

**MINUTES**  
**NEOSHO CITY COUNCIL**  
**June 6, 2023 - 7:00 PM**  
**Neosho Council Chambers**  
**203 E. Main St., Neosho, MO**

**OPENING PRAYER & PLEDGE OF ALLEGIANCE**

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

**CALL TO ORDER**

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

**ROLL CALL**

COUNCIL PRESENT:

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

COUNCIL ABSENT:

None were 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 amended the agenda to remove new business item number 1.

Councilman Cobb made a motion to Approve the Agenda as Amended; Councilwoman Thomas seconded.

Roll call vote:

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

No: None

Abstain: None

Passed.

**CONSENT AGENDA**

Councilwoman Robinson made a motion to Approve the Consent Agenda to include:

May 16, 2023 Open Session Council Minutes

Bill No. 2023-142

Bill No. 2023-143;

Councilman Workman seconded.

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Roll call vote:

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

No: None

Abstain: None

Passed.

### UNFINISHED BUSINESS

#### Public Hearing for Bill No. 2023-144

Mayor Davidson opened the public hearing for Bill No. 2023-144 at 7:03 p.m.

There was nobody present to speak.

Mayor Davidson closed the public hearing for Bill No. 2023-144 at 7:03 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 Robinson made a motion to approve and discuss Bill No. 2023-144; Councilman Collinsworth seconded.

Development Services Director Leavens addressed the City Council stating that the purpose of this item is to gain city council approval for the mayor to sign the special use permit for 613 S. College for the purpose of a day spa for Marie Robertson. During the May 16, 2023 Council Meeting, council requested staff to investigate into the petitioner's licensing and parking situation. The petitioner has provided licensing documents and photos of the parking outside the home.

Roll call vote:

Yes: Carl Cobb, Angela Thomas, Charles Collinsworth, 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.

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

Councilman Cobb made a motion to approve and discuss Bill No. 2023-145; Councilwoman Robinson seconded.

Attorney Paul informed the Council that this is for the lease of this property and not the sale. During the May 16th, 2023 Council Meeting motion was made for approval and then postponed until this meeting. The ordinance for the sale of this property will come up during this meeting under new business.

Roll call vote:

Yes: None

No: Carl Cobb, Angela Thomas, Charles Collinsworth, Julie Humphrey, Richard Davidson, Ashton Robinson, Tom Workman

Abstain: None

Failed.

### **VISITOR'S BUSINESS**

There was nobody present for visitor's business.

### **BIDS**

#### **Engine 8 Valve Replacement**

Deputy Fire Chief Williams addressed the city council stating that he would like to deny this bid. Staff sent out three bids for intake valve replacement on Engine 8. There was only one bid that was received back, which was for \$16,676.56. Staff believes that this is not a competitive bid only have received one back and would like to reject the bid and rebid this item.

Councilman Collinsworth made a motion to approve the bids as presented; Councilman Cobb seconded.

Roll call vote:

Yes: None

No: Carl Cobb, Angela Thomas, Charles Collinsworth, Julie Humphrey, Richard Davidson, Ashton Robinson, Tom Workman

Abstain: None

Failed.

#### **Opening and Closing of Burials at the IOOF Cemetery**

City Clerk Wright addressed the City Council stating that four bids were sent out for the opening and closing of burials at the Neosho IOOF Cemetery, and this bid was also put on the city website. There were two bids received back, one from Greathouse Backhoe Services and one from J&L Underground Construction. Staff went through the bids and although the bids were comparable in price, staff requests council approval of J&L Underground Construction. The used J&L when our current contractor for this work, Greathouse Backhoe, was out of the country. J&L peeled the sod and did a fantastic job with the final filling in of the grave. Staff did not have to go back out to this grave and fill in with more dirt because of sinking and holes.

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### CURRENT FEES

|                                                                                        | Current<br>Opening &<br>Closing<br>Fee | J&L<br>Underground<br>Construction | Greathouse<br>Backhoe |
|----------------------------------------------------------------------------------------|----------------------------------------|------------------------------------|-----------------------|
| Cremation                                                                              | \$280.00                               | \$300.00                           | \$350.00              |
| Weekend or Holiday Burial                                                              | \$380.00                               | \$400.00                           | \$450.00              |
| After 4pm any day of the week<br>If it is after 4pm and on a<br>Weekend or Holiday     | \$380.00                               | \$300.00                           | \$450.00              |
|                                                                                        | \$380.00                               | \$400.00                           | \$500.00              |
| Traditional Burial                                                                     | \$600.00                               | \$700.00                           | \$600.00              |
| Weekend or Holiday Burial                                                              | \$600.00                               | \$800.00                           | \$750.00              |
| After 4pm any day of the week<br>If burial is after 4pm and on a<br>Weekend or Holiday | \$600.00                               | \$700.00                           | \$700.00              |
|                                                                                        | \$600.00                               | \$800.00                           | \$750.00              |

Councilwoman Robinson made a motion to approve the bid from J&L Underground Construction as presented; Councilwoman Thomas seconded.

