

MINUTES
NEOSHO CITY COUNCIL
October 4, 2022 - 7:00 PM
Neosho Council Chambers
203 E. Main St., Neosho, MO

OPENING PRAYER & PLEDGE OF ALLEGIANCE

Jeff Higgins opened with prayer and Mayor DeWitt led the pledge of allegiance.

CALL TO ORDER

Mayor DeWitt called the meeting to order at 7 p.m.

ROLL CALL

COUNCIL PRESENT:

ASHTON ROBINSON, TYLER DEWITT, CARL COBB, JULIE HUMPHREY, ANGELA THOMAS

COUNCIL ABSENT:

CHARLES COLLINSWORTH AND RICHARD DAVIDSON, EXCUSED BY COUNCIL

CITY OFFICERS PRESENT:

DAVID KENNEDY, CITY MANAGER; JORDAN PAUL, CITY ATTORNEY; CHEYENNE WRIGHT, CITY CLERK

COUNCILMAN COBB MADE A MOTION TO EXCUSE COUNCILMAN COLLINSWORTH AND COUNCILMAN DAVIDSON; COUNCILWOMAN HUMPHREY SECONDED.

ROLL CALL VOTE:

YES: CARL COBB, ANGELA THOMAS, JULIE HUMPHREY, ASHTON ROBINSON, TYLER DEWITT

NO: NONE

ABSTAIN: NONE

PASSED.

APPROVAL OF AGENDA

Councilwoman Robinson made a motion to Approve Agenda; Councilwoman Humphrey seconded.

Roll call vote:

Yes: Carl Cobb, Angela Thomas, Julie Humphrey, Ashton Robinson, Tyler DeWitt

No: None

Abstain: None

Passed.

CONSENT AGENDA

Councilman Cobb made a motion to Approve the Consent Agenda; Councilwoman Robinson seconded.
September 20, 2022 Open Session Minutes

October 4, 2022 Council Minutes

September 27, 2022 Special Session Council Minutes

Roll call vote:

Yes: Carl Cobb, Angela Thomas, Julie Humphrey, Ashton Robinson, Tyler DeWitt

No: None

Abstain: None

Passed.

PROCLAMATION

Business of the Month - CV Glass

The proclamation was read in its entirety by City Clerk Wright and presented to C-V Glass by Mayor DeWitt.

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

WHEREAS, C-V Glass of Neosho recognizes the role of our employers' contribution to the area's growth and development, and their support of our economy; and

WHEREAS, C-V Glass of Neosho has provided quality service in our community since 1962; and

WHEREAS, C-V Glass of Neosho has 4 employees who serve the citizens of Neosho; and

WHEREAS, C-V Glass of Neosho, operating from their location at 508 W. Coler Street, continues to be a valued asset in the community of Neosho;

WHEREFORE, I, Tyler DeWitt, Mayor of the City of Neosho, Missouri do hereby proclaim on this 4th day of October, Two Thousand and Twenty-Two, C-V Glass of Neosho as the Business/Employer of the Month for October 2022. 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.

VISITOR'S BUSINESS

There was no Visitor's Business

NEW BUSINESS

Public Hearing for Bill No. 2022-68 Rezoning 1720 S. High Street

Public Hearing for Bill No. 2022-68 Rezoning 1720 S. High Street opened at 7:06 p.m.

Neosho Superintendent Jim Cummins stepped forward to speak on behalf of the school district regarding a daycare that is requested to be located at 1720 South High Street for Neosho School District employees.

Councilwoman Humphrey asked if a special use permit was looked into.

Mr. Cummins stated that he didn't feel that buying this facility and then coming back in three years to request the special use permit being extended.

Kim Wood, with the Neosho School Board, stated that there are restrictions that are placed on deeds to keep apartments and such on the deed.

Public Hearing was closed at 7:25 p.m.

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Bill No. 2022-68: Rezoning for 1720 S. High Street

AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI, REZONING THE REAL PROPERTY DESCRIBED BELOW, GENERALLY LOCATED AT 1720 SOUTH HIGH STREET, FROM R-1, FIRST DWELLING HOUSE DISTRICT, TO R-3, APARTMENT HOUSE DISTRICT.

Bill No. 2022-68 was read in title only by Attorney Paul.

Councilwoman Thomas made a motion to Approve and Discuss Bill No. 2022-68 Rezoning for 1720 S. High St.; Councilwoman Humphrey seconded.

Development Services Director Leavens addressed the Council and went over the hearing with the Planning and Zoning Commission. The vote was a denial of the rezoning of 1-yes to 4-no. The concerns from the residents were traffic, ingress/egress off of the street and the noise that this type of facility would bring. The biggest issue that people at the hearing had was what would come into the structure if the rezoning was passed and what would it be if the school sold the property.

