

**MINUTES**  
**NEOSHO CITY COUNCIL**  
**May 01, 2018 - 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 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:

Ben Baker, Carmin Allen, Jon Stephens, William J.P. Doubek, and Tom Workman

CITY OFFICERS PRESENT:

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

**APPROVAL OF AGENDA**

Councilman Doubek made a motion to approve the agenda; Councilman Allen seconded.

Roll call vote:

Carmin Allen - Yes

Ben Baker - Yes

William J.P. Doubek – Yes

Jonathan Stephens - Yes

Tom Workman – Yes

Motion carried.

**CONSENT AGENDA:**

Councilman Allen made a motion to approve the consent agenda; seconded by Councilman Workman.

Roll call vote:

Ben Baker - Yes

William J.P. Doubek – Yes

Jonathan Stephens - Yes

Tom Workman – Yes

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Carmin Allen – Yes

Motion carried.

### **APPROVAL OF MINUTES:**

Councilman Stephens made a motion to approve the following minutes:

1. April 17, 2018 – Open Session Minutes
2. April 27, 2018 – Special Open Session Minutes
3. April 27, 2018 – Special Closed Session Minutes

Councilman Allen seconded.

### Roll call vote:

William J.P. Doubek – Yes

Jonathan Stephens - Yes

Tom Workman – Yes

Carmin Allen – Yes

Ben Baker - Yes

Motion carried.

### **PROCLAMATION**

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

Mayor Baker announced that Underwood & Associates, PC is May's Employer of the Month. They will be honored on May 09, 2017.

Mayor Baker also proclaimed May 12, 2018 as Crowder College Upward Bound and Upward Bound Math/Science Day.

### **VISITOR BUSINESS**

**Mark Taylor** – Mr. Taylor updated the Council on the 2017 Community Christmas Dinner: 500 people were in attendance, 120 homebound meals were served, 70-80 volunteers. He asked for new people to get involved to make this an event to continue for years to come.

Mr. Taylor also informed Council of two events happening soon: May 3, 2018 will be the National Day of Prayer, and May 11, 2018 will be the Law Enforcement Memorial Service.

**Elena Buyalova** – Ms. Buyalova spoke about how she has been harassed several times by several different police departments. She said that she just spent 5 weeks in the McDonald County jail because of the Neosho Police Department. She asked Council to help her and do

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something.

**Police Chief David Kennedy** – Chief Kennedy responded to Ms. Buyalova’s comments. He said the reason she was arrested was because Crowder College called the police as they didn’t want her on campus. During this altercation they discovered that she had a warrant in McDonald County so they had to arrest her and hold her in Newton County until she could be transferred.

### UNFINISHED BUSINESS

#### **Bill No. 2018-875 for Ordinance No. 11-2018: New Speed Limit for Doniphan Drive**

AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI, DESIGNATING A “SPEED LIMIT OF 45 MILES PER HOUR’ ON DONIPHAN DRIVE FROM WILLIAMS AVENUE NORTH TO LANDIS ROAD AND FROM LANDIS ROAD SOUTH TO WILLIAMS AVENUE, AND SETTING AN EFFECTIVE DATE THERE OF...2<sup>nd</sup> & 3<sup>rd</sup> Reading.

Bill No. 2018-875 was read by title only by Mr. Hays.

Motion to pass Bill No. 2018-875 for Ordinance No. 11-2018 on second and third readings by Councilman Allen and seconded by Councilman Workman.

#### Roll call vote:

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

Motion carried.

#### **Bill No. 2018-876 for Ordinance No. 12-2018: New Speed Limit for Howard Bush Drive**

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...2<sup>nd</sup> & 3<sup>rd</sup> Reading.

Bill No. 2018-876 was read by title only by Mr. Hays.

Motion to pass Bill No. 2018-876 for Ordinance No. 12-2018 on second and third readings by Councilman Stephens and seconded by Councilman Workman.

#### Roll call vote:

Tom Workman – Yes  
Carmin Allen – Yes  
Ben Baker - Yes

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William J.P. Doubek – Yes  
Jonathan Stephens - Yes

Motion carried.

### **Bill No. 2018-878 for Ordinance No. 14-2018: Annexation of 2809 Bluebell Avenue**

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 CLASSIFICATION....2<sup>nd</sup> & 3<sup>rd</sup> Reading.

Bill No. 2018-878 was read by title only by Mr. Hays.

Motion to pass Bill No. 2018-878 for Ordinance No. 14-2018 on second and third readings by Councilman Allen and seconded by Councilman Doubek.

#### Roll call vote:

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

Motion carried.

### **Bill No. 2018-879 for Ordinance No. 15-2018: Annexation of 2813 Bluebell Avenue**

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-2, SECOND DWELLING HOUSE DISTRICT CLASSIFICATIONS....2<sup>nd</sup> & 3<sup>rd</sup> Reading.

Bill No. 2018-879 was read by title only by Mr. Hays.

Motion to pass Bill No. 2018-879 for Ordinance No. 15-2018 on second and third readings by Councilman Allen and seconded by Councilman Workman.

#### Roll call vote:

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

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Motion carried.

### **BID**

#### **Fire Department – BAM Unit**

Fire Chief Mike Eads informed Council that four bids were received:

- Midwest Breathing Air \$42,429.56
- Sentinel Emergency Solutions \$40,499.91
- Conrad Fire Equipment \$47,555.00
- Feld Fire \$48,415.00

Staff recommends Council approve the bid from Sentinel Emergency Solutions for \$40,499.91.