Roll call vote:

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

No: None

Abstain: None

Passed.

### NEW BUSINESS

#### Bill No. 2023-146: Region M SWMD grant funding for Neosho Regional Recycling Center 2023

AN ORDINANCE authorizing the City of Neosho, Missouri, to enter into an Agreement with the Region M Solid Waste Management District, a political subdivision of the State of Missouri, for the purpose of accepting grant funding for the operation of the Neosho Regional Recycling Center; and authorizing the Mayor or his designee to execute the same by and on behalf of the City of Neosho.

Attorney Paul read Bill No. 2023-146 in title only.

Councilman Cobb made a motion to approve and discuss Bill No. 2023-146; Councilwoman Humphrey seconded.

Assistant Public Works Director Barret addressed the City Council stating that the purpose of this agenda item is to seek council approval for the Region M Solid Waste Financial Assistance Agreement. The total funds awarded this year is \$71,490.51. This is \$2,657.56 more than last year's awarded amount.

Roll call vote:

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

No: None

Abstain: None

Passed.

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### **Bill No. 2023-147: Missouri State Highway Patrol MOU for use of the Auditorium.**

AN ORDINANCE authorizing the City of Neosho, Missouri, to enter into an Agreement with the Missouri State Highway Patrol for the purpose of using the Civic Center for Driver Examination; and authorizing the Mayor to execute the same by and on behalf of the City of Neosho.

Attorney Paul read Bill No. 2023-147 in title only.

Councilwoman Thomas made a motion to approve and discuss Bill No. 2023-147; Councilman Collinsworth seconded.

City Manager Kennedy addressed the city council stating that this item is to authorize the city manager to sign a Memorandum of Understanding with the Missouri State Highway Patrol for their use of the Municipal Auditorium to conduct state driver's license testing.

Roll call vote:

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

No: None

Abstain: None

Passed.

### **Bill No. 2023-148: Agreement with Insurance Benefit Consultants for Consulting Services**

AN ORDINANCE authorizing the City of Neosho, Missouri, to enter into an Agreement with Insurance Benefits Consultants, LLC, a Missouri Limited Liability Company, for the purpose of providing consulting services as insurance broker; and authorizing the Mayor to execute the same by and on behalf of the City of Neosho.

Attorney Paul read Bill No. 2023-148 in title only.

Councilwoman Thomas made a motion to approve and discuss Bill No. 2023-148; Councilwoman Humphrey seconded.

Human Resources Director Muhic addressed the city council stating that the purpose of this item is to request continuing services with Insurance Benefits Consultants as the city's health insurance agent.

Roll call vote:

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

No: None

Abstain: None

Passed.

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**Bill No. 2023-149: Amending Chapter 215 Offenses and Miscellaneous Provisions, Adult Use Marijuana**

AN ORDINANCE amending Chapter 215 – Offenses and Miscellaneous Provisions, Article XIII – Offenses Concerning Drugs and Alcohol, by changing offenses related to marijuana as a result of November 8, 2022 general election ballot measure Amendment 3.

Attorney Paul read Bill No. 2023-149 in title only.

Councilman Cobb made a motion to approve and discuss Bill No. 2023-149; Councilman Collinsworth seconded.

Police Chief Baird addressed the council stating that the Neosho Police Department is requesting to add revisions to Chapter 215, the adult use of marijuana. This would change our code to reflect the state statutes.

Roll call vote:

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

No: None

Abstain: None

Passed.

**Bill No: 2023-150: Additional Tax for Adult Use Marijuana**

AN ORDINANCE enacting a new Section 140.029 "Additional Sales Tax for Adult Use Marijuana."

Attorney Paul read Bill No. 2023-150 in title only.

Councilman Cobb made a motion to approve and discuss Bill No. 2023-150; Councilwoman Humphrey seconded.

Finance Director Forest addressed the city council stating that this ordinance is to add a new Section 140.029 "Additional Sales Tax for Adult Use Marijuana" to the city code. The voters approved the 3% tax on April 4, 2023 for adult use marijuana sales. By adding this section to our code, this will add to the other taxes that we show in our code.

Roll call vote:

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

No: None

Abstain: None

Passed.

**Bill No: 2023-151: Additional Sales Tax for Capital Improvements**

AN ORDINANCE enacting a new Section 140.024 "Additional Sales Tax for Capital Improvements."

Attorney Paul read Bill No. 2023-151 in title only.

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Councilman Collinsworth made a motion to approve and discuss Bill No. 2023-151; Councilman Workman seconded.

Finance Director Forest addressed the city council stating that this ordinance is to add a new Section 140.024 "Additional Sales Tax for Capital Improvements" to the city code. The voters approved the 1/8th of 1% tax on April 5, 1994 for capital improvements, including operation and maintenance of capital improvements, related to economic development. By adding this section to our code, this will add to the other taxes that we show in our code.

Roll call vote:

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

No: None

Abstain: None

Passed.

### **Bill No. 2023-152: Ozark Fiber Agreement**

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

Attorney Paul read Bill No. 2023-152 in title only.

Councilwoman Robinson made a motion to approve and discuss Bill No. 2023-152; Councilwoman Thomas seconded.

Development Services Director Leavens addressed the city council stating that the purpose of this agenda item is to gain council approval for the mayor to sign an agreement to surplus certain property and an agreement to sell Ozark Fiber that property for the purpose of establishing residential fiber internet access in the City of Neosho. The property has been determined and appraisals and surveys have been ordered.

Roll call vote:

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

No: None

Abstain: None

Passed.

### **Bill No. 2023-153: Agreement with Benny's Lawn & Landscaping for Neosho IOOF Cemetery**

AN ORDINANCE authorizing the City of Neosho, Missouri, to enter into an Agreement with Benny Boswell d/b/a Benny's Lawn & Landscaping, for the purpose of providing lawn and landscaping services at the Neosho IOOF Cemetery for the not to exceed price of Ninety-Three Thousand and 00/100 Dollars (\$93,000.00); and authorizing the Mayor to execute the same by and on behalf of the City of Neosho.

Attorney Paul read Bill No. 2023-153 in title only.

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Councilman Collinsworth made a motion to approve and discuss Bill No. 2023-153; Councilwoman Humphrey seconded.

City Clerk Wright stated that this is to seek approval for the three year contract with Benny's Lawn and Landscaping for the Neosho IOOF Cemetery in the amount of \$93,000.00.

Roll call vote:

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

No: None

Abstain: None

Passed.

### **Bill No. 2023-154: MOU with HSTCC and City of Neosho for USDA Grant**

AN ORDINANCE authorizing the City of Neosho, Missouri, to enter into an Agreement with the Harry S Truman Coordinating Council, a political subdivision of the State of Missouri, for the purpose of applying for a Composting and Food Waste Reduction grant related to the Neosho Recycling Center; and authorizing the Mayor to execute the same by and on behalf of the City of Neosho.

Attorney Paul read Bill No. 2023-154 in title only.

Councilwoman Thomas made a motion to approve and discuss Bill No. 2023-154; Councilwoman Humphrey seconded.

Austin Butera, with HSTCC, addressed the city council stating that this is to seek council approval of an MOU between the City of Neosho and HSTCC to seek money through a composting and food waste grant from USDA. HSTCC has agreed to write and pursue a grant on behalf of the City of Neosho. This grant has funding available for purchasing a new skid loader and a bin for accepting food waste.

Roll call vote:

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

No: None

Abstain: None

Passed.

### **Request to Apply for Composting and Food Waste Reduction Grant**

Assistant Public Works Director Barrett addressed the City Council stating that this is all of the paperwork for authorizing Nate Siler as the authorized representative for the grant and authorizing the grant application.

Councilman Collinsworth made a motion to approve Nate Siler as the representative for the grant and authorize the application; Councilman Workman seconded.

Roll call vote:

Yes: Carl Cobb, Angela Thomas, Charles Collinsworth, Julie Humphrey, Richard Davidson, Ashton Robinson,

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Tom Workman  
No: None  
Abstain: None  
Passed.

### **MIRMA Invoice July 1, 2023 to June 30, 2024**

Finance Director Forest addressed the city council to make the council aware of the increase to the MIRMA yearly invoice. This invoice is 3.2% higher than last year. Part of this increase is due to a firefighter cancer pool debit of \$7,896 and part of this is due to inflation.

### **First Community Bank - Business Platform for Online Banking**

Mayor Davidson removed himself from discussion due to him serving on the First Community Bank Board.

Mayor Pro Tempore Robinson took over the meeting.

Finance Director Forest addressed the city council stating that First Community Bank will be updating their portal and moving the city to a business account. The differences for the city will be more audit control. Currently all wires, ACH and SWEEP account money movement is done within city hall with authorization from the Finance Director. This will give another layer of security by having either the Mayor or Mayor Pro Tem approve each transaction like they were signing checks.

Discussion followed.

Councilman Collinsworth made a motion to approve moving forward with these changes with First Community Bank; Councilwoman Humphrey seconded.

Roll call vote:

Yes: Carl Cobb, Angela Thomas, Charles Collinsworth, Julie Humphrey, Ashton Robinson, Tom Workman  
No: None

Abstain: Richard Davidson

Passed.

