

MINUTES
NEOSHO CITY COUNCIL
May 16, 2023 - 7:00 PM
Neosho Council Chambers
203 E. Main St., Neosho, MO

OPENING PRAYER & PLEDGE OF ALLEGIANCE

Mark Taylor prayed over the meeting and Mayor Davidson led the pledge of allegiance.

CALL TO ORDER

Mayor Davidson opened the meeting at 7 p.m.

ROLL CALL

COUNCIL PRESENT:

Carl Cobb, Angela Thomas, Tom Workman, Richard Davidson, Ashton Robinson, Julie Humphrey

COUNCIL ABSENT:

Charles Collinsworth was absent.

CITY OFFICERS PRESENT:

David Kennedy, City Manager; Jordan Paul, City Attorney; and Cheyenne Wright, City Clerk, minutes taken by clerk.

APPROVAL OF AGENDA

Mayor Davidson made a motion to Amend the Agenda to add a public hearing for Bill No. 2023-144 as number 3 under new business and remove Bill No. 2023-141 MOU for Neosho Arts Council-Thomas Hart Benton; Councilwoman Thomas seconded.

Roll call vote:

Yes: Carl Cobb, Angela Thomas, Julie Humphrey, Richard Davidson, Ashton Robinson, Tom Workman

No: None

Abstain: None

CONSENT AGENDA

Councilman Workman made a motion to Approve the Consent Agenda to include the following:
May 2, 2023 Open Session Council Minutes

Bill No. 2023-137

Bill No. 2023-138

Bill No. 2023-139

Bill No. 2023-140

Councilman Cobb seconded.

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Roll call vote:

Yes: Carl Cobb, Angela Thomas, Julie Humphrey, Richard Davidson, Ashton Robinson, Tom Workman

No: None

Abstain: None

Passed.

UNFINISHED BUSINESS

Bill No 2023-133: Article I Amending Section 710.180 Water Rates

AN ORDINANCE amending Section 710.180 "Water Rates – Generally – Classification of Consumers."

Attorney Paul read Bill No. 2023-133 in title only.

Councilman Cobb made a motion to Approve and discuss Bill No. 2023-133; Councilman Workman seconded.

City Manager Kennedy explained that the ordinance shows what the 25% reduction would look like. He explained the phases to Council and the possibilities of not completing phase 4 with this reduction or pushing the projects back another five or ten years due to the decrease of 25%. This would either reduce the amount of mains replaced or remove two water towers at Crowder. This would affect the industrial parts of the city by not getting in the new water towers.

Mayor Davidson explained to the council the two options before the council tonight. Presently on the floor for discussion is the water and sewer rates at the increase in full as originally presented to council. Council also requested to see the rates at the reduction of 25% from what was presented.

Discussion amongst the Council and staff.

Mayor Davidson made a motion to Amend Bill No. 2023-133 with the 75% amount as reflected in the attached Bill; Councilwoman Robinson seconded.

Discussion was held amongst the Council.

Roll call vote for the amended Bill No. 2023-133 at a 25% reduction:

Yes: Richard Davidson, Ashton Robinson, Tom Workman

No: Carl Cobb, Angela Thomas, Julie Humphrey

Abstain: None

Failed.

Roll call vote for the full 100% increase:

Yes: Carl Cobb, Angela Thomas, Julie Humphrey

No: Richard Davidson, Ashton Robinson, Tom Workman

Abstain: None

Failed.

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Bill No. 2023-134: Article VI Sewer Service Charges Amending Section 705.450

AN ORDINANCE amending Section 705.450 "Classification of Users – Monthly Service Charges."

Attorney Paul read Bill No. 2023-134 in title only.

Mayor Davidson made a motion to Approve and Discuss Bill No. 2023-134; Councilman Workman seconded.

Roll call vote:

Yes: Carl Cobb, Angela Thomas, Julie Humphrey

No: Richard Davidson, Ashton Robinson, Tom Workman

Abstain: None

Failed.

CORRESPONDENCE

Letter of Thanks from Neosho Arts Council

City Clerk Wright read the letter from the Neosho Arts Council in its entirety.

VISITOR'S BUSINESS

Mark Taylor thanked the City for their use of the Municipal Auditorium for Monday prayer on the square.

BIDS

Golf Course Top Dresser Equipment

Golf Course Manager Farris addressed the city council stating that the purpose of this agenda item is to request approval of the bid for the top dresser equipment from VanWall Equipment in the amount of \$27,879.20. There were three bids sent out and one was received back. This is a used piece of equipment.

Councilwoman Robinson made a motion to Approve the bid from VanWall Equipment in the amount of \$27,879.20; Councilman Cobb seconded.

