

MINUTES
NEOSHO CITY COUNCIL
June 20, 2023 - 7:00 PM
Neosho Council Chambers
203 E. Main St., Neosho, MO

OPENING PRAYER & PLEDGE OF ALLEGIANCE

Mark Taylor led the 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:

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

COUNCIL ABSENT:

Angela Thomas 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

Councilman Workman made a motion to approve the agenda; Councilwoman Robinson seconded.

Roll call vote:

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

No: None

Abstain: None

CONSENT AGENDA

Councilman Collinsworth made a motion to approve the consent agenda including:

- June 6, 2023 Council Minutes
- June 6, 2023 Closed Minutes
- June 12, 2023 Special Session Minutes
- Bill No. 2023-146
- Bill No. 2023-147
- Bill No. 2023-148
- Bill No. 2023-149

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- Bill No. 2023-150
- Bill No. 2023-151
- Bill No. 2023-153
- Bill No. 2023-154
- Bill No. 2023-155;

Councilman Workman seconded.

Roll call vote:

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

No: None

Abstain: None

Passed.

UNFINISHED BUSINESS

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 Humphrey seconded.

Development Services Director Leavens addressed the City Council stating that since the last reading of the ordinance, staff received the appraisal and survey back, both of which are attached to the agenda packet. The appraised value for the property was \$1100. Staff also attached an amended contract to the agenda packet with the updated legal and appraisal amount.

Mayor Davidson made a motion to amend the contract to include the appraised value of \$1100.00 and to update the legal description; Councilwoman Robinson seconded.

Roll call vote for the amendment:

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

No: None

Abstain: None

Passed.

Roll call vote for the amended ordinance and contract:

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

No: None

Abstain: None

Passed.

VISITOR'S BUSINESS

Robert Bolles - Police Department was not present to speak.

There were no visitor's present to speak.

BIDS

Engine 8 Valve Replacement

Fire Chief Houk addressed the Council stating that this item is to replace the intake valves on Engine 8 that are leaking. Staff found out these valves were leaking during annual pump testing and maintenance. This bid was sent to five vendors and three bids were received back. Still Fire Service was the lowest bid and this is the company that the city is currently using for annual pump testing and maintenance. If we need an additional valve then they will honor the price in the bid.

Councilman Collinsworth made a motion to approve the bid from Still Fire Service in the amount up to \$10,449.66 extra valve ; Councilman Workman seconded.

Roll call vote:

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

No: None

Abstain: None

Passed.

NEW BUSINESS

Bill No. 2023-156: FY23 Budget Amendment

AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI, PROVIDING THAT THE REVENUES AND EXPENDITURES BUDGET BE AMENDED FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023.

Attorney Paul read Bill No. 2023-156 in title only.

Councilman Collinsworth made a motion to approve and discuss Bill No. 2023-156; Councilman Cobb seconded.

Finance Director Forest addressed the city council stating that the purpose of this agenda item is to seek council approval for amending the city's budget to reflect changes since the adoption of the original FY23 budget.

Fund Increase (Decrease)

100 General Admin Fund (\$423,254.75)

130 Fire Fund (\$295,844.30)

175 Senior Center Fund \$0.00

195 Auditorium Fund \$0.00

300 Capital Improvement Fund \$0.00

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310 Hotel/Motel Fund (\$700.00)

800 Street Fund (145,177.81)

Total City Increase (Decrease) in Fund Balance (\$864,976.86)

Roll call vote:

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

No: None

Abstain: None

Passed.

Bill No. 2023-157: Surplus of Police Vehicles

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

Attorney Paul read Bill No. 2023-157 in title only.

Councilwoman Robinson made a motion to approve and discuss Bill No. 2023-157; Councilwoman Humphrey seconded.

Police Chief Baird addressed the City Council stating that these vehicles are ready for replacement due to use and mileage. Staff requests to surplus these vehicles.

Roll call vote:

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

No: None

Abstain: None

Passed.

