

**MINUTES  
NEOSHO CITY COUNCIL  
March 07, 2017 - 7:00 p.m.  
City Hall – Council Chambers  
203 E. Main St., Neosho, MO**

**OPENING PRAYER & PLEDGE OF ALLEGIANCE**

David Cox 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:

Charles Collinsworth; Richard Davidson; Ben Baker; David McCracken

COUNCIL ABSENT:

William J.P. Doubek

CITY OFFICERS PRESENT:

Steven Hays, City Attorney; Dana Daniel, Interim City Manager; Rachel Holcomb, City Clerk

Mayor Collinsworth asked if there was any objection to excusing Councilman Doubek from tonight's Council Meeting. There was no objection; Councilman Doubek was excused.

**APPROVAL OF AGENDA**

Mayor Collinsworth advised that the agenda needed to be amended to add a closed meeting. There was not 24 hours notice because the City Attorney had just received the phone call at 5:00 p.m. The meeting will close under 610.021(1) legal

Motion was made to approve the amended agenda including consent agenda and minutes by Councilman Davidson and seconded by Councilman Baker.

**CONSENT AGENDA:**

**MINUTES:**

The minutes of February 21, 2017-Open Session-was approved as presented.  
The minutes of February 21, 2017-Closed Session-was approved as presented.

Roll call vote:

Ben Baker - Yes

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Charles Collinsworth – Yes  
Richard Davidson – Yes  
David McCracken - Yes

Motion carried.

### **PROCLAMATION**

Employer of the Month – New Visions Group Home was announced as March’s Employer of the Month

### **VISITOR BUSINESS**

There was none.

### **UNFINISHED BUSINESS**

#### **Application for Federal/State Assistance**

Dana Daniel presented this agenda item to Council and informed Council that their questions had been answered. He asked for direction.

Councilman Davidson asked if the plan for additional hangars would qualify as an existing project. Interim City Manager Daniel believes that it would as long as the plans for the hangars do not change. Councilman Davidson pointed out that the application did say non-construction.

Motion to approve the application for Federal/State Assistance by Mayor Collinsworth

There being no second –the motion was no longer discussed.

### **BID**

#### **Golf-Course: Walk Behind Aerator**

Bill Mulkey presented the bid for the Walk Behind Aerator. He informed Council that only one bid received met the required specifications:

- Professional Turf Products                      \$28,763.00

Staff recommends Council approve the bid from Professional Turf Products for \$28,763.00.

Councilman Baker made a motion to accept the bid from Professional Turf Products for \$28,763.00; Councilman McCracken seconded.

Roll call vote:

Ben Baker - Yes

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Charles Collinworth – Yes  
Richard Davidson – Yes  
David McCracken - Yes

Motion carried.

### **Wastewater: Jetter Truck**

Ken Brady informed Council that 4 bids were received:

- Key Equipment \$238,779
- Nebraska Environmental Products \$249,950
- COE Equipment \$242,500
- Trans Iowa Equipment \$239,980

Mr. Brady informed Council that the old truck they have now will be used as a backup and to do jobs that they do not want to use their new truck for.

Staff recommends that Council accept the bid from Key Equipment for \$238,779.

Mayor Collinworth made a motion to accept the bid from Key Equipment for \$238,779; seconded by Councilman Davidson.

#### Roll call vote:

Charles Collinworth – Yes  
Richard Davidson – Yes  
David McCracken - Yes  
Ben Baker - Yes

Motion carried.

### **Public Works: Crack Sealant Material**

Ryan Long informed Council that the local distributor for this material is SASCO Pavement Coating.

Staff recommends that Council accept the bid from SASCO Pavement Coating for 10 Pallets for \$15,042.50.

Councilman McCracken made a motion to accept the bid from SASCO Pavement Coating for 10 Pallets for \$15,042.50; seconded by Councilman Baker.

#### Roll call vote:

Richard Davidson – Yes  
David McCracken - Yes

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Ben Baker - Yes

Charles Collinsworth – Yes

Motion carried.

### Development Services – Welding

Dana Daniel informed Council that 3 requests for bids were sent out and only 1 was returned:

- Booyer Welding
  - \$65/hr (\$110 w/helper) Regular Hours
  - \$97.50/hr (\$165 w/helper) Overtime Hours
  - \$97.50/hr (\$165 w/helper) Holiday Hours

Interim City Manager Daniel informed Council that the City will have to approve the amount of hours Mr. Booyer estimates a project will take him before he can start. Also, a response time wasn't needed in the bid because the work will be scheduled at a time that works for both parties.

Staff recommends that Council accept the bid from Booyer Welding.

Mayor Collinsworth made a motion to accept the bid from Booyer Welding; seconded by Councilman McCracken.

#### Roll call vote:

David McCracken - Yes

Ben Baker - Yes

Charles Collinsworth – Yes

Richard Davidson – Yes

Motion carried.

