OPENING PRAYER & PLEDGE OF ALLEGIANCE

Mitch Jarvis gave the opening prayer and Mayor Doubek led the Pledge of Allegiance.

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

ROLL CALL

COUNCIL PRESENT:
Jon Stephens, William J.P. Doubek, Angela Thomas, Carmin Allen, and Tom Workman

COUNCIL ABSENT:
None

CITY OFFICERS PRESENT:
Steven Hays, City Attorney; Leland Butcher, City Manager; Cheyenne Wright, City Clerk

APPROVAL AND CONSENT OF AGENDA
APPROVE THE MINUTES

May 21, 2019 Council Meeting Minutes
May 21, 2019 Closed Session Meeting Minutes

Motion was made to approve and consent the agenda and also to approve the minutes by Councilman Allen; and seconded by Councilman Workman.

Roll call vote:
Tom Workman – Yes
Jonathan Stephens – Yes
William J.P. Doubek - Yes
Carmin Allen – Yes
Angela Thomas - Yes

Motion carried.

VISITOR BUSINESS

1. Sherry Ellis – Sherry Ellis had a petition for Simplicity Way to not be a through way for traffic. Sherry also talked about the flooding issues in this area. Discussion followed.

2. Allen Schmidt – May 20th, 2019 they had sewer back-up into their house causing lots of damage. Discussion followed.

UNFINISHED BUSINESS

Bill No. 2019-936: Firework Discharge Dates

AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI, PROVIDING THAT CHAPTER 215 OF THE CODE OF ORDINANCES, CITY OF NEOSHO, MISSOURI, BE AMENDED BY REVISING SECTION 215.195 OF SAID CODE PROVIDING FOR FIREWORKS REGULATIONS IN THE CITY OF NEOSHO AND SETTING AN EFFECTIVE DATE THEREOF.

Bill 2019-936 for Ordinance 31-2019 was read in title only by Attorney Hays.
Council Minutes – June 4, 2019

Councilman Allen made a motion to discuss Bill No. 2019-936; Councilman Workman seconded.

Cheyenne Wright addressed Council stating that these dates were changed and voted on at the January 15, 2019 Council Meeting but that the Bill had not come to Council to vote on at that time.

**Roll call vote:**
Jonathan Stephens – Yes
William J.P. Doubek - Yes
Carmin Allen – Yes
Angela Thomas – Yes
Tom Workman – Yes

Motion carried.

**Resolution Bill No. 2019-11: Destruction of Records**

A RESOLUTION OF THE CITY OF NEOSHO, MISSOURI, NOTIFYING THE COUNCIL OF THE DESTRUCTION OF CITY RECORDS.

Resolution Bill 2019-11 for was read in title only by Attorney Hays.

Councilman Stephens made a motion to discuss Resolution Bill No. 2019-11; Councilwoman Thomas seconded.

Cheyenne Wright addressed Council stating that records within the City of Neosho have met the retention dates set by the State of Missouri. This bill is to allow for the destruction of these records.

**Roll call vote:**
William J.P. Doubek - Yes
Carmin Allen – Yes
Angela Thomas – Yes
Tom Workman – Yes
Jonathan Stephens – Yes

Motion carried.

**PROCLAMATION**

1. Southwest Missouri Bank – Chamber of Commerce Business of the Month

   Mayor Doubek read the Proclamation for Southwest Missouri Bank.

   **Whereas**, the Neosho City Council wishes to recognize the businesses and employers of our community; and

   **Whereas**, Southwest Missouri Bank of Neosho recognizes the role of our employers’ contribution to the area’s growth and development, and their support of our economy; and

   **Whereas**, Southwest Missouri Bank of Neosho has provided quality service in our community since 1994; and

   **Whereas**, Southwest Missouri Bank of Neosho has 18 employees who serve the citizens of Neosho; and

   **Whereas**, Southwest Missouri Bank of Neosho, operating from their location at 110 N. Neosho Blvd and 2995 Gardner Edgewood Dr., continues to be a valued asset in the community of Neosho;

   **Wherefore**, I, Dr. William J.P. Doubek, Mayor of the City of Neosho, Missouri do hereby proclaim on this fourth day of June, Two Thousand and Nineteen, Southwest Missouri Bank of Neosho as the Business/Employer of the Month for June 2019. We wish to recognize them for their commitment to quality and their involvement in the community. Thank you for being a part of our city.
CORRESPONDENCE

- Letter read by Mayor Doubek from Kay Hively to the Public Works Department thanking them for all of the hard work that they do.

- Letter read by Mayor Doubek from Linda Pyle thanking the Fire Department for the respect they showed her husband when he needed assistance.