Timber Ridge HOA

City Manager Kennedy addressed the Council stating that the Timber Ridge HOA have reached out to him multiple times regarding Werneke Road. At this point, this is a decision for council to make on whether or not to take over this road.

Jeff Werneke and Adam Weston, with the Timber Ridge HOA, shared their presentation with the council. (This presentation is attached to these minutes.)

Mayor this is in the county currently. Have you went to them yet to ask them first? And, when Schuber Mitchell built Greens 1, did they speak to you about the easement for the road that is attached to Werneke Road?

Jeff Werneke stated, no, we have not reached out to the county yet. Larry Lane spoke to his Jeff Werneke's dad regarding the water easement however unsure regarding the access to Werneke Road. I was told that there was supposed to be some cooperative road repair for the use of the road. That was a conversation with Glen Werneke and Larry Lane, so unsure what exactly transpired.

Discussion was held.

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The council requested that the HOA reach out to the county about this road. This road is in the county, however we do understand there are Neosho citizens that also use this road.

Approval to Purchase New Engine

Fire Chief Houk addressed the city council stating that the purpose of this item is to seek approving the purchase of this engine before we thought it would be ready. This was approved in 2020. We would like to ask for these funds to be released now instead of waiting until the FY24 budget.

Mayor Davidson stated that this should come back to the July 18th Council Meeting, when the Budget Amendment is under the consent agenda and approved.

REPORT OF CITY OFFICERS

City Manager Kennedy would like to thank the following departments for the outstanding work they have done cleaning up after the storm over the weekend: Public Works, Parks Department and Fire Department. Also would like to say thank you to Benny's Lawn and Landscaping for cleaning up all of the debris from sticks and limbs to all of the flowers that were strewn across the cemetery.

Finance Director Forest stated that the LIHWAP Program will be ending on September 30th.

CLOSED SESSION

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

Roll call vote:

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

No: None

Abstain: None

Passed.

Mayor Davidson closed the meeting at 8:10 p.m.

Mayor Davidson reopened the meeting at 9:03 p.m. and announced that three votes were taken.

ADJOURN

There being no further business to come before the City Council, Mayor Davidson made a motion to adjourn; Councilwoman Humphrey seconded.

Roll call vote:

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

No: None

Abstain: None

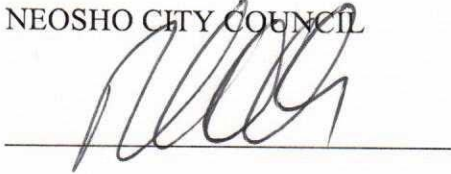
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Passed.

Mayor Davidson closed the June 20, 2023 Council Meeting at 9:05 p.m.

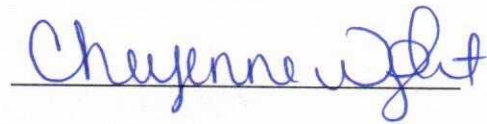
APPROVED

NEOSHO CITY COUNCIL

A handwritten signature in black ink, appearing to be "Davidson", written over a horizontal line.

Mayor

ATTEST

A handwritten signature in blue ink, appearing to be "Cheyenne", written over a horizontal line.