Roll call vote:

Yes: Carl Cobb, Angela Thomas, Julie Humphrey, Richard Davidson, Ashton Robinson, Tom Workman

No: None

Abstain: None

Passed.

2023 Overlay and Asphalt Milling Project

Public Works Director Siler addressed the City Council stating that the purpose of this item is for asphalt and overlay for this year. This project is for the resurfacing of approximately 3.4 miles of City streets, 2 alleys, a new parking lot in Morse Park, a large parking area at Parks Dept., and nearly $\frac{3}{4}$ of a mile of cemetery roads with new asphalt. We sent out three bid packets and received three bids.

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APAC Central, Streets Overlay and milling: \$495,102.70, Cemetery Overlay and milling: \$13,675.00, Mobilization \$6,390.00. Total bid without optional Werneke Dr. \$515,677.70

Emery Sapp & Sons: Streets Overlay and milling: \$531,100.75, Cemetery Overlay and milling: \$11,050.00, Mobilization \$19,500.00. Total bid without optional Werneke Dr. \$561,650.75

Blevins Asphalt: Streets Overlay and milling: \$475,953.80, Cemetery Overlay: \$10,960.00, Mobilization \$7,850.00. Total bid without optional Werneke Dr. \$494,763.80

Staff recommends the approval of the Blevins Asphalt bid. The cemetery budgeted \$50,000 for overlays. We used the unit bid amount of \$109.60 per ton to add 243 more tons of asphalt to do the remaining roads. There were two parking lots added by the Parks Dept. for the same unit bid for the cemetery. The total project cost is \$550,524.75

Councilwoman Robinson made a motion to Approve the bid from Blevins Asphalt in the amount of \$550,524.75; Councilwoman Thomas seconded.

Roll call vote:

Yes: Carl Cobb, Angela Thomas, Julie Humphrey, Richard Davidson, Ashton Robinson, Tom Workman

No: None

Abstain: None

Passed.

Health Insurance Broker

Human Resources Director Muhic addressed the city council stating that the purpose of this agenda item is to accept an insurance broker for employee health insurance. There were multiple bids sent out and five were received back.

Bukaty Companies- Received 4/20/23 @ 10:45am

Medical Insurance: \$18/PEPM or match current level for the rates.

Ancillary Benefits: Standard commission schedule for the remaining policies.

Specialty Risk- Received 4/21/23 @ 3:27pm

3% carrier commission with a cap of \$20,000 for all plan administration.

Connell Insurance- Received 4/25/23 @ 9:36am

2 options:

PEPM: Standard commission. Commission can be negotiable but range from 4-5% on medical and 10% on ancillary products.

Mixed: combination of fees and commissions. For core products, a PEPM applies. For ancillary products (dental, life, disability, vol. products), compensation is by commission of approximately 10%, depending on the products offered.

HIC Agency- Received 4/27/23 @ 8:31am

Medical Insurance: \$30/PEPM.

Ancillary Benefits: 10%.

Insurance Benefits Consultants- Received 4/27/23 @ 11:31am

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Medical Insurance: \$16/PEPM.

Ancillary Benefits: Standard carrier commissions.

Insurance Benefit Consultants bid came in the lowest at \$16/PEPM for medical insurance and 10% for ancillary benefits. Staff recommends approving the bid from IBC.

Councilwoman Thomas made a motion to Approve Insurance Benefits Consultants as the broker for city insurance; Councilman Cobb seconded.

Roll call vote:

Yes: Carl Cobb, Angela Thomas, Julie Humphrey, Richard Davidson, Ashton Robinson, Tom Workman

No: None

Abstain: None

Passed.

NEW BUSINESS

Bill No. 2023-142: Amending Section 235.055 Requirements of Cremation Burial

AN ORDINANCE amending Section 235.055 "Requirements Of Cremation Burials."

Attorney Paul read Bill No. 2023-142 in title only.

Councilwoman Robinson made a motion to Approve and Discuss Bill No. 2023-142 Amending Section 235.055; Councilwoman Humphrey seconded.

City Clerk Wright addressed the council stating that the purpose of this agenda item is to request council to amend the requirements of a cremation burial at the Neosho IOOF Cemetery. This amendment would remove the option to allow a cremation to be buried on top of a traditional burial. It would still allow a plot to be used for two cremation burials. However, since the city took over the cemetery at the end of 2019, there have been issues staff have run into when placing a cremation on top of a traditional burial. There are times where there is enough room to bury the cremations and sometimes the traditional burial is not deep enough to allow it. When speaking with other cemeteries, the majority do not allow a cremation to be buried on top of a traditional burial.

Roll call vote:

Yes: Carl Cobb, Angela Thomas, Julie Humphrey, Richard Davidson, Ashton Robinson, Tom Workman

No: None

Abstain: None

Passed.