NEW BUSINESS

Bill No. 2019-937: Marijuana Dispensary Ordinance

AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI AMENDING CHAPTER 405 OF THE CODE OF ORDINANCES, ALLOWING FOR MEDICAL MARIJUANA FACILITIES; PRESCRIBING DEFINITIONS; AND SETTING AN EFFECTIVE DATE THEREOF.

Ordinance Bill No. 2019-937 was read in title only by Attorney Hays.

Councilman Allen made a motion to discuss Bill No. 2019-937; Councilman Workman seconded.

Attorney Hays addressed Council stating that the purpose of this Bill is to put City regulation into place for Medical Marijuana Dispensaries.

Roll call vote:
Carmin Allen – Yes
Angela Thomas – Yes
Tom Workman – Yes
Jonathan Stephens – Yes
William J.P. Doubek - Yes

Motion carried.

Bill No. 2019-938: Marijuana Business License Ordinance

AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI AMENDING CHAPTER 605 OF THE CODE OF ORDINANCES CREATING 605.160 MEDICAL MARIJUANA FACILITIES, SETTING FEES, PROVISIONS, REGULATIONS AND DEFINITIONS THERETO AND SETTING AN EFFECTIVE DATE THEREOF.

Ordinance Bill No. 2019-938 was read in title only by Attorney Hays.

Councilman Allen made a motion to discuss Bill No. 2019-938; Councilman Workman seconded.

Attorney Hays addressed Council stating that the purpose of this Bill is to update code revisions titled Medical Marijuana Facilities.

Roll call vote:
Angela Thomas – Yes
Tom Workman – Yes
Jonathan Stephens – Yes
William J.P. Doubek - Yes
Carmin Allen – Yes

Motion carried.
Bill No. 2019-939: Amended Alcohol Section 600.175

AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI PROVIDING THAT CHAPTER 600 OF THE CODE OF ORDINANCES, CITY OF NEOSHO, MISSOURI, BE AMENDED BY CREATING SECTION 600.175 OF SAID CODE, PROVIDING FOR THE TRAINING OF PERSONS SELLING OR SERVING ALCOHOL AND THE REQUIREMENT TO VERIFY THE AGE OF ALL PERSONS PURCHASING BEER, WINE OR INTOXICATING LIQUORS, AND SETTING AN EFFECTIVE DATE THEREOF.

Ordinance Bill No. 2019-939 was read in title only by Attorney Hays.

Councilman Allen made a motion to discuss Bill No. 2019-939; Councilman Workman seconded.

Attorney Hays addressed Council stating that the purpose of this Bill is to amend the City of Neosho Code of Ordinances Section 600.175.

Roll call vote:
Tom Workman – Yes
Jonathan Stephens – Yes
William J.P. Doubek - Yes
Carmin Allen – Yes
Angela Thomas – Yes

Motion carried.

Bill No. 2019-943: Amended Alcohol Suspension 600.230

AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI, PROVIDING THAT CHAPTER 600 OF THE CODE OF ORDINANCES, CITY OF NEOSHO, MISSOURI, BE AMENDED BY REVISING SECTION 600.230 OF SAID CODE, PROVIDING FOR GROUNDS FOR SUSPENSION OR REVOCATION – NOTICE OF PROPOSED SUSPENSION OR REVOCATION OF ALCOHOL LICENSE AND SETTING AN EFFECTIVE DATE THEREOF.

Ordinance Bill No. 2019-943 was read in title only by Attorney Hays.

Councilman Allen made a motion to discuss Bill No. 2019-943; Councilman Workman seconded.

Attorney Hays addressed Council stating that the purpose of this Bill is to amend the City of Neosho Code of Ordinances Section 600.230.

Roll call vote:
Jonathan Stephens – Yes
William J.P. Doubek - Yes
Carmin Allen – Yes
Angela Thomas – Yes
Tom Workman – Yes

Motion carried.

Public Hearing for Bill No. 2019-940: Rezoning Property Owned by Tessa Shellenberger

Mayor Doubek opened the floor for the Public Hearing at 7:31 p.m.
With no response, Mayor Doubek closed the Public Hearing at 7:32 p.m.
Council Minutes – June 4, 2019

Bill No. 2019-940: Rezone Property Owned by Tessa Shellenberger

AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI, REZONING THE BELOW DESCRIBED PROPERTY A 2.94 ACRE TRACT OF LAND LOCATED AT 820 NORTH BUSINESS 49 HIGHWAY, NEOSHO, NEWTON COUNTY, MISSOURI, FROM DISTRICT C-2, GENERAL BUSINESS DISTRICT, TO R-1, FIRST DWELLING HOUSE DISTRICT, AS PETITIONED BY TESSA SHELLENBERGER.

Ordinance Bill No. 2019-940 was read in title only by Attorney Hays.

Councilman Allen made a motion to discuss Bill No. 2019-940; Councilman Workman seconded.

