

**MINUTES**  
**NEOSHO CITY COUNCIL**  
**April 04, 2017 - 7:00 p.m.**  
**City Hall – Council Chambers**  
**203 E. Main St., Neosho, MO**

**OPENING PRAYER & PLEDGE OF ALLEGIANCE**

Mitch Jarvis 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, and David McCracken

COUNCIL ABSENT:

William J.P. Doubek

CITY OFFICERS PRESENT:

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

**APPROVAL OF AGENDA**

**CONSENT AGENDA:**

Mayor Collinsworth asked that the March 21, 2017 Open Session Minutes be amended by changing “Mayor Collinsworth led the Pledge of Allegiance” to “Mayor Pro Tem Davidson led the Pledge of Allegiance.” He also asked that the agenda be amended by striking item 1 under New Business.

Motion to approve the amended agenda including the amended minutes by Mayor Collinsworth; seconded by Councilman Baker.

**MINUTES:**

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

Roll call vote:

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

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David McCracken - Yes

Motion carried.

### **PROCLAMATION**

#### **Employer of the Month**

Mayor Collinsworth announced that Casey's Road and Race is April's Employer of the Month. They will be honored on April 13, 2017.

#### **Day of Service**

Mayor Collinsworth announced the Day of Service on April 10, 2017.

### **VISITOR BUSINESS**

Glen Honeycutt spoke to Council about the building for Hillcrest Church of Christ. He explained the building is 6,600 sq ft of recreation space. Most of it is open. It is all made of metal, the insulation is not flammable, and floor is made of concrete. It would be \$25,000 extra to add a sprinkler system. He asked Council to consider all of this when they make their decision later in the meeting.

Larry Lane also signed up to speak under Visitor's Business but asked to be able to speak when time for Council to address the variance request later in the meeting.

### **UNFINISHED BUSINESS**

#### **Bill No. 2017-834 for Ordinance No. 08-2017: Rezoning 2.8 Acre Tract on LaQuesta Drive**

Read in title only by Mr. Hays

AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI, REZONING THE BELOW DESCRIBED 2.8 ACRE TRACT OF PROPERTY LOCATED ON LAQUESTA DRIVE, NEOSHO, NEWTON COUNTY, MISSOURI, FROM DISTRICT R-1, FIRST DWELLING HOUSE DISTRICT, TO C-1, RETAIL BUSINESS DISTRICT, AS PETITIONED BY VIOLET L BRANHAM TRUST...2<sup>nd</sup> and 3<sup>rd</sup> Reading

Motion to pass Bill No. 2017-834 on second and third readings by Councilman McCracken and seconded by Councilman Davidson.

#### Roll call vote:

Charles Collinsworth – Abstain due to Violet Branham being a relative  
Richard Davidson – Yes  
David McCracken - Yes  
Ben Baker - Yes

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Motion carried.

### **Bill No. 2017-835 for Ordinance No. 09-2017: Rezoning 5.68 Acre Tract on Laramie Lane**

Read in title only by Mr. Hays

AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI, REZONING THE BELOW DESCRIBED 5.68 ACRE TRACT OF PROPERTY LOCATED ON LARAMIE LANE, NEOSHO, NEWTON COUNTY, MISSOURI, FROM DISTRICT R-1, FIRST DWELLING HOUSE DISTRICT, TO C-3, COMMERCIAL BUSINESS DISTRICT, AS PETITIONED BY BCWC, LLC....2<sup>nd</sup> and 3<sup>rd</sup> Reading

Motion to pass Bill No. 2017-835 on second and third readings by Councilman Baker and seconded by Councilman McCracken.

#### Roll call vote:

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

Motion carried.

### **Grant – Butterfield Fire Protection District**

Interim City Manager Dana Daniel asked Council for direction regarding this fire truck. Councilman Davidson felt it would be wise to tow the truck back to Neosho, sell it, and possibly give the money to the fire department.

Motion to tow the fire truck back to Neosho and sell it by Councilman Baker; seconded by Councilman Davidson.

#### Roll call vote:

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

Motion carried.

### **BID**

#### **Public Works – Graco Lineblazer Striping Machine**

Ryan Long informed Council that three bids were received:

- Joplin Paint                      \$15,995.00

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- Sherwin Williams \$16,749.00
- Sasco \$15,275.00

There was \$20,000 budgeted for this purchase. Staff recommends Council approve the bid by Sasco in the amount of \$15,275.00.

