

MINUTES
NEOSHO CITY COUNCIL
April 17, 2018 - 7:00 p.m.
City Hall – Council Chambers
203 E. Main St., Neosho, MO

OPENING PRAYER & PLEDGE OF ALLEGIANCE

Al Gritten gave the opening prayer and Mayor Baker led the Pledge of Allegiance.

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

ROLL CALL

COUNCIL PRESENT:

Richard Davidson; Ben Baker; Jon Stephens, William J.P. Doubek, Tom Workman

CITY OFFICERS PRESENT:

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

APPROVAL OF AGENDA

Motion was made to approve the agenda by Councilman Doubek and seconded by Councilman Stephens.

Roll call vote:

Ben Baker - Yes
Richard Davidson – Yes
William J.P. Doubek - Yes
Jonathan Stephens -Yes
Tom Workman - Yes

Motion carried.

CONSENT AGENDA:

MINUTES:

The minutes of April 03, 2018-Open Session-was approved as presented.
The minutes of April 03, 2018-Closed Session-was approved as presented.

Motion was made to approve the consent agenda to include the minutes listed above by Councilman Doubek and seconded by Councilman Workman.

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Roll call vote:

Richard Davidson – Yes
William J.P. Doubek - Yes
Jonathan Stephens -Yes
Tom Workman - Yes
Ben Baker - Yes

Motion carried.

PROCLAMATION

Mayor Ben Baker read a proclamation thanking Mass Depot for their recycling efforts.

Mayor Ben Baker presented Councilman Davidson with an appreciation plaque and thanked him for his time served on the Neosho City Council.

UNFINISHED BUSINESS

Bill No. 2018-873 for Ordinance No. 09-2018: Amendment to City Code

AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI, PROVIDING FOR THE AMENDMENT OF CODE CHAPTER 500, SECTION 500.50, AMENDMENTS, BUILDINGS AND BUILDING REGULATIONS OF THE CITY CODE OF ORDINANCES, CITY OF NEOSHO, MISSOURI.

Bill No. 2018-873 was read by title only by Mr. Hays.

Motion to pass Bill No. 2018-873 for Ordinance No. 09-2018 on second and third readings by Councilman Doubek and seconded by Councilman Stephens.

Roll call vote:

William J.P. Doubek - Yes
Jonathan Stephens -Yes
Tom Workman - Yes
Ben Baker - Yes
Richard Davidson – Yes

Motion carried.

Bill No. 2018-877: Canvassing the Returns of the Municipal Election held Tuesday, April 3, 2018.

THE SAME BEING AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI, CANVASSING THE RETURNS OF THE MUNICIPAL ELECTION HELD TUESDAY, APRIL, 3, 2018, SUBMITTING TO THE QUALIFIED VOTERS OF SAID CITY, CANDIDATES FOR THE OFFICE OF CITY COUNCILMAN AND DECLARING THE RESULTS THEREOF UNDER EMERGENCY MEASURE SO AS TO COMPLY WITH

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PROVISIONS OF THE CITY CHARTER.....1ST Reading

Bill No. 2018-877 was read by title only by Mr. Hays.

Motion to pass Bill No. 2018-877 on 1st reading by Councilman Doubek and seconded by Councilman Stephens.

Roll call vote:

Jonathan Stephens -Yes
Tom Workman - Yes
Ben Baker - Yes
Richard Davidson – Yes
William J.P. Doubek - Yes

Motion carried.

Bill No. 2018-877 for Ordinance No. 13-2018: Canvassing the Returns of the Municipal Election held Tuesday, April 3, 2018.

THE SAME BEING AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI, CANVASSING THE RETURNS OF THE MUNICIPAL ELECTION HELD TUESDAY, APRIL, 3, 2018, SUBMITTING TO THE QUALIFIED VOTERS OF SAID CITY, CANDIDATES FOR THE OFFICE OF CITY COUNCILMAN AND DECLARING THE RESULTS THEREOF UNDER EMERGENCY MEASURE SO AS TO COMPLY WITH PROVISIONS OF THE CITY CHARTER.....2nd and 3rd Reading under emergency measure

Bill No. 2018-877 was read by title only by Mr. Hays.

Motion to pass Bill No. 2018-877 for Ordinance No. 13-2018 on 2nd and 3rd reading under emergency measure by Councilman Stephens and seconded by Councilman Doubek.

Roll call vote:

Tom Workman - Yes
Ben Baker - Yes
Richard Davidson – Yes
William J.P. Doubek - Yes
Jonathan Stephens -Yes

Motion carried.