Rachel Holcomb addressed Council stating that the purpose of this Bill is to rezone property owned by Tessa Shellenberger.

Roll call vote:
William J.P. Doubek - Yes
Carmin Allen – Yes
Angela Thomas – Yes
Tom Workman – Yes
Jonathan Stephens – Yes

Motion carried.

Public Hearing for Bill No. 2019-941: Rezone Property Owned by VFW from R-1 to C-3

Mayor Doubek opened the floor for the Public Hearing at 7:35 p.m.

Jerry Kruse, Commander for the Neosho VFW, addressed Council stating that the VFW’s light was blown over in a storm. When they went to have it fixed, the VFW found out that their property is zoned as residential instead of commercial. They cannot fix their sign until the property is zoned as commercial.

Mayor Doubek closed the Public Hearing at 7:37 p.m.

Bill No. 2019-941: Rezone Property Owned by VFW from R-1 to C-3

AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI, REZONING THE BELOW DESCRIBED PROPERTY A 3.7 ACRE TRACT OF LAND LOCATED AT 1412 WALDO HATLER DRIVE, NEOSHO, NEWTON COUNTY, MISSOURI, FROM DISTRICT R-1, FIRST DWELLING HOUSING DISTRICT, TO C-3 COMMERCIAL BUSINESS DISTRICT, AS PETITIONED BY THE VETERANS OF FOREIGN WARS POST NO. 4142.

Ordinance Bill No. 2019-941 was read in title only by Attorney Hays.

Councilman Stephens made a motion to discuss Bill No. 2019-941; Councilman Workman seconded.

Roll call vote:
Carmin Allen – Yes
Angela Thomas – Yes
Tom Workman – Yes
Jonathan Stephens – Yes
William J.P. Doubek - Yes

Motion carried.

Public Hearing for Bill No. 2019-942: Annex 22.1 acres located on Waldo Hatler Drive

Mayor Doubek opened the floor for the Public Hearing at 7:38 p.m.
Kevin Andrews, 2101 Simplicity Way, was concerned about Schuber Mitchell’s plan to add another housing division. Kevin stated that there was already flooding issues in the back of his yard after Schuber Mitchell put in a housing division and by putting in large curbs pushed the flow of water to his property. He has brought in three loads of dirt already to try to fill in the back of his yard.

Sherry Ellis stated that Werneke is a private road and in ill repair. It will be worse with all the construction.

Jim from Schuber Mitchell stated that they would be working with an engineer to help alleviate the water issues in that area. He stated that they can be fixed. There is a berm at Simplicity Way and it is currently full of water. They will work on the water issues.

Mayor Doubek closed the Public Hearing at 7:49 p.m.

Bill No. 2019-942: Annex 22.1 acres located on Waldo Hatler Drive


Ordinance Bill No. 2019-942 was read in title only by Attorney Hays.

Councilman Stephens made a motion to discuss Bill No. 2019-942; Councilman Allen seconded.

Rachel Holcomb addressed Council stating that the purpose of this Bill is to annex in 22.1 acres located on Waldo Hatler Drive.

Roll call vote:
Angela Thomas – Yes
Tom Workman – Yes
Jonathan Stephens – Yes
William J.P. Doubek - Yes
Carmin Allen – Yes

Motion carried.

Public Hearing to Consider Variance for Lane & Swift, LLC

Mayor Doubek opened the floor for the Public Hearing at 8:10 p.m.

Contractor, Lane & Swift, LLC, presented a plan to Council where the perimeter has 70 ft lots and 50 ft lots in the middle of the subdivision. They stated that this meets the square foot minimum for R-1 Code. Sherry Ellis stated that she would like to see them uphold the standard for the 70 foot lots.

With no more comments, Mayor Doubek closed the Public Hearing at 8:32 p.m.

Variance for Lane & Swift, LLC

Councilman Stephens made a motion for discussion on the Variance for Lane & Swift, LLC; Councilman Allen seconded.

Rachel Holcomb addressed Council stating that the Planning and Zoning Board voted 2-YES and 2-NO with one member abstaining from voting without reason.

Councilman Workman stated that the City needs to be careful to not set a precedent.
Roll call vote:
Tom Workman – No
Jonathan Stephens – No
William J.P. Doubek - No
Carmin Allen – No
Angela Thomas – No

Motion failed.

Relay for Life Request for Firework Discharge

Councilman Allen made a motion to discuss the Relay for Life request for discharging fireworks; Councilman Thomas seconded.

Chief Ledford stated that City Code dictates certain hours in which fireworks may be discharged. Relay for Life is requesting permission to set off fireworks at their even on June 14th, 2019. This has been cleared through the Police Department and the Fire Department. Staff recommends granting this permission to Relay for Life.

Roll call vote:
Jonathan Stephens – Yes
William J.P. Doubek - Yes
Carmin Allen – Yes
Angela Thomas – Yes
Tom Workman – Yes

Motion carried.