### Public Works – Uniform Bid/Contract

Ryan Long informed Council that 5 requests for bids were sent out and 4 were returned:

- Cintas \$301.02
- UniFirst Corp \$231.29
- Clean (did not meet all specifications) \$156.52
- Aramark \$316.57

Staff recommends Council approve the bid from UniFirst Corp for \$231.29 and allow the Mayor to execute.

Councilman Baker made a motion to accept the bid from UniFirst Corp for \$231.29 and allow the Mayor to execute; Councilman McCracken seconded.

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### Roll call vote:

Ben Baker - Yes  
Charles Collinsworth – Yes  
Richard Davidson – Yes  
David McCracken - Yes

Motion carried.

### **CORRESPONDENCE**

There was none.

### **NEW BUSINESS**

#### **Discussion on Engineering Report Regarding TDD**

Dana Daniel introduced Mike Atkinson from Allgeier Martin. Mr. Atkinson discussed in great detail the report on the TDD Roads (copy can be found online or with the City Clerk). He informed Council that he did not see anything alarming.

Councilman Davidson asked Mr. Atkinson if the slippage that has occurred is unrelated to the vertical failure and if the testing that MoDOT did would predict this type of failure. Mr. Atkinson agreed that the testing that was performed would not predict this type of failure.

Mr. Atkinson said there is still work to be done on the pavement and on the flooding issue.

More discussion followed.

*Interim City Manager Dana Daniel Left at 7:27pm*

*Mayor Collinsworth left at 7:27pm leaving Mayor Pro Tem Richard Davidson to preside over the meeting.*

*Interim City Manager Dana Daniel returned at 7:28pm*

#### **Bill No. 2017-839: Truck Route Ordinance**

Read in title only by Mr. Hays.

AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI, PROVIDING THAT CHAPTER 310 OF THE CODE OF ORDINANCES, CITY OF NEOSHO, MISSOURI, BE AMENDED BY REVISING SECTION 310.130 OF SAID CODE, PROVIDING FOR THE REDESIGNATION OF BUSINESS HIGHWAY 71 TO BUSINESS HIGHWAY 49 AND ADDING TO THE TRUCK ROUTE DESIGNATIONS AS IDENTIFIED IN PARAGRAPHS 15, 16, 17, AND 18 AND SETTING AN EFFECTIVE DATE THEREOF.....1<sup>st</sup> Reading

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Mayor Pro Tem Davidson had a concern about Baxter officially being used as a truck route. He said he has received input from citizens that are concerned about this. Chief Kennedy acknowledged those concerns, but said that the trucks are already using Baxter so it makes sense to add it as a truck route so they are not continually violating code.

Motion to approve Bill No. 2017-839 on first reading by Councilman McCracken; seconded by Councilman Baker.

Roll call vote:

Richard Davidson – Yes  
David McCracken - Yes  
Ben Baker - Yes

Motion carried.

**Bill No. 2017-840: Historic Preservation District Code**

Read in title only by Mr. Hays.

AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI, PROVIDING FOR THE AMENDMENT OF CODE SECTION 405.176, HISTORIC PRESERVATION DISTRICT, OF THE CITY CODE OF ORDINANCE, CITY OF NEOSHO, MISSOURI.....1<sup>st</sup> reading

Dana Daniel introduced David Sims to the Council. Mr. Sims is a member of the Historic District Commission. He explained the need for this amendment.

City Attorney Hays asked Mr. Sims what would be considered “regularly”. He would like more clarification on this. It was agreed that the Historic District Commission would provide more information by the next Council Meeting.

Motion to approve Bill No. 2017-840 on first reading by Councilman Baker; seconded by Councilman McCracken.

Roll call vote:

David McCracken - Yes  
Ben Baker - Yes  
Richard Davidson – Yes

Motion carried.

**Bill No. 2017-841: Amendment to Ordinance 05-2017**

Read in title only by Mr. Hays

THE SAME BEING AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI, AMENDING BILL

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NO. 2017-831, ORDINANCE NO. 05-2017 FINDING AND DECLARING THAT THE NUMBER OF COUNCILMEMBERS TO BE ELECTED AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, APRIL 4, 2017, IS ONE (1) FOR A REGULAR TERM OF THREE-YEARS AND ONE (1) TO FILL AN UNEXPIRED TERM OF 1-YEAR; CAVASSING THE PETITIONS FILED BY PERSONS DESIRING TO BECOME CANDIDATES FOR COUNCILMEMBERS; FIXING THE DATE OF THE MUNICIPAL ELECTION TO BE HELD ON TUESDAY, THE 4<sup>TH</sup> DAY OF APRIL, 2017; AND DECLARING AN EMERGENCY SO AS TO PROVIDE FOR PUBLICATIONS OF NOTICES IN TIME FOR THE ELECTION....1<sup>st</sup> Reading

Mr. Hays explained that this amendment fixes the previous ordinance in which Tom Workman was not going to be placed on the ballot. He is running unopposed and originally was not going to be on the ballot.

Councilman Baker made a motion to approve Bill No. 2017-841 on 1<sup>st</sup> Reading; Councilman McCracken seconded.