ADJOURN...SINE...DIE

Mayor Baker asked for a motion to adjourn ...sine...die.

Councilman Davidson made a motion to adjourn...sine...die and Councilman Workman seconded.

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Roll call vote:

Ben Baker - Yes
Richard Davidson – Yes
William J.P. Doubek - Yes
Jonathan Stephens -Yes
Tom Workman - Yes

Mayor Baker adjourned...sine...die

RECESS

The council meeting was in recess between 7:15 and 7:20.

ADMINISTER OATH OF OFFICE TO NEWLY ELECTED COUNCILMEN

Oath of Office

City Clerk Rachel Holcomb administered the oath of office to Councilman-elect Carmin Allen and to Councilman-elect Tom Workman

RECONVENED SESSION - NEOSHO CITY COUNCIL

City Clerk Holcomb reconvened the meeting with the following council members in attendance: Ben Baker, Carmin Allen, William J.P. Doubek, Jonathan Stephens and Tom Workman.

ELECTION OF MAYOR

City Clerk Holcomb called for nominations for Mayor.

Councilman Allen nominated Councilman Baker; Councilman Workman seconded.

City Clerk Holcomb asked if there were any other nominations for Mayor. No more nominations were made. City Clerk Holcomb ceased nominations.

Roll call vote:

Carmin Allen – Yes
Ben Baker - Yes
William J.P. Doubek - Yes
Jonathan Stephens -Yes
Tom Workman – Yes

Motion carried.

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ELECTION OF MAYOR PRO TEMPORE

Mayor Baker assumed the chair and called for nominations for Mayor Pro Tempore.

Mayor Baker nominated Councilman Stephens; Councilman Workman seconded.

Mayor Baker asked if there were any other nominations for Mayor Pro Tempore. No more nominations were made. Mayor Baker ceased nominations.

Roll call vote:

Carmin Allen – Yes
Ben Baker - Yes
William J.P. Doubek - Yes
Jonathan Stephens -Yes
Tom Workman – Yes

Motion carried.

VISITOR BUSINESS

David Padgett addressed council regarding the speed limit change on Howard Bush Drive. He was in favor of raising the speed limit to 35mph.

BID

Public Works – Tractor and Mowing Equipment

Public Works Director Ryan Long informed Council there were two bids received:

- Larson Farm & Home \$79,830.00
- Crown Power & Equipment \$68,267.00

Staff recommends council approve the bid from Crown Power & Equipment for \$68,267.00.

Councilman Doubek made a motion to approve the bid from Crown Power & Equipment for \$68,267.00; Councilman Allen seconded.

Roll call vote:

Ben Baker - Yes
William J.P. Doubek - Yes
Jonathan Stephens -Yes
Tom Workman – Yes
Carmin Allen – Yes

Motion carried.

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Public Works – Meter Replacement

Public Works Director Ryan Long informed Council that one bid was received for this project:

- Core & Main \$618,281.25

Staff recommends Council approve the bid from Core & Main for \$618,281.25 and allow the mayor to execute the contract with them.

Councilman Allen made a motion to approve the bid from Core & Main for \$618,281.25 and allow the mayor to execute the contract with them; Councilman Stephens seconded.

Roll call vote:

William J.P. Doubek - Yes
Jonathan Stephens -Yes
Tom Workman – Yes
Carmin Allen – Yes
Ben Baker - Yes

Motion carried.

Emergency Services – Radio Project

Police Chief David Kennedy and Fire Chief Mike Eads informed Council that two bids were received:

- Harris \$791,364.95
- Motorola \$762,313.70

Staff recommends that Council approve the bid from Motorola for \$762,313.70.

Councilman Doubek made a motion to approve the bid from Motorola for \$762,313.70; Councilman Stephens seconded.

Roll call vote:

Jonathan Stephens -Yes
Tom Workman – Yes
Carmin Allen – Yes
Ben Baker - Yes
William J.P. Doubek - Yes

Motion carried.

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CORRESPONDENCE

There was none.

NEW BUSINESS

Bill No. 2018-875: New Speed Limit for Doniphan Drive

Read in title only by Mr. Hays

AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI, DESIGNATING A “SPEED LIMIT OF 45 MILES PER HOUR” ON DONIPHAN DRIVE FROM WILLIAMS AVENUE NORH TO LANDIS ROAD AND FROM LANDIS ROAD SOUTH TO WILLIAMS AVENUE, AND SETTING AN EFFECTIVE DATE THERE OF....1ST Reading.

Councilman Workman made a motion to pass Bill No. 2018-875 on first reading; Councilman Allen seconded.

Roll call vote:

Tom Workman – Yes
Carmin Allen – Yes
Ben Baker - Yes
William J.P. Doubek - Yes
Jonathan Stephens -Yes

Motion carried.

Bill No. 2018-876: New Speed Limit for Howard Bush Drive

Read in title only by Mr. Hays

AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI, DESIGNATING A “SPEED LIMIT OF 35 MILES PER HOUR” ON HOWARD BUSH DRIVE FROM HIGHWAY D NORTH TO NELSON AVENUE AND FROM NELSON AVENUE SOUTH TO HIGHWAY D, AND SETTING AN EFFECTIVE DATE THERE OF....1ST Reading.

Councilman Doubek made a motion to pass Bill No. 2018-876 for Ordinance No. 27-2017 on first reading; Councilman Allen seconded.

Roll call vote:

Carmin Allen – Yes
Ben Baker - Yes
William J.P. Doubek - Yes
Jonathan Stephens -Yes
Tom Workman – Yes

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Motion carried.

Public Hearing to Consider Annexation of 2809 Bluebell Avenue

Mayor Baker opened the floor for public comment.

There being no comments from the public, Mayor Baker closed the public hearing.

Bill No. 2018-878: Annexation of 2809 Bluebell Avenue

Read in title only by Mr. Hays

AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI, ANNEXING THE BELOW DESCRIBED PROPERTY ALL OF LOTS 21 AND 22 IN BROADVIEW ACRES, NEWTON COUNTY, MISSOURI ALL OF WHICH IS CONTIGUOUS WITH THE CITY OF NEOSHO, AS PETITIONED BY STEVEN & NELLIE PIPER, UNDER ZONING DISTRICT R-1, FIRST DWELLING HOUSE DISTRICT CLASSIFICATIONS....1ST Reading.

Councilman Allen made a motion to pass Bill No. 2018-878 on first reading; Councilman Workman seconded.

Roll call vote:

- Ben Baker - Yes
- William J.P. Doubek - Yes
- Jonathan Stephens -Yes
- Tom Workman – Yes
- Carmin Allen – Yes

Motion carried.

Public Hearing to Consider Annexation of 2813 Bluebell Ave

Mayor Baker opened the floor for public comment.

There being no comments from the public, Mayor Baker closed the public hearing.

Bill No. 2018-879: Annexation of 2813 Bluebell Ave

Read in title only by Mr. Hays

AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI, ANNEXING THE BELOW DESCRIBED PROPERTY ALL OF LOTS 23 AND 24 EXCEPT SOUTH 43 FEET OF LOT 24 IN BROADVIEW ACRES SUB-DIVISION, NEWTON COUNTY, MISSOURI ALL OF WHICH IS CONTIGUOUS WITH THE CITY OF NEOSHO, AS PETITIONED BY CARL E LEDBETTER, TRUSTEE, UNDER ZONING DISTRICT R-1, SECOND DWELLING HOUSE DISTRICT CLASSIFICATION....1ST Reading.

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Councilman Stephens made a motion to pass Bill No. 2018-879 on first reading; Councilman Doubek seconded.

Roll call vote:

William J.P. Doubek - Yes
Jonathan Stephens -Yes
Tom Workman – Yes
Carmin Allen – Yes
Ben Baker - Yes

Motion carried.

Resolution Bill 2018 -01 - Notifying the Council of the destruction of City records.

City Clerk Rachel Holcomb explained to Council that this is a yearly occurrence. She asked them to approve Res. Bill 2018-01 and allow city staff to destroy records which have met their retention.

Motion to approve the Resolution Bill No. 2018-01 for Resolution 166-2018 by Councilman Stephens and seconded by Councilman Allen.

Roll call vote:

Jonathan Stephens -Yes
Tom Workman – Yes
Carmin Allen – Yes
Ben Baker - Yes
William J.P. Doubek - Yes

Motion carried.

Irrevocable Consent: 685 Cemetery Road

Dana Daniel asked Council to consider an Irrevocable Consent to Annexation for Eli and Lisa West @ 685 Cemetery Road.

Councilman Allen made a motion to approve the Irrevocable Consent for 685 Cemetery Road; Councilman Stephens seconded.

Roll call vote:

Tom Workman – Yes
Carmin Allen – Yes
Ben Baker - Yes
William J.P. Doubek - Yes

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Jonathan Stephens -Yes

Motion carried.

Irrevocable Consent: 13052 Kalmia

Dana Daniel asked Council to consider an Irrevocable Consent to Annexation for Sobrad Properties, LLC @ 13052 Kalmia.

Councilman Doubek made a motion to approve the Irrevocable Consent for 13052 Kalmia; Councilman Stephens seconded.

Roll call vote:

Carmin Allen – Yes

Ben Baker - Yes

William J.P. Doubek - Yes

Jonathan Stephens -Yes

Tom Workman – Yes

Motion carried.

Contract – WCA

Dana Daniel asked Council to consider the new contract with WCA. He informed them that this contract spells out the terms of the bid that was accepted at the last council meeting.

Councilman Stephens made a motion to approve the contract with WCA and allow the mayor to execute; Councilman Allen seconded.

Roll call vote:

Ben Baker - Yes

William J.P. Doubek - Yes

Jonathan Stephens -Yes

Tom Workman – Yes

Carmin Allen – Yes

Motion carried.

Engineering Agreement with Allgeier Martin for Crowder & Shoal Creek WWTP Headworks Study

Ken Brady explained that this study is needed because the Shoal Creek plant is 35+ years old and the Crowder plant is 75+ years old. We need to see how much is coming in to the plant to see how we may need to upgrade them.

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Councilman Doubek made a motion to approve the engineering agreement with Allgeier Martin and allow the mayor to execute; Councilman Stephens seconded.

Roll call vote:

William J.P. Doubek - Yes
Jonathan Stephens -Yes
Tom Workman – Yes
Carmin Allen – Yes
Ben Baker - Yes

Motion carried.

Engineering Agreement with Allgeier Martin for City of Neosho Pretreatment Ordinance

Ken Brady explained that this is a requirement from DNR.

Councilman Allen made a motion to approve the engineering agreement with Allgeier Martin and allow the mayor to execute; Councilman Stephens seconded.

Roll call vote:

Jonathan Stephens -Yes
Tom Workman – Yes
Carmin Allen – Yes
Ben Baker - Yes
William J.P. Doubek - Yes

Motion carried.

Memorandum of Understanding for Military Coordination & Cooperation

Dana Daniel informed Council that this is an agreement, not a binding contract. This MOU will be used to maintain a dialogue and to coordinate on land use activity on and in the vicinity of Camp Crowder.

Councilman Doubek made a motion to accept the MOU and authorize the mayor to execute; Councilman Stephens seconded.

Roll call vote:

Tom Workman – Yes
Carmin Allen – Yes
Ben Baker - Yes
William J.P. Doubek - Yes

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Jonathan Stephens -Yes
Motion carried.

Discussion Item: Amendment to Code for Peddlers and Solicitors within the City

Police Chief David Kennedy advised Council that the peddlers and solicitors code needs to be revised. He feels it would be beneficial to have guidelines, fees, licenses, and restrictions.

Discussion followed.

REPORT OF CITY OFFICERS

Daphne Pevahouse – Finance Director: March Financials

Ms. Pevahouse reviewed March financials. Financials can be found online or with the City Clerk.

Carmin Allen – Councilman

Councilman Allen would like to get a better idea of where the money is going. He would like to see who the City is paying, for what they are paying them and how much they are paying them. He said that this was done when he was previously on the Council and he was able to save the City thousands of dollars because he was able to help cut some costs.

Ryan Long – Public Works Director: Management Changes

Mr. Long informed Council that Harold Long is looking to retire in the near future and they would like to hire an assistant public works director.

Paul Richardson – Communication and Events Director: CGI

Mr. Richardson informed Council that CGI will provide banners to the City at no cost to us. We will have a 3 year agreement with them. They will solicit sponsors to cover the cost every year. They will provide banners for 66 light posts.

Closed Meeting

City Attorney Steve Hays informed Council that he saw no reason to go in to closed at this time.

ADJOURN

Mayor Baker asked if there was any further business to come before Council, with no response he asked for a motion to adjourn the April 17, 2018, Regular Session City Council meeting.

Motion to adjourn by Councilman Allen and seconded by Councilman Stephens. Unanimous vote to adjourn.

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Mayor Baker adjourned the regular session meeting at 8:15 p.m.

APPROVED:

NEOSHO CITY COUNCIL

Mayor

ATTEST:

City Clerk