

MINUTES
NEOSHO CITY COUNCIL
June 21, 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; Timothy Lewis

CITY OFFICERS PRESENT:

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

APPROVAL OF AGENDA

Mayor Collinsworth asked that Council amend the agenda by removing item 1 from Unfinished Business - Bill No. 2016-810 - Approval Annexation of 14646 Kodiak Road

CONSENT AGENDA:

All in favor of accepting the consent agenda and minutes.

MINUTES:

The minutes of June 7, 2016 – Regular Session –was approved as presented.

The minutes of June 7, 2016 – Closed Session –was approved as presented

PROCLAMATION

There was none

VISITOR BUSINESS

Pete Ramsel with CRA Investments – Housing

He would like permission to come back on July 5, 2016 to make a complete presentation on Workforce Housing. Clyde Hopper has worked with him to find a site to build 20 duplexes: 24 two bedroom and 16 three bedroom. He handed informational packets to the Council. He asked

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Council to look these over before the July 5th council meeting. This housing is directed towards people who have a yearly income of \$27,000 - \$44,000.

UNFINISHED BUSINESS

Bill No. 2016-811 for Ordinance No. 62-2016 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....2nd and 3rd reading

Motion to pass Bill No. 2016-811 on 2nd and 3rd readings by Councilman Lewis and seconded by Councilman Doubek

Roll call vote:

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

Motion carried.

Bill No. 2016-812 for Ordinance No. 63-2016 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....2nd and 3rd reading

Motion to pass Bill No. 2016-812 on 2nd and 3rd readings by Mayor Collinsworth and seconded by Councilman Doubek

Roll call vote:

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

Motion carried.

Bill No. 2016-813 for Ordinance No. 64-2016 was read by title only by Mr. Hays.

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AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI, DECLARING CERTAIN PERSONAL PROPERTY AS SURPLUS AND SETTING FORTH THE METHOD FOR DISPOSING OF THE SAME....2nd and 3rd reading

Motion to pass Bill No. 2016-813 on 2nd and 3rd readings by Councilman Doubek and seconded by Councilman Baker

Roll call vote:

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

Motion carried.

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

City Manager Royer informed council that Allgieir Martin did go out to the site of the flooding, but he has not heard back from them at this time. He also spoke to the owner of this property and she informed him that she had originally contacted MoDOT and they told her to follow up with the city.

Mayor Collinsworth asked City Attorney Hays to be proactive in reaching out to the attorney for the TDD to make sure The City and The TDD are “on the same page” about the cooperative agreement. City Attorney Hays agreed to do so and feels there should be an answer by the August 2nd council meeting.

Further discussion followed.

Motion to postpone further discussion of the Owner Acceptance of the Conveyance of the TDD Roads until the August 2nd Council Meeting by Mayor Collinsworth; seconded by Councilman Davidson.

Roll call vote:

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

Motion carried.

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BID

There was none.

CORRESPONDENCE

There was none.

NEW BUSINESS

Bill No. 2016-814 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 there were amendments needed for:

- Police
- Fire
- 2006 Cop/TIF/WW TIF Debt
- D&M

Motion to pass Bill No. 2016-814 on first reading by Councilman Davidson and seconded by Councilman Lewis

Roll call vote:

Timothy Lewis - Yes

Ben Baker – Yes

Charles Collinsworth – Yes

Richard Davidson – Yes

William J.P. Doubek – Yes

Motion carried.

Change Order #1 Polston Construction Contract for ClearPath Senior Living Facility Sewer Extension

City Manager Royer explained the original bid on this was \$102,670 decreasing because some of the parts they thought they would need, but didn't. This reduction is \$1,078 making the new bid amount \$100,890. The engineering bills of \$15,000 we have not received yet. We have received our reimbursement of \$105,000. City Manager Royer said he did hold back some retainage because of some sinking issues. He has spoken to the engineers and he noticed that they have been out there correcting this issue.

Motion to accept Change Order #1 between the City of Neosho and Polston Construction and to

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authorize the mayor to sign by Councilman Davidson and seconded by Councilman Doubek

Roll call vote:

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

Motion carried.