Councilman Allen made a motion to approve the bid from Sentinel Emergency Solutions for \$40,499.91; Councilman Workman seconded.

#### Roll call vote:

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

Motion Carried

### **CORRESPONDENCE**

There was none.

### **NEW BUSINESS**

#### **Bill No. 2018-880: Declaring Property Surplus (BAM Unit)**

Read in 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 SAME.....1<sup>st</sup> Reading

Chief Eads asked Council to consider declaring our current BAM unit as surplus. He is going to be able to get \$2,000 for it to put towards the new BAM unit.

Councilman Doubek made a motion to approve Bill No. 2018-880 on the 1<sup>st</sup> reading; Councilman Allen seconded.

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Roll call vote:

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

Motion carried.

**Bill No. 2018-881: Budget Adjustment**

Read in 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, 2017 AND ENDING SEPTEMBER 30, 2018.....1<sup>st</sup> Reading

Dana Daniel asked Council to consider the proposed budget adjustment.

Councilman Doubek made a motion to approve Bill No. 2018-881 on the 1<sup>st</sup> 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. 2018-882: Amendment to City Code (Residential Trash Service)**

Read in title only by Mr. Hays

AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI, PROVIDING FOR THE AMENDMENT OF CODE CHAPTER 230, SECTION 230.060, GARBAGE, TRASH AND REFUSE OF THE CITY CODE OF ORDINANCES, CITY OF NEOSHO, MISSOURI.....1<sup>st</sup> Reading

Councilman Allen made a motion to approve Bill No. 2018-882 on the 1<sup>st</sup> reading; Councilman Workman seconded.

Roll call vote:

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

Motion carried.

### **Newton County Judicial Center Signage Request**

Dana Daniel explained to Council that the Historic Preservation Committee denied the County's new signage design. The County is now coming before Council for an appeal.

Historic Preservation Committee Representative – Suzie Crossno

Ms. Crossno explained the HPC's reasons for denying the request:

- Brick is over 100+ years old and more porous than modern brick
- The mortar that was used back then is not as hard as modern mortar
- If the sign is attached to façade as designed it would be over 104 holes in the brick and mortar
- The HPC believes that this sign will deface the façade of the building

Newton County Representative – Jake Skouby

Mr. Skouby believes that the new sign will enhance the look of the square and does not believe that it will deface the façade.

Discussion followed.

Councilman Allen made a motion to grant authority to the County to move forward with their plans for hanging the sign; Councilman Workman seconded.

Roll call vote:

Ben Baker - Yes  
William J.P. Doubek – Yes  
Jonathan Stephens - No  
Tom Workman – Yes  
Carmin Allen – Yes

Motion Carried

### **UTV Department Change**

Dana Daniel explained to Council that the UTVs previously approved for the parks department are not able to use the UTVs as efficiently as they thought. Mr. Daniel asked Council's permission to transfer the expense and the vehicles to the Airport and to Wastewater. Both of these departments could use the UTVs and their budgets could sustain the cost.

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Another option is to return them. The seller has agreed to take the UTVs back minus the trailers and the custom canopies. If Council chooses to return the UTVs the city will only lose \$1,200 for the canopies.

Mayor Baker made a motion to return the UTVs to the vendor; Councilman Workman seconded.

### Roll call vote:

William J.P. Doubek – No

Jonathan Stephens - Yes

Tom Workman – Yes

Ben Baker - Yes

Richard Davidson – Yes

Motion carried.

### **Discussion with Jay Harrison on Polling App**

Mr. Harrison described to Council an app that would allow them to have more clear interaction with their constituents.

Discussion followed.

### **Report of City Officers**

#### **Paul Richardson – Communications & Events Director:**

Mr. Richardson explained he has been researching companies that can help us to archive our social media accounts. So far he has found three possibilities: Archive Social, Page Freezer, and Smarsh. He has found Smarsh to be too expensive for our needs. Archive Social would be \$199/month; Page Freezer would be \$99/month with one time \$300 set up fee. He wanted Council to be aware that he was looking in to these options.

#### **Sally Pennington – Parks Director:**

Ms. Pennington has finally found a vendor that with help update our pool. There will be a two phase project. She will bring further details to Council at a later meeting. She wanted them to be aware that this expense will be coming soon.

#### **Rachel Holcomb – City Clerk:**

Ms. Holcomb explained to Council that she has money in her budget to purchase new tablets for their use during council meetings. She asked for some suggestions as to what council would like to have. It was the consensus of the council to have Ms. Holcomb search for Apple I pads.

### ***CLOSED MEETING***

Motion was made by Councilman Allen and seconded by Councilman Workman to close the meeting pursuant to Section 610.021(1) RSMo...Legal actions, causes of action or litigation involving a public



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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:

Jonathan Stephens - Yes  
Tom Workman – Yes  
Ben Baker - Yes  
Richard Davidson – Yes  
William J.P. Doubek – No

Motion carried.

Mayor Baker closed the meeting at 8:35 p.m.

The meeting reconvened in open session at 9:57 p.m. and Mayor Baker announced there was one vote taken.

**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 May 01, 2018, Regular Session City Council meeting.

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

Mayor Baker adjourned the regular session meeting at 9:57 p.m.

**APPROVED:**

**NEOSHO CITY COUNCIL**

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**Mayor**

**ATTEST:**

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**City Clerk**