### **Irrevocable Consent 12880 Kalmia Lane**

Development Services Director Leavens addressed the City Council stating that the owners at 12880 Kalmia Lane would like to hook to city sewer and water. This property currently is not contiguous.

Councilwoman Robinson made a motion to approve the irrevocable consent for 12880 Kalmia Lane; Councilman Workman seconded.

Roll call vote:

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

No: None

Abstain: None

Passed.

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### MODOT MINI Grant Request

Police Chief Baird addressed the city council stating that the purpose of this agenda item is to seek council's approval for submitting for the MODOT MINI Grant. This grant helps with providing additional traffic enforcement. The police department has submitted for this grant for years.

Councilman Collinsworth made a motion to approve the MINI MoDOT Grant; Councilwoman Humphrey seconded.

Roll call vote:

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

No: None

Abstain: None

Passed.

### Water and Sewer Rate Discussion

City Manager Kennedy addressed the council and stated that this was requested by council members to discuss this.

Councilman Cobb addressed the council stating that he requested this to be on the agenda for this meeting.

Discussion was held amongst the council.

By direction of the council to publish a public hearing and bring back another ordinance with the 100% at the next council meeting

### July 4th, 2023 Council Meeting

As the Neosho Charter states under Section 2.14: *The Council shall meet regularly at least once each month at such times and places as the Council may prescribe by rule.*

Due to the first meeting in July falling on July 4th, this meeting has been cancelled.

### APPOINTMENTS AND VACANCIES

#### Board of Adjustments

*Letter of Interest from Sam Major*

Mayor Davidson made a motion to approve the appointment of Sam Major to the Board of Adjustments; Councilman Collinsworth seconded.

Roll call vote:

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

No: None

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Abstain: None  
Passed.

### **Events Board**

*Letter of Interest from Cathleen Bailey*

*Letter of Interest from Greg Franklin*

Mayor Davidson made a motion to approve the appointment of Cathleen Bailey and Greg Franklin to the Events Board; Councilwoman Humphrey seconded.

Roll call vote:

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

No: None

Abstain: None

Passed.

### **Planning and Zoning Commission**

*Letter of Interest from Sam Major*

Mayor Davidson made a motion to approve the appointment of Sam Major to the Planning and Zoning Commission; Councilman Collinsworth seconded.

Roll call vote:

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

No: None

Abstain: None

Passed.

### **Council Positions on the Boards**

**Airport Industrial Development Board** (Council Ex-Officio) – Richard Davidson was appointed to this board.

**Events Board** (Council Ex-Officio) – Julie Humphrey is currently on this board.

**Golf Course Board** (Council Ex-Officio) – No Council Member appointed

**Historic District Commission** (Council Voting Member) – Charles Collinsworth is currently on this board.

**IOOF Cemetery Board** (Council Ex-Officio) – Charles Collinsworth is currently on this board.

**Parks and Recreation Board** (Council Ex-Officio) – Angela Thomas is currently on this board.

**Senior Citizen Committee** (Council Voting Member) – Carl Cobb is currently on this board.

**Board of Appeals**(Council Voting Member) - Ashton Robinson was appointed to this board.

**Enhanced Enterprise Zone Board**(Council Voting Member) - Richard Davidson is currently on this board.

**Traffic Commission**(Council Voting Member) - Tom Workman was appointed to this board.

Mayor Pro Tempore Davidson made a motion to approve the amendments as presented; Councilman Cobb seconded.

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Roll call vote:

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

No: None

Abstain: None

Passed.

### **REPORT OF CITY OFFICERS**

#### **Finance - Republic Services Increase**

Finance Director Forest wanted to update the council on the possibility of an increase from Republic Services for trash services. Staff has not yet received an invoice but has received an email stating possible increase.

#### **Nuisance Discussion**

Mayor Davidson addressed the city council and staff regarding a couple of houses/residences about illegal things happening at these residences. The drug issues had been brought to his attention.

Police Chief Baird gave an update of the residences in question.

### **CLOSED SESSION**

Mayor Davidson made a motion to go into closed under Section 610.021 (1) and (2); Councilwoman Thomas seconded.

Roll call vote:

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

No: None

Abstain: None

Passed.

Mayor Davidson opened at 8:45 p.m. and stated that one vote was taken.

### **ADJOURN**

There being no further business to come before the city council, Mayor Davidson asked for a motion to adjourn.

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

Roll call vote:

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

No: None

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Abstain: None  
Passed.

Mayor Davidson closed the June 6, 2023 Council Meeting at 8:46 p.m.

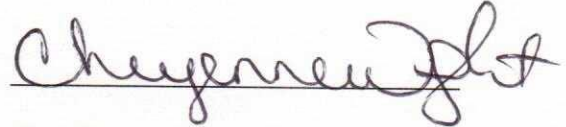
APPROVED

NEOSHO CITY COUNCIL



Mayor

ATTEST



City Clerk