Irrevocable Consent for Gibbens Construction @ 13719 Pella Lane

Motion to approve Irrevocable Consent for Gibbens Construction @ 13719 Pella Lane
by Mayor Collinsworth and seconded by Councilman Lewis

Roll call vote:

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

Motion carried.

Irrevocable Consent for Cason Starbuck @ 13673 Pella Lane

Motion to approve Irrevocable Consent for Cason Starbuck @ 13673 Pella Lane
by Councilman Doubek and seconded by Councilman Baker

Roll call vote:

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

Motion carried.

Irrevocable Consent for Gibbens Construction @ 13691 Pella Lane

Motion to approve Irrevocable Consent for Gibbens Construction @ 13691 Pella Lane
by Mayor Collinsworth and seconded by Councilman Doubek

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Roll call vote:

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

Motion carried.

Request for Variance on Annexation Code @ 15446 Highway TT

Motion to approve Request for Variance on Annexation Code @ 15446 Highway TT
by Mayor Collinsworth and seconded by Councilman Doubek

Mike Spencer explained he would like to connect to city water which is already available and he agrees to pay the higher rate. He does not want to annex in to the city because he does not want to abide by city codes i.e. he would like to set up a mobile home for his adult son to live in and would also like to have the freedom to have animals which are not allowed inside the city limits.

Councilman Davidson and Mayor Collinsworth explained that just because he has an irrevocable consent does not mean he will be automatically annexed in to the city. Councilman Davidson recited code 710.140 which was adopted in 1977. He does not feel that we should provide a variance for this situation.

Further discussion followed

Roll call vote:

Timothy Lewis – No
Ben Baker – No
Charles Collinsworth – No
Richard Davidson – No
William J.P. Doubek – No

Motion failed.

APPOINTMENTS AND VACANCIES

Mayor Collinsworth pointed out the below vacancies. He made a motion to renew Phyllis Blackwood to her seat on the Neosho Newton County Library Board. He also recommended Karina Cole to the board as she was the first person to send a letter of interest for the position; Councilman Lewis seconded.

Roll call vote:

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Ben Baker – No
Charles Collinsworth – No
Richard Davidson – No
William J.P. Doubek – No
Timothy Lewis – No

Motion failed.

1. Economic Development Sales Tax Committee: There are two vacancies, one two-year term, one three-year term.
2. Enhanced Enterprise Zone Board: There are two five-year terms vacant.
3. Ethics Board: There is one two-year term vacancy.
4. Neosho Housing Authority (Oakes): There are three four-year term vacancies.
5. Parks Recreation and Golf Course Board: There are three vacancies:
one three-year term, one two-year term, one one-year term.
6. Planning & Zoning Commission: There are two three-year term vacancies.
7. Neosho Newton County Library Board: Two terms expire on 6/30/16.
 - Phyllis Blackwood sent letter of interest in renewing her term
 - Karina Cole sent in letter of interest
 - Tamie Williams sent in letter of interest

REPORT OF CITY OFFICERS

Daphne Pevahouse – Finance Director: April Financials

Ms. Pevahouse reviewed financials emphasizing sales tax is up 18% over June 2015. Financials can be found online or with the City Clerk

Ken Brady – Wastewater Department: Alliance April Report

Mr. Brady discussed the April Report (can be found online or with the City Clerk).

Troy Royer – City Manager: Celebrate Neosho

Mr. Royer reminded everyone that Celebrate Neosho is Saturday, June 25th. He explained that this is the biggest event of the year and encouraged everyone to come and participate.

Councilman Davidson: TDD

Councilman Davidson reported that the TDD voted to “kill” the 2nd part of the Kodiak project and they also revoked their offer to pay anything on the bill presented to them from the city.

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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.

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 9:02 p.m. and Mayor Collinsworth announced there was no 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 21, 2016, Regular Session City Council meeting.

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

Mayor Collinsworth adjourned the regular session meeting at 9:03 p.m.

APPROVED:

NEOSHO CITY COUNCIL

Mayor

ATTEST:

City Clerk