

MINUTES
NEOSHO CITY COUNCIL
August 21, 2018 - 7:00 p.m.
City Hall – Council Chambers
203 E. Main St., Neosho, MO

OPENING PRAYER & PLEDGE OF ALLEGIANCE

Jeff Higgins 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; Tom Workman, William J.P. Doubek, Jon Stephens

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 Allen and seconded by Councilman Stephens.

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 July 17, 2018- Open Session Session-was approved as presented.

The minutes of July 27, 2018- Special Open Session Session-was approved as presented.

The minutes of August 14, 2018- Special Open Session Session-was approved as presented.

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

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 announced there are two proclamations:

- Employer of the Month-MFA Agri Service-presented August 2, 2018
- Recycler of the Quarter-Dottie Milne

VISITOR BUSINESS

Rick Henry addressed the Council. He lives in an apartment complex owned by Neff Realty. He explained that there are several elderly and disabled people that live in his complex and they are concerned about the 4 abandoned houses in the neighborhood. He said there are several people that come in and out of the houses. He asked Council to consider more lighting in the area and asked if the police could patrol the area regularly.

UNFINISHED BUSINESS

Bill No. 2018-888 for Ordinance No. 24-2018: Use Tax

AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI, APPROVING A MUNICIPAL LEASE AND OPTION AGREEMENT BY AND BETWEEN THE CITY OF NEOSHO, AND, SOUTHWEST MISSOURI BANK AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME ON BEHALF OF THE CUSTODY OF NESOHO...2nd & 3rd Reading.

Bill No. 2018-888 for Ordinance No. 24-2018 was read in title only by Mr. Hays.

Motion to pass Bill No. 2018-888 for Ordinance No. 24-2018 on second and third readings by Councilman Workman and seconded by Councilman Stephens.

Roll call vote:

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

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Ben Baker – Yes

BID

Folder Inserting Machine

Daphne Pevahouse informed Council 2 bids were received:

- Pitney Bowes – Purchase:\$6,560.00 AnnualMain.:926.40/yr Lease:\$2,691.84
- Corporate Business Systems – Purchase:\$11,956.82 Lease: \$3,121.44

Staff recommends Council approve the bid from Pitney Bowes to lease the machine for \$2,691.84.

Councilman Allen made a motion to approve the bid from Pitney Bowes to lease the machine for \$2,691.84; Councilman Workman seconded.

Roll call vote:

Jonathan Stephens - Yes

Tom Workman – Yes

Carmin Allen - Yes

Ben Baker – Yes

William J.P. Doubek - Yes

Motion Carried

Electrical Services: City Facilities

Dana Daniel informed Council 2 bids were received:

- Long Electric – Regular: \$50/hr After Hrs:\$80/hr Holiday:100/hr
- Layne Electric – Regular:\$67/hr After Hrs:\$89/hr Holiday:110.6/hr

Staff recommends Council approve the bid from Long Electric.

Councilman Allen made a motion to approve the bid from Long Electric; 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

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Electrical Services: City Water Treatment & Wastewater Plant

Dana Daniel informed Council 3 bids were received:

- Fox Electric – Regular: \$60/hr After Hrs: \$80/hr Holiday: \$80/hr
- Long Electric - Regular: \$50/hr After Hrs:\$80/hr Holiday:\$100/hr
- JIE - Regular: \$65/hr After Hrs: \$95/hr Holiday: \$115/hr

Staff recommends Council approve the bid from Fox Electric for reasons of reliability and accessibility in an emergency.

Councilman Workman had concerns about not using the local provider. He asked that Council table this agenda item until he had a chance to speak with the contractor in question.

Councilman Doubek made a motion to table this agenda item until a later meeting; 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

Public Works: Water Line Parts

Nate Siler informed Council 3 bids were received:

- B&L Waterworks Supply: \$27,679.64
- Core & Main: \$26,822.61
- Ferguson Enterprises, Inc: \$29,503.45

Staff recommends Council approve the bid from Core & Main for \$26,822.61.

Councilman Stephens made a motion to approve the bid from Core & Main for \$26,822.61; Councilman Workman seconded.