Roll call vote:

Ben Baker - Yes  
Richard Davidson – Yes  
David McCracken - Yes

Motion carried.

**Bill No. 2017-841 for Ordinance 15-2017: Amendment to Ordinance 05-2017**

Read in title only by Mr. Hays

THE SAME BEING AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI, AMENDING BILL NO. 2017-831, ORDINANCE NO. 05-2017 FINDING AND DECLARING THAT THE NUMBER OF COUNCILMEMBERS TO BE ELECTED AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, APRIL 4, 2017, IS ONE (1) FOR A REGULAR TERM OF THREE-YEARS AND ONE (1) TO FILL AN UNEXPIRED TERM OF 1-YEAR; CAVASSING THE PETITIONS FILED BY PERSONS DESIRING TO BECOME CANDIDATES FOR COUNCILMEMBERS; FIXING THE DATE OF THE MUNICIPAL ELECTION TO BE HELD ON TUESDAY, THE 4<sup>TH</sup> DAY OF APRIL, 2017; AND DECLARING AN EMERGENCY SO AS TO PROVIDE FOR PUBLICATIONS OF NOTICES IN TIME FOR THE ELECTION....2<sup>nd</sup> and 3<sup>rd</sup> Reading

Councilman McCracken made a motion to approve Bill No. 2017-841 on 2<sup>nd</sup> & 3<sup>rd</sup> Reading; Councilman Baker seconded.

Roll call vote:

Richard Davidson – Yes  
David McCracken - Yes  
Ben Baker - Yes

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Motion carried.

### **City Audit Services Engagement Letter – KPM**

Daphne Pevahouse asked Council to approve the contract for the City's annual independent audition services agreement with KPM and authorize the Mayor to execute.

Councilman Baker made a motion to approve the contract with KPM and to authorize the Mayor to execute; Councilman McCracken seconded.

#### Roll call vote:

David McCracken - Yes

Ben Baker - Yes

Richard Davidson – Yes

Motion carried.

### **Veterans's Day Celebration/Appreciation**

Kevin Foote addressed Council and asked for permission to use Morse Park at the sight for the annual Veteran's Celebration held on Memorial Day Weekend. They are asking permission from the City for:

- Limited vehicle access to the park from 6 am to 10 pm on May 27<sup>th</sup>
- Allow a 21 gun salute on May 27<sup>th</sup>. This would require a waiver of City Code 215.635 (B)
- Waive the requirement of a peddler's license for vendors participating in the event. This would require a waiver of City Code 615.030 (A) (6)

Mayor Pro Tem Davidson advised Mr. Foote that he doesn't foresee an issue with any of these request but proper protocol will need to take place:

- Will need to speak to the Police Chief about the limited vehicle access
- Will need contact the Fire Chief about the waiver for the 21 gun salute
- The City would still need a list of all the vendors participating in the event but the fee could be waived.

A question about a flyover was also asked; Mayor Pro Tem Davidson informed that the City was not able to give permission for that. He informed Mr. Foote that there is still plenty of time to get all of these issues in order before the event.

Mayor Pro Tem Davidson asked if anyone objected to Council hearing all 5 of the next agenda items together. No objections were made.

### **Contracts with Radial Rumble, Rifle Air Show, G&M Air Shows, Chet Kuhn Air Shows, and Michael Galloway**



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Paul Richardson informed Council that all of these contracts were for Celebrate Neosho. He asked Council to approve the contracts with each of these vendors and allow the Mayor to execute.

Motion to approve the contracts with Radial Rumble, Rifle Air Shows, G&M Air Shows, Chet Kuhn Air Shows, and Michael Galloway by Councilman Baker; seconded by Councilman McCracken

### Roll call vote:

Ben Baker - Yes  
Richard Davidson – Yes  
David McCracken - Yes

Motion carried.

## **REPORT OF CITY OFFICERS**

### **Fire Chief Mike Eads – Annual Fire Report**

Fire Chief Mike Eads passed out the Annual Fire Report. Councilman Davidson asked if he would come back during the next Council meeting to discuss.

### **Closed Meeting**

Motion was made by Mayor Pro Tem Davidson and seconded 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 public governmental body or its representatives and its attorneys.

### Roll call vote:

Richard Davidson – Yes  
David McCracken - Yes  
Ben Baker - Yes

Motion carried.

Mayor Pro Tem Davidson closed the meeting at 8:00 p.m.

The meeting reconvened in open session at 8:40 p.m. and Mayor Pro Tem Davidson announced there was no vote taken.

## **ADJOURN**

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Mayor Pro Tem Davidson asked if there was any further business to come before Council, with no response he asked for a motion to adjourn the March 07, 2017, Regular Session City Council meeting.

Motion to adjourn by Councilman McCracken and seconded by Councilman Baker. Unanimous vote to adjourn.

Mayor Collinsworth adjourned the regular session meeting at 8:41 p.m.

**APPROVED:**

**NEOSHO CITY COUNCIL**

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**Mayor**

**ATTEST:**

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**City Clerk**