doubek and seconded by Mayor Collinsworth. Unanimous vote to adjourn.

Mayor Collinsworth adjourned the regular session meeting at 9:15 p.m.

APPROVED:

NEOSHO CITY COUNCIL

Mayor

ATTEST:

City Clerk