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

CORRESPONDENCE

Mayor Baker read thank you letters for each of these: Fire Department, Police Department and Public Works.

NEW BUSINESS

Bill No. 2018-889: Repeal Use Tax Ordinance 23-2018

Read in title only by Mr. Hays

AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI, PROVIDING FOR THE REPEAL OF ORDINANCE NUMBER 23-2018 IMPOSING A USE TAX FOR GENERAL REVENUE PURPOSES AND PROVIDING FOR SUBMISSION OF THE PROPOSAL TO THE QUALIFIED VOTERS OF THE CITY FOR THEIR APPROVAL AT THE GENERAL ELECTION CALLED AND TO BE HELD IN THE CITY OF NOVEMBER 6TH, 2018....1st Reading

Councilman Allen made a motion to approve Bill No. 2018-889 on the 1st reading providing recommended changes are made; 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.

Public Hearing to Consider Annexation of 1680 Ridgewood Road

Mayor Baker opened the floor for public comment.

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

Bill No. 2018-890: Annexation of 1680 Ridgewood Road

Read in title only by Mr. Hays

AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI, ANNEXING THE BELOW DESCRIBED PROPERTY PART OF LOT NUMBERED 2 IN RUDY'S SUB-DIVISION ALL OF WHICH IS CONTIGUOUS WITH THE CITY OF NEOSHO, AS PETITIONED BY THE PATRICIA A. SANDLIN, UNDER ZONING DISTRICT R-1, FIRST DWELLING HOUSE DISTRICT CLASSIFICATION.....1st Reading

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Councilman Stephens made a motion to approve Bill No. 2018-890 on the 1st reading; Councilman Workman seconded.

Roll call vote:

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

Motion carried.

Public Hearing to Consider De-Annexation of 12333 Nettle Drive

Mayor Baker opened the floor for public comment.

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

Bill No. 2018-891: De-Annexation of 12333 Nettle Drive

Read in title only by Mr. Hays

AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI, DE-ANNEXING THE BELOW DESCRIBED PROPERTY ALL OF WHICH IS CONTINGUOUS WITH THIS CITY OF NEOSHO, AS PETITIONED BY BRIAN & DAWN BROCK.....1st Reading

Councilman Allen made a motion to approve Bill No. 2018-891 on the 1st reading; Councilman Stephens 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. 2018-892: New Fence Code 405.225

Read in title only by Mr. Hays

AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI, PROVIDING FOR THE AMENDMENT OF CODE CHAPTER 405, ZONING REGULATIONS, OF THE CITY CODE OF ORDINANCES, CITY OF NEOSHO, MISSOURI.....1st Reading

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Councilman Workman made a motion to approve Bill No. 2018-892 on the 1st reading; Councilman Allen seconded.

Roll call vote:

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

Motion carried.

Public Hearing to Consider Property Tax Rates

Mayor Baker opened the floor for public comment.

Mayor Baker read a letter submitted to Council from Robert Foster. This letter can be viewed in the City Clerk's office.

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

Bill No. 2018-894: Property Tax Rates

Read in title only by Mr. Hays

AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI PROVIDING FOR THE RATE OF TAXATION AND THE LEVY AND COLLECTION OF TAXES FOR REAL PROPERTY ASSESSMENT FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2018, UNDER EMERGENCY MEASURE.....1st Reading

Councilman Allen made a motion to approve Bill No. 2018-894 on the 1st reading; Councilman Doubek seconded.

Roll call vote:

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

Motion carried.

Bill No. 2018-894 for Ordinance 30-2018: Property Tax Rates

Read in title only by Mr. Hays

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AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI PROVIDING FOR THE RATE OF TAXATION AND THE LEVY AND COLLECTION OF TAXES FOR REAL PROPERTY ASSESSMENT FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2018, UNDER EMERGENCY MEASURE.....2nd & 3rd Reading

Councilman Allen made a motion to approve Bill No. 2018-894 for ordinance 30-2018 on 2nd & 3rd reading; Councilman Stephens seconded.

Roll call vote:

William J.P. Doubek – Yes

Jonathan Stephens – Yes

Tom Workman – Yes

Carmin Allen – Yes

Ben Baker - No

Motion carried.