City Clerk



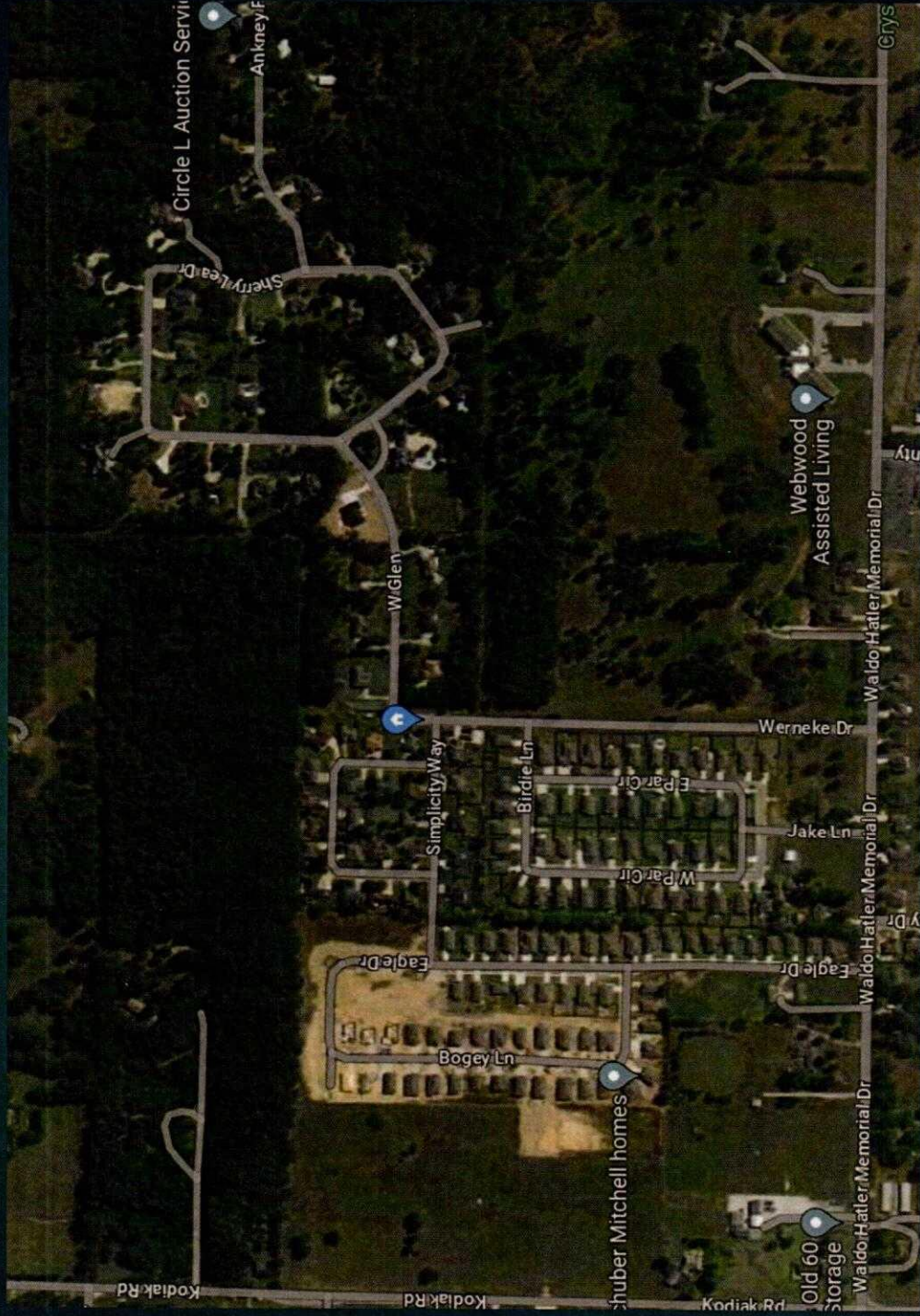


Werneke Road Presentation

ADAM WESTON

JEFF WERNEKE

Aerial View



Werneke Road



Timber Ridge/Wesshire Subdivisions



Schuber Mitchell #1

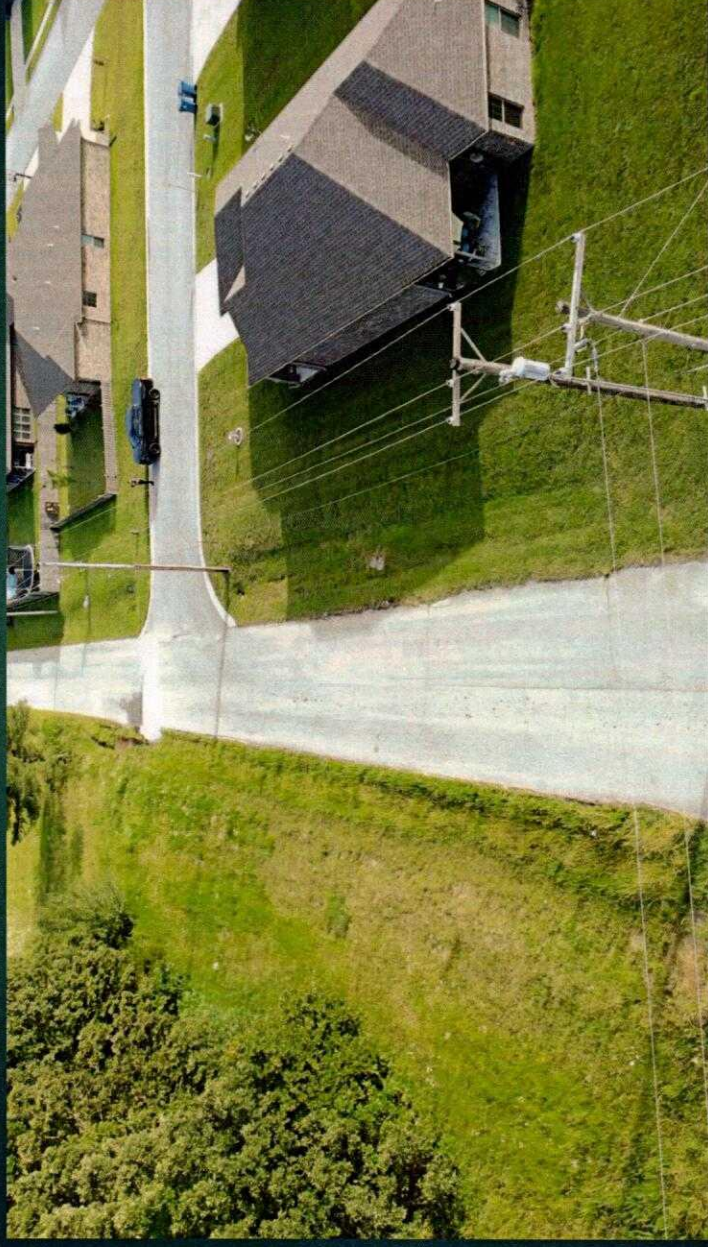


Schuber Mitchell #2





Werneke Road Video





Key Points

- ▶ Werneke Road is currently owned by Glen E. and Sherry L Werneke
- ▶ Timber Ridge Homeowners Association desires continued use of Werneke Road
- ▶ Road is approximately 30 years old and had been maintained solely by the Wernekes until now, including partial overlays and pothole fills.
- ▶ Condition of the road is now “average”, some gator cracking and potential localized substrate failure.
- ▶ Road has been used by the public since construction.
- ▶ Additional residential traffic from Schuber Mitchell developments has greatly accelerated the deterioration of the roadway.
- ▶ Glen and Sherry Werneke are seeking relief from maintenance and the potential liability of owning a roadway accessible, and frequently used by, 183 residences with multiple drivers per household.



Options for Roadway future

- ▲ Complete closure of Werneke Road and place locked gates. (not preferred)
- ▲ Continued repair and maintenance of road with limited electric gate access for those residing in the original Timber Ridge and Weshire subdivisions.
- ▲ Allow road to continue deterioration and post private property signage.
- ▲ Deed property to the City of Neosho as/is for continued repair and service to the residents of the four developed areas.
- ▲ Solicit private funds to repair roadway to a standard required for the City of Neosho's acceptance and deed property for continued repair and service to the residents of the four developed areas.



Items of Potential Contention

- ▶ Complete closure of Werneke Road and place locked gates. (not preferred)
- ▶ Continued repair and maintenance of road with limited electric gate access for those residing in the original Timber Ridge and Weshire subdivisions.
- ▶ Allow road to continue deterioration.
- ▶ Deed property to the City of Neosho as/is for continued repair and service to the residