

**MINUTES -AMENDED  
NEOSHO CITY COUNCIL  
May 15, 2018 - 7:00 p.m.  
City Hall – Council Chambers  
203 E. Main St., Neosho, MO**

**OPENING PRAYER & PLEDGE OF ALLEGIANCE**

Russel Duncan 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:

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

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 Allen.

Roll call vote:

Carmin Allen - Yes

Ben Baker - Yes

William J.P. Doubek - Yes

Jonathan Stephens -Yes

Tom Workman - Yes

Motion carried.

**CONSENT AGENDA:**

**MINUTES:**

The minutes of May 01, 2018- Open Session-was approved as presented.

The minutes of May 01, 2018- Closed Session-was approved as presented.

The minutes of May 07, 2018 – Special Open Session – was approved as presented.

## **Council Minutes – May 15, 2018 - AMENDED**

Motion to approve the consent agenda to include the minutes listed above by Councilman Allen; seconded by Councilman Stephens.

### Roll call vote:

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

Motion carried.

### **PROCLAMATION**

Mayor Baker awarded Police Chief David Kennedy with a proclamation for the Law Officer Memorial Service.

### **VISITOR BUSINESS**

Jeff Chase spoke to Council about the possibility of adding bike racks to the downtown area and to the parks. He believes that it will encourage more people to ride their bicycles in Neosho.

Robb Birch informed Council of an issue he has had with the City of Neosho. He was having some sewer issues and his pipes needed to be replaced. He needed to tear up part of the street in front of his house. He claims that before he started the work he was informed by a public works that they would fix the street in front of his house at no charge. He says that it wasn't until after the work was already started that he was told the city will not fix the street at no charge; he will be responsible for the repair. He is asking Council for help with this. He would like to not be charged for this or charged less.

### **UNFINISHED BUSINESS**

#### **Bill No. 2018-880 for Ordinance No. 16-2018: 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...2<sup>nd</sup> & 3<sup>rd</sup> Reading.

Bill No. 2018-880 was read by title only by Mr. Hays.

Motion to pass Bill No. 2018-880 for Ordinance No. 16-2018 on second and third readings by Councilman Allen and seconded by Councilman Workman.

**Council Minutes – May 15, 2018 - AMENDED**

Roll call vote:

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

Motion carried.

**Bill No. 2018-881 for Ordinance No. 17-2018: 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...2<sup>nd</sup> & 3<sup>rd</sup> Reading.

Bill No. 2018-881 was read by title only by Mr. Hays.

Motion to pass Bill No. 2018-881 for Ordinance No. 17-2018 on second and third readings 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.

**Bill No. 2018-882 for Ordinance No. 18-2018: 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...2<sup>nd</sup> & 3<sup>rd</sup> Reading.

Bill No. 2018-882 was read by title only by Mr. Hays.

Motion to pass Bill No. 2018-882 for Ordinance No. 18-2018 on second and third readings by Councilman Doubek and seconded by Councilman Workman.

## **Council Minutes – May 15, 2018 - AMENDED**

### Roll call vote:

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

Motion carried.

### **BID**

#### **Public Works – 2018 Street Resurfacing Project**

Dana Daniel informed Council that 3 bids were received:

- Blevins Asphalt - \$462,319.69
- Emory Sapp & Sons - \$386,077.12
- APAC - \$344,115.41

Mr. Daniel will provide a list of the 19 streets that will be resurfaced this year.

Staff recommends Council approve the bid from APAC for \$344,115.41.

Councilman Allen made a motion to approve the bid from APAC for \$344,115.41; Councilman Workman seconded.

### Roll call vote:

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

Motion carried.

#### **Public Works – 2018 Ford F350 4X4 1 Ton and Utility Bed**

Dana Daniel informed Council that 1 bid was received:

- Republic Ford Lincoln - \$49,418.00 for both truck and utility bed

Staff recommends Council approve the bid from Republic Ford Lincoln for \$49,419.00.

Councilman Allen made a motion to approve the bid from Republic Ford Lincoln for \$49,419.00; Councilman Stephens seconded.

## **Council Minutes – May 15, 2018 - AMENDED**

### Roll call vote:

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

Motion carried.

### **Public Works – Heavy Duty 15’ PTO Batwing Mower**

Dana Daniel informed Council that 2 bids were received:

- Crown Power & Equipment - \$15,275.00
- S&H Farm Supply Inc. - \$16,000 (bid was late)

Staff recommends Council approve the bid from Crown Power & Equipment for \$15,275.00.

Councilman Stephens made a motion to approve the bid from Crown Power & Equipment for \$15,275.00; 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.

### **CORRESPONDENCE**

There was none.

### **NEW BUSINESS**

#### **Public Hearing to Consider Tax Abatement Application for the McGinty Building**

Mayor Baker opened the floor for public comment.

David Sims spoke about his plan for the building. He informed Council that if he does not receive the tax abatement he will not be able to move forward with the project. He believes this project will be good for the city as it will bring more residential and commercial opportunities to the downtown area.

## **Council Minutes – May 15, 2018 - AMENDED**

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

### **Bill No. 2018-883: Tax Abatement Application for the McGinty Building**

Read in title only by Mr. Hays

AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI, FINDING THAT A CERTAIN BLIGHTED AREA EXISTS IN THE CITY OF NEOSHO LOCATED AT 101-103 E. MAIN STREET, NEOSHO, PURSUANT TO SECTION 353.020 RSMO, AUTHORIZING THE MAYOR TO ENTER INTO A REDEVELOPMENT AGREEMENT, AND AUTHORIZING TAX ABATEMENT WITHIN THE BLIGHTED AREA, ALL PURSUANT TO THE URBAN REDEVELOPMENT CORPORATIONS LAW....1<sup>st</sup> Reading

Councilman Doubek made a motion to approve Bill No. 2018-883 on the 1<sup>st</sup> reading; Councilman Allen seconded.

#### Roll call vote:

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

Motion carried.

### **Amendment to Empire Electric Services Agreement**

Councilman Allen made a motion to approve the amendment to Empire Electric services agreement; Councilman Workman seconded.

#### Roll call vote:

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

Motion carried.

### **TDD Proxy Agreement**

Mayor Baker nominated the position of City Manager or Interim City Manager to be the City of Neosho's Proxy on the TDD Board and allow that mayor to sign the proxy agreement; Councilman Workman seconded.

#### Roll call vote:

## **Council Minutes – May 15, 2018 - AMENDED**

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

Motion carried.

### **Relay for Life – Fireworks Display**

Fire Chief Mike Eads asked council to approve the fireworks for Relay for Life in June. This is an event that happens every year.

Councilman Allen made a motion to approve the fireworks display for Relay for Life; Councilman Stephens seconded.

#### Roll call vote:

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

Motion carried.

### **Variance Request for Habitat for Humanity**

Building Inspector John Harrington asked Council to approve a variance request for Habitat for Humanity. The City of Neosho has a 25' front setback from property lines on homes. If Council doesn't issue a variance, the homes would have to be 55' from the street. Habitat for Humanity is asking Council for a variance of no front setback on the front of the 2 lots they own.

Councilman Allen made a motion to allow Habitat for Humanity to build at 0 feet from the Easement Line; 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.

## **Council Minutes – May 15, 2018 - AMENDED**

### **Use Tax – Ballot Issue**

Dana Daniel explained that he would like to prepare a ballot issue on the Use Tax. He explained that without taking advantage of this tax it could hurt our revenues and our local business owners.

Councilman Doubek made a motion to put Use Tax on the November 6, 2018 ballot; Councilman Allen seconded.

#### Roll call vote:

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

Motion carried.

### **Swimming Pool Hours**

Dana Daniel asked Council to consider closing the pool on Sundays for pool parties. Historically attendance is very low on Sundays and he feels it would be better to close to the public and let people schedule parties all day on Sunday.

Discussion followed.

Councilman Allen made a motion to have the pool open from 12pm – 4pm on Sunday and then close to the public and allow for pool parties; Councilman Workman seconded.

Council would like attendance to be recorded and they will reevaluate.

#### Roll call vote:

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

Motion carried.

### **APPOINTMENTS AND VACANIES**

Councilman Allen made a motion to approve the reappointment of Keri Collinsworth to the



**Council Minutes – May 15, 2018 - AMENDED**

Neosho Newton County Library Board; Councilman Workman seconded.

Roll call vote:

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

Motion carried.

Councilman Workman made a motion to approve:  
Airport Industrial Development Board – Councilman Allen  
Economic Development Sales Tax Committee – Councilman Stephens  
TDD – Councilman Doubek  
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.

**REPORT OF CITY OFFICERS**

**Daphne Pevahouse – Finance Director: April Financials**

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

**Closed Meeting**

Motion was made by Councilman Allen and seconded by Councilman Stephens 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:

**Council Minutes – May 15, 2018 - AMENDED**

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

Motion carried

Mayor Baker closed the meeting at 8:21 p.m.

The meeting reconvened in open session at 9:36 p.m. and Mayor Baker announced there were two votes 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 15, 2018, Regular Session City Council meeting.

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

Mayor Baker adjourned the regular session meeting at 9:36 p.m.

**APPROVED:**

**NEOSHO CITY COUNCIL**

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**Mayor**

**ATTEST:**

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**City Clerk**