Alliance Proposed Operating Budget

Councilman Workman made a motion to approve the Alliance proposed operating budget; Councilman Doubek seconded.

Roll call vote:

Jonathan Stephens – Yes

Tom Workman – Yes

Carmin Allen – Yes

Ben Baker - Yes

William J.P. Doubek – Yes

Motion carried.

Alliance – D&M

It was the consensus of the Council to keep D&M in house. They all agreed that Alliance does a great job, but they feel that the city employees are doing can handle D&M without outside help at the moment.

Aviation Project – Application for Fed/State Assistance

Dana Daniel asked Council to approve the application for Fed/State Assistance and allow the mayor to execute.

Councilman made a motion to approve the application for Fed/State Assistance and allow the mayor to execute; Councilman Workman seconded.

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Roll call vote:

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

Motion carried.

Aviation Project – Consultant Agreement

Dana Daniel asked Council to approve the contract with Lochner Engineering and allow the mayor to execute.

Councilman Allen made a motion to approve the contract with Lochner Engineering and allow the mayor to execute; 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.

Aviation Project – Consultant Supplemental Agreement

Dana Daniel asked Council to approve the supplemental contract with Lochner Engineering and allow the mayor to execute.

Councilman Allen made a motion to approve the supplemental contract with Lochner Engineering and allow the mayor to execute; 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.

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MoDOT Proposal – Pedestrian Light

It was the consensus of the Council to table this agenda item.

Amendment to Electric Services Agreement with Empire – Neosho Boulevard & Hill St.

Councilman Stephens made a motion to approve the street lighting repair at Neosho Boulevard and Hill Street; 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.

Amendment to Electric Services Agreement with Empire – Cash & Daughtery

Councilman Stephens made a motion to replace an existing light fixture at Cash & Daughtery Street; Councilman Workman seconded.

Roll call vote:

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

Motion carried.

KPM Agreement

Daphne Pevahouse asked Council to approve the contract with KPM for accounting services and allow the mayor to execute.

Councilman Allen made a motion to approve the contract with KPM for accounting services and allow the mayor to execute; Councilman Doubek seconded.

Roll call vote:

Tom Workman – Yes
Carmin Allen – Yes

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

Motion carried.

Pitney Bowes Agreement

Daphne Pevahouse asked Council to approve the lease agreement with Pitney Bowes for a folder stuffer and allow the mayor to execute.

Councilman Doubek made a motion to approve the lease agreement with Pitney Bowes for a folder stuffer and allow the mayor to execute; 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.

LLEBG Grant Application

David Kennedy asked Council to approve his application for the LLEBG grant.

Councilman Doubek made a motion to approve the police department to apply for the LLEBG grant; 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.

ATT Tower Discussion

It was the consensus of the council not to approve a lower lease payment for ATT at the risk of losing the antennae in 2020.

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APPOINTMENTS AND VACANIES

Councilman Allen made a motion to reappoint William Smith to the Ethics Board and to appoint Raymond Moore to the Parks & Recreation Board; 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.

REPORT OF CITY OFFICERS

July Financials

Financials can be found online or with the City Clerk.

David Kennedy – Police Chief: Alcohol Violations

Chief Kennedy gave Council a brief history of alcohol violations by businesses with liquor licenses in the City of Neosho. So far in 2018 we have surpassed the last two years. His recommendation would be for Council to take some type of enforcement on businesses. Currently there are 25 businesses in the city with liquor licenses.

City Attorney Hays advised Council that there are very few employees at the state level monitoring alcohol violations. He advised Council to possibly pass an ordinance giving more concrete instructions to the license clerk as to what to do for each offense.

Motion was made by Councilman Allen and seconded by Councilman Workman to close the meeting pursuant to

Closed Meeting

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.

Roll call vote:

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

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William J.P. Doubek – Yes

Motion carried

Mayor Baker closed the meeting at 8:55 p.m.

The meeting reconvened in open session at 9:54 p.m. and Mayor Baker announced there were no 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 August 21, 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 9:54 p.m.

APPROVED:

NEOSHO CITY COUNCIL

Mayor

ATTEST:

City Clerk