Pool Hours

Councilman Allen made a motion to discuss the Pool Hours on Sundays; Councilman Workman seconded.

Sally Pennington addressed Council stating that there has been a steady decline of swimmers on Sundays at the Neosho Municipal Pool. In 2018 it was voted to reduce the pool hours down to three and a half hours (from 12:30-6:30pm to 12:30-4pm), and increasing private party availability during prime, in-demand Sunday hours by 25%. Two factors for asking for closing to open-swim on Sundays are:

- Decreased demand for public open swim time on Sundays
- Increased demand for more available windows of time for private parties.

While there are a small handful of regulars who swim on Sundays, in general, public open-swim attendance has been declining on Sundays for several years, with many Sundays in recent years being attended by only a dozen or fewer swimmers. In the meantime, bookings for private parties have been on the rise, with weekday evenings and weekends being the most in-demand windows of time for the families and local groups (school groups, sports groups, scout groups, church groups, et al) organizing those activities. Another benefit realized by this change is the creation of additional opportunities outside of regular operational hours for in-service (paid) training and bi-weekly testing for lifeguards, during a time when a majority of those personnel are available to attend.

Roll call vote:
William J.P. Doubek - Yes
Carmin Allen – Yes
Angela Thomas – Yes
Tom Workman – Yes
Jonathan Stephens – Yes

Motion carried.

Contract with WCA for Downtown Dumpsters

Councilman Workman made a motion to discuss the contract with WCA for Downtown Dumpsters; Councilman Allen seconded.

Rachel Holcomb stated that there would be two dumpsters at $90 a dumpster per month. This would be split between the customers on the square and average about $13-15.00 a month.
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Roll call vote:
Carmin Allen – Yes
William J.P. Doubek – Yes
Jonathan Stephens – Yes
Angela Thomas – Yes
Tom Workman – Yes

Motion carried.

Discussion of the Solicitor/Peddler’s License

Mayor opened the floor for discussion on the Solicitor/Peddler License. Discussion was held with the staff to find a solution to the Solicitor/Peddler license.

- Concern was in how the City would be paid the Sales Tax from these events.
- Background checks are done to ensure the safety of our Citizens

Direction was given to the City Manager by Council, to bring a solution to the June 18th, 2019 meeting.

Discussion on Use Tax for November or April Ballot

Mayor opened the floor for discussion on the Use Tax for the November or April Ballot.

Discussion followed. It was decided to place this on Use Tax on the November Ballot. Attorney Hays needs to see any material prior to it going out to the public and educating on this tax needs to start as soon as possible and as much as possible.

Discussion on Alcohol Sales at the Golf Course

Bill Mulkey and Kyler Snow addressed Council stating that they have been watching the trash cans each week and have pulled 15,000 cans/bottles out of the trash over the course of only a few months. This is a loss of revenue of about $15,000-30,000. Councilman Allen stated that if we sell it then we are able to control it better than we can now. Leland Butcher stated that we need formulate a plan to monitor and control, store, and classes for employees.

Council gave Attorney Hays direction to write up an ordinance for beer sales at the golf course to be presented at the June 18th, 2019 Council Meeting.

REPORT OF CITY OFFICERS

Scott Hall addressed Council about Celebrate Neosho coming up. He stated that he came on with only six weeks to plan, not a large budget, and a small pool of sponsors. So he is trying to reach out to local groups to help take on different areas. The Art Council has an area of the square; Enthusiast Groups have different things going on, such as, the Cornhold Tournament and Volleyball Tournament.

CLOSED MEETING

There being no further business, Mayor Doubek asked for a motion to close the meeting pursuant to:

1. Section 610.021 (2) RSMo…Leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefore.
2. Section 610.021 (3) RSMo…Hiring, firing, disciplining or promoting an employee of a public governmental body.

Councilman Workman made a motion to go into Closed Meeting; Councilwoman Thomas seconded.

Roll call vote:
Angela Thomas – Yes
Tom Workman – Yes
Carmin Allen – Yes
William J.P. Doubek – Yes
Jonathan Stephens – Yes
Motion carried.

Mayor Doubek closed the meeting at 9:47 p.m.

The meeting reconvened in open session at 10:55 p.m. and Mayor Doubek announced there were no votes taken.

ADJOURN

Mayor Doubek asked if there was any further business to come before Council, with no response he asked for a motion to adjourn the June 4th, 2019, Regular Session City Council meeting.

Motion to adjourn by Councilman Allen and seconded by Councilwoman Thomas. Unanimous vote to adjourn.

Mayor Doubek adjourned the regular session meeting at 10:56 p.m.

ATTEST:____________________________  APPROVED:  NEOSHO CITY COUNCIL

____________________________  ______________________________
City Clerk                              Mayor