6:30 a.m. to 5 p.m. is the timeframe this facility would be open - Superintendent Jim Cummins

By a consensus of the council for this to return as a special use permit.

Attorney Paul will check into not putting a time restriction of three years on this special use permit.

Roll call vote:

Yes: Carl Cobb

No: Angela Thomas, Julie Humphrey, Ashton Robinson, Tyler DeWitt

Abstain: None

Failed.

Public Hearing for Bill No. 2022-69: Special Use Permit for 1743 Pineville Road

Public Hearing for Bill No. 2022-69 Special Use Permit for 1743 Pineville Road was opened at 7:44 p.m.

Jason Schanda spoke to the Council regarding this request. He stated that he has spoke to his area residents and none have had any issues with him having this business at his home.

Public Hearing was closed at 7:50 p.m.

Bill No. 2022-69: Special Use Permit for 1743 Pineville Road

AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI, GRANTING A SPECIAL USE PERMIT TO JASON SCHANDA TO OPERATE A CUSTOM MEAT SMOKING BUSINESS AND A FIREARM TRANSFER AND SALES BUSINESS AT 1743 PINEVILLE RD., NEOSHO, MISSOURI.

Bill No. 2022-69 was read in title only by Attorney Paul.

Councilman Cobb made a motion to Approve and Discuss Bill No. 2022-69 Special Use Permit for 1743

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Pineville Road; Councilwoman Thomas seconded.

Development Services Director Leavens addressed the City Council stating that this permit is to allow the owner at 1743 Pineville Road to have a home-based business. The owner of this residence would be smoking meat for a catering operation and private firearm transfers and sales. The Planning and Zoning Commission was unanimous in approving this permit.

Staff recommends approving this Special Use Permit for 1743 Pineville Road.

Roll call vote:

Yes: Carl Cobb, Angela Thomas, Julie Humphrey, Ashton Robinson, Tyler DeWitt

No: None

Abstain: None

Passed.

Bill No. 2022-71: Surplus City Items

An Ordinance of the City of Neosho, Missouri declaring certain personal property as surplus; and authorizing the City Manager to execute the appropriate documents.

Bill No. 2022-71 was read in title only by Attorney Paul.

Councilwoman Robinson made a motion to Approve and Discuss Bill No. 2022-71 Surplus City Items; Councilman Cobb seconded.

City Clerk Wright addressed the City Council stating that the purpose of this agenda item is to remove found property and property that was owned by various City of Neosho departments that is no longer needed.

Roll call vote:

Yes: Carl Cobb, Angela Thomas, Julie Humphrey, Ashton Robinson, Tyler DeWitt

No: None

Abstain: None

Passed.

Bill No. 2022-72: MOU with City of Joplin

AN ORDINANCE authorizing the City of Neosho, Missouri, to enter into a Memorandum of Understanding with the City of Joplin, Missouri, for the purpose of locating and using a flashover simulator at the Joplin Public Safety Training Center; and authorizing the Mayor to execute the same by and on behalf of the City of Neosho.

Bill No. 2022-72 was read in title only by Attorney Paul.

Councilwoman Humphrey made a motion to Approve and Discuss Bill No. 2022-72 MOU with the City of Joplin; Councilwoman Thomas seconded.

Fire Chief Houk addressed the City Council stating that the purpose of this agenda item is to seek the Council's

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approval of the MOU with the City of Joplin Fire Department. This MOU is for an agreement to share use of the Swede Flashover Simulator. The City of Neosho has owned this simulator since 2006, when we received it from a FEMA grant. The Joplin Fire Department has offered to allow us to use their full training facility in return for us moving the flashover simulator up to their facility for shared use. The City of Neosho will still retain full ownership.

Roll call vote:

Yes: Carl Cobb, Angela Thomas, Julie Humphrey, Ashton Robinson, Tyler DeWitt

No: None

Abstain: None

Passed.

Bill No. 2022-73 Amending Chapter 405 - RV Park

AN ORDINANCE amending Chapter 405 Zoning Regulations by enacting a new Section 405.179 District "RV" Recreational Vehicle Park District.

Bill No. 2022-73 was read in title only by Attorney Paul.

Councilwoman Thomas made a motion to Approve and Discuss Bill No. 2022-73 Amending Chapter 405 - RV Park; Councilman Cobb seconded.

Development Services Director Leavens addressed the Council stating that this ordinance is to establish rules regulating an RV Park zone in the city of Neosho. We wanted to make sure this was a rotating residence and not an area that allowed people to live there all year long. This limits the sites and sizes and eliminates skirting on the RVs.

City Manager Kennedy stated that currently there is no zoning for this type of facility. If zoned, it would fall into C-3. However, this would allow these to be on the Neosho Blvd. then. This was the solution to fully instead of zoning.

Roll call vote:

Yes: Carl Cobb, Angela Thomas, Julie Humphrey, Ashton Robinson, Tyler DeWitt

No: None

Abstain: None

Passed.

Southwest Lime Company's Offer of Property Near Lime Kiln Park

City Manager Kennedy addressed the Council stating that the company that is building the conservation area met with the city for ingress/egress. Looking at this property, it was discovered that Southwest Lime Company actually owns this piece of property. The staff do not wish to take this property from Southwest Lime Company but actually transfer it to the Land Learning conservation program instead.

By a consensus of the Council to not accept this piece of property from Southwest Lime Company.

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Bond Requirements for New Subdivisions

Public Works Director Siler addressed the Council stating that the purpose of this agenda item is to seek your preference on bond requirements for maintenance items in new subdivisions. This would be asphalt, roads, curbing, etc. A maintenance bond for the subdivision would help with these issues if accepted. The city has looked into what other cities are doing. Staff has discovered most require a performance bond that covers the cost at a set percentage to install and build these infrastructure items. One community additionally requires a maintenance bond for improper construction up to years after the subdivision is completed.

By a consensus of the Council:

Length of time 2 years for the maintenance bond.

Performance and Maintenance Bond Amount 110%

Amendment to Electric Service Agreement with Liberty Utilities

Public Works Director Siler addressed the Council stating that these amendments are to replace three non-working streetlights and be replaced with new LED lights.

Hickory and Valley (monthly decrease \$-\$1.79)

Delaware and Barton (monthly increase \$0.76)

935 Southeast Blvd (monthly increase \$0.76)

Councilwoman Thomas made a motion to Approve Amendments to the Liberty Utilities Contract;
Councilwoman Robinson seconded.

Roll call vote:

Yes: Carl Cobb, Angela Thomas, Julie Humphrey, Ashton Robinson, Tyler DeWitt

No: None

Abstain: None

Passed.

Missouri LAGERS Annual Meeting

Human Resources Director Muhic addressed the Council stating that this item is to get Council's approval for the HR Director to be the Employer Delegate Appointment at the Missouri LAGERS annual meeting in October of 2022.

Councilman Cobb made a motion to Approve Krysti Muhic as the City Delegate for the MO-LAGERS October Meeting; Councilwoman Thomas seconded.

Roll call vote:

Yes: Carl Cobb, Angela Thomas, Julie Humphrey, Ashton Robinson, Tyler DeWitt

No: None

Abstain: None

Passed.

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REPORT OF CITY OFFICERS

Update on Donation Proceeds-PD

City Manager Kennedy addressed the Council stating that the purpose of this update is in regard to 2019 and the investigation into the crime committed against this animal. There were funds sent in to try to find the culprit. The statute of limitations has run out on charging this person that committed this crime. We wanted to bring a contract to you to donate these funds to Faithful Friends of Neosho.

By the consensus of the Council, for these funds to go to Faithful Friends. The City Manager stated that an official document would come before the Council to authorize the donation of these funds.

CLOSED SESSION

Mayor DeWitt asked for a motion to go into closed session under:

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.

Councilwoman Thomas made a motion to Motion to go into closed session ; Councilwoman Robinson seconded.

Roll call vote:

Yes: Carl Cobb, Angela Thomas, Julie Humphrey, Ashton Robinson, Tyler DeWitt

No: None

Abstain: None

Passed.

Mayor DeWitt closed the open session at 8:25 p.m.

The meeting reconvened in open session at 8:47 p.m. stating that one vote was taken.

ADJOURN

Seeing no further business to come before the Neosho City Council, Mayor DeWitt asked for a motion to adjourn the October 4, 2022 City Council meeting.

Councilwoman Thomas made a motion to Adjourn; Councilwoman Robinson seconded.

Roll call vote:

Yes: Carl Cobb, Angela Thomas, Julie Humphrey, Ashton Robinson, Tyler DeWitt

No: None

Abstain: None

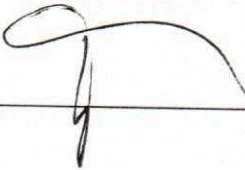
Passed.

The meeting adjourned at 8:48 p.m.

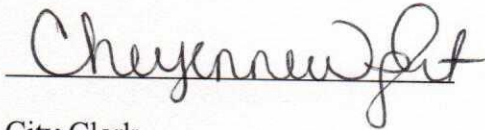
APPROVED

ATTEST

NEOSHO CITY COUNCIL



Mayor



City Clerk