Bill No. 2023-143 Blevins Asphalt Construction Company Inc. Agreement

AN ORDINANCE authorizing the City of Neosho, Missouri, to enter into an Agreement for Construction Services with Blevins Asphalt Construction Company, Inc., a Missouri Corporation, for the purpose of asphalt milling and overlay for the not to exceed price of Five Hundred Fifty Thousand Five Hundred Twenty-Four and 75/100 (\$550,524.75); and authorizing the Mayor to execute the same by and on behalf of the City of Neosho.

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Attorney Paul read Bill No. 2023-143 in title only.

Councilwoman Robinson made a motion to Approve and Discuss Bill No. 2023-143 Blevins Asphalt Construction Company Inc. Agreement; Councilwoman Humphrey seconded.

Public Works Director Siler addressed the council stating that the purpose for this agenda item is to request the council's approval of the agreement with Blevin's Asphalt to complete the resurfacing and milling on approximately four miles of city streets in the amount of \$550,524.75.

Roll call vote:

Yes: Carl Cobb, Angela Thomas, Julie Humphrey, Richard Davidson, Ashton Robinson, Tom Workman

No: None

Abstain: None

Passed.

Public Hearing for Bill No. 2023-144

Mayor Davidson opened the Public Hearing for Bill No. 2023-144 at 7:30 p.m.

Mr. Quigley 218 W. Grant and 220 W. Grant - he does not see proper parking available and would not like to see billboards and signs on the property. This is not desirable for a residential area.

Mr. Nally 622 South Jefferson - he feels the traffic will be an issue. There are already signs out advertising for this business without it even being approved. They have secretly been doing this for a while.

Mayor Davidson closed the public hearing at 7:34 p.m.

Bill No. 2023-144: Special Use Permit 613 S College St.

AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI, GRANTING A SPECIAL USE PERMIT TO MARIE ROBERTSON TO OPERATE A DAY SPA AT 613 S. COLLEGE ST., NEOSHO, MISSOURI.

Attorney Paul read Bill No. 2023-144 in title only.

Councilwoman Humphrey made a motion to Approve and Discuss Bill No. 2023-144 Special Use Permit for 613 S. College Street; Councilman Workman seconded.

Development Services Director Leavens addressed the council stating that the request for this special use permit is for an in-home day spa. The business would only receive clients by appointment only and has offstreet parking sufficient to handle its business volume. There was no opposition at the May 9, 2023 Planning and Zoning hearing for the special use permit and two neighbors were present to support the business owner. The Planning and Zoning Commission voted to approve this request.

Discussion followed with council and staff.

Council requested for staff to check that the business owner has a state license and is following the guidelines of the state, such as a separate bathroom for owner and client and also a separate entrance for the business. Council also requested staff to check the parking issues and that the owner understands the city code

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regarding signage in a residential area.

Roll call vote:

Yes: Carl Cobb, Angela Thomas, Julie Humphrey, Richard Davidson, Ashton Robinson, Tom Workman

No: None

Abstain: None

Passed.

Bill No. 2023-145: Ozark Fiber Lease

AN ORDINANCE authorizing the City of Neosho, Missouri, to enter into an Agreement with Ozark Fiber, LLC, a Missouri Limited Liability Company, for the purpose of leasing certain land in the area of Village Road and Village Circle, Neosho, Missouri; and authorizing the Mayor to execute the same by and on behalf of the City of Neosho.

Attorney Paul read Bill No. 2023-145 in title only.

Councilman Cobb made a motion to Approve and Discuss Bill No. 2023-145 Ozark Fiber Lease Agreement; Councilwoman Robinson seconded.

Development Services Director Leavens addressed the city council regarding the Ozark Fiber Lease request. This request is for Ozark Fiber to lease a piece of land from the city off of Village Road right behind the old Tru Value Hardware store.

City Manager Kennedy addressed the council stating that the company would eventually like to own this piece of property. This company plans to invest infrastructure in this property.

Mayor Davidson stated he would like to see this piece of property sold and not leased.

Jason Ross - President addressed the city council stating that he would like to thank the council for entertaining their request for this piece of land. The company would be more interested in buying instead of leasing. Mr. Ross stated that the company would like to wait to buy instead of a lease.

Mayor Davidson made a motion to postpone this agenda item till the June 6, 2023 Council Meeting; Councilwoman Thomas seconded.

Roll call vote:

Yes: Carl Cobb, Angela Thomas, Julie Humphrey, Richard Davidson, Ashton Robinson, Tom Workman

No: None

Abstain: None

Passed.