Motion to accept the bid from Sasco in the amount of \$15,275.00 by Councilman McCracken; seconded by Councilman Baker.

### Roll call vote:

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

Motion carried.

### **Public Works – FY2017 60” ZTR Mower**

Ryan Long informed Council that two bids were received:

- Newco Service \$8,566.86
- Swartz Tractor \$9,919.00

Mr. Long asked Council to approve the bid from Swartz Tractor in the amount of \$9,919.00. Even though this bid is more, they will be getting the same brand of mower that they currently use. This will help with a universal appearance, easier to learn the features, and will be safer to operate.

Motion to accept the bid from Swartz Tractor in the amount of \$9,919.00 by Mayor Collinsworth; seconded by Councilman Baker.

### Roll call vote:

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

Motion carried.

### **CORRESPONDENCE**

There was none.

### **NEW BUSINESS**

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### **Irrevocable Consent for Majors at 14830 HWY TT**

Councilman Baker made a motion to approve the irrevocable consent for Majors 14830 HWY TT; Councilman McCracken seconded.

#### Roll call vote:

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

Motion carried.

### **Veteran’s Celebration Waiver – Peddler’s License**

Motion made by Mayor Collinsworth to waive the peddler’s license fees for vendors participating in the Veteran’s Celebration at Morse Park on May 27, 2017; Councilman Baker seconded.

#### Roll call vote:

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

Motion carried.

### **Veteran’s Celebration Waiver – 21 Gun Salute**

Councilman McCracken made a motion to allow the 21 gun salute at the Veteran’s Celebration at Morse Park on May 27, 2017.

#### Roll call vote:

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

Motion carried.

### **HSTCC Environmental Report on The Neosho Housing Authority**

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Councilman McCracken made a motion to approve the HSTCC Environmental Report on The Neosho Housing Authority and allow the mayor to sign it; Councilman Baker seconded.

### Roll call vote:

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

Motion carried.

### **Code Variance; Hillcrest Church of Christ**

Mayor Collinsworth excused himself from this discussion as this is where he attends church. Mayor Pro Tem Davidson took over.

Councilman McCracken does not believe that an exception should be made. He feels that since the City of Neosho adopted the code, they should abide by it. The code is clear and should be followed.

Councilman Baker agreed. He sees both sides of the issue, but feels Council needs to be careful when setting a precedent. If a disaster happened and people were hurt because of this variance, he doesn't want Council to be responsible.

Larry Lane spoke on behalf of Hillcrest Church of Christ. He informed Council that this building is completely made of metal and all precautions were taken in regards to a fire. He doesn't feel the sprinkler system is necessary. When asked by Councilman Davidson if the original plans for this building included a kitchen, he admitted that it did not.

Councilman Davidson explained that since the plans were changed, he felt that they need to include the sprinkler system.

The variance request died for lack of motion.

Mayor Collinsworth returned to preside over the meeting.

### **REPORT OF CITY OFFICERS**

#### **KOAM: Calvin Anderson and Joanna Lee**

Representatives from KOAM gave an update on their marketing strategies. They have been very successful thus far. They passed out a booklet showing their progress. This can be found with the City Clerk.

#### **City Clerk Rachel Holcomb: Mayor Collinsworth**

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City Clerk Rachel Holcomb thanked Mayor Collinsworth on behalf of Al Gritten. Mr. Gritten was very impressed by Mayor Collinsworth’s attendance at the Eagle Scout Reception.

**Closed Meeting**

Motion was made by Councilman Baker and seconded by Councilman McCracken 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.

Section 610.021(3) RSMo,...Hiring, firing, disciplining or promoting an employee of a public governmental body.

Roll call vote:

David McCracken – Yes

Ben Baker - Yes

Charles Collinsworth – Yes

Richard Davidson – Yes

Motion carried

Mayor Collinsworth closed the meeting at 7:55 p.m.

The meeting reconvened in open session at 8:45 p.m. and Mayor Collinsworth announced there was one 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 April 04, 2017, Regular Session City Council meeting.

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

Mayor Collinsworth adjourned the regular session meeting at 8:46 p.m.

**APPROVED:**

**NEOSHO CITY COUNCIL**

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**Mayor**

**ATTEST:**

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**City Clerk**

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