Resolution Bill No. 2023-04: Support for HRM Services, LLC. Construction of Affordable Senior Housing

A RESOLUTION OF THE CITY OF NEOSHO, MISSOURI, SUPPORTING THE PROPOSED AFFORDABLE SENIOR HOUSING PRESENTED BY HRM SERVICES, LLC.

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Attorney Paul read Resolution Bill No. 2023-04 in title only.

Councilwoman Robinson made a motion to Approve and Discuss Resolution Bill No. 2023-04; Councilman Workman seconded.

Development Services Director Leavens addressed the city council stating that the city has been approached about HRM Services building affordable senior housing. This resolution is for support of this building of low-income senior housing and for them to go out for a grant for this project.

Roll call vote:

Yes: Carl Cobb, Angela Thomas, Julie Humphrey, Richard Davidson, Ashton Robinson, Tom Workman

No: None

Abstain: None

Passed.

Amendment to Electric Service Agreement with Liberty Utilities

Public Works Director Siler addressed the City Council stating that there are two amendments to the Liberty Utility agreement. This is for the replacement of two non-working streetlights that are being replaced with LED. This will be a decrease to the agreement.

1345 Glenstone Drive monthly decrease of -\$1.79

Wall St. and Benham St. monthly decrease of -\$0.76

Councilwoman Thomas made a motion to Approve the amendments to the Liberty Utility Agreement; Councilman Cobb seconded.

Roll call vote:

Yes: Carl Cobb, Angela Thomas, Julie Humphrey, Richard Davidson, Ashton Robinson, Tom Workman

No: None

Abstain: None

Passed.

Stormwater Grant Authorized Signature Update

Development Services Director Leavens addressed the council stating that this form is to approve himself and City Manager Kennedy as signers on the 2019 CDBG grant. This would allow them to finalize this grant.

Councilwoman Robinson made a motion to Approve David Kennedy and Richard Leavens as signers on the 2019 CDBG Grant; Councilman Workman seconded.

Roll call vote:

Yes: Carl Cobb, Angela Thomas, Julie Humphrey, Richard Davidson, Ashton Robinson, Tom Workman

No: None

Abstain: None

Passed.

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APPOINTMENTS AND VACANCIES

1. *Events Board Letter of Resignation for Lynn Otey*
2. *Events Board Letter of Resignation for Lori Schofield*

Councilman Cobb made a motion to Approve Resignations of Events Board; Councilwoman Thomas seconded.

Roll call vote:

Yes: Carl Cobb, Angela Thomas, Julie Humphrey, Richard Davidson, Ashton Robinson, Tom Workman

No: None

Abstain: None

Passed.

3. *Letter of Interest from Greg Franklin for the Events Board*
4. *Letter of Interest from Cathleen Bailey for the Events Board*

Mayor Davidson stated that he would like to have staff put the vacancy of this board out to the public since these two positions just became available. This will give others a chance to put in their letter of interest for these new open positions. The council agreed.

5. *Letter of Interest from Aaron Lewis for the Planning and Zoning Commission*

Mayor Davidson made a motion to accept a letter of interest from Aaron Lewis ; Councilman Workman seconded.

Roll call vote:

Yes: Carl Cobb, Angela Thomas, Julie Humphrey, Richard Davidson, Ashton Robinson, Tom Workman

No: None

Abstain: None

Passed.

REPORT OF CITY OFFICERS

Fire Chief Houk stated that the truck purchased in 2021 is almost ready and will be delivered around August 1st of this year. This is a new pump truck that was purchased.

Fire Chief Houk also introduced the new Deputy Chief, Derrick Williams.

City Manager stated that the pool is on schedule to open on Memorial Day weekend.

ADJOURN

There being no further business to come before the council, Mayor Davidson asked for a motion to adjourn. Councilman Cobb made a motion to Adjourn; Councilman Workman seconded.

Roll call vote:

Yes: Carl Cobb, Angela Thomas, Julie Humphrey, Richard Davidson, Ashton Robinson, Tom Workman

No: None

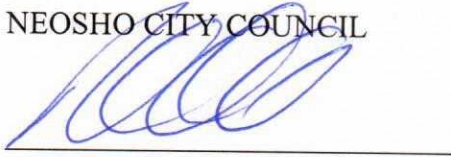
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Abstain: None
Passed.

Mayor Davidson adjourned the May 16th, 2023 Council Meeting at 8:07 p.m.

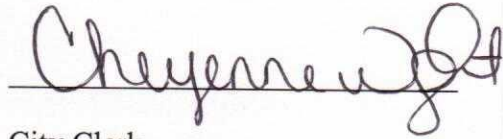
APPROVED

NEOSHO CITY COUNCIL



Mayor

ATTEST



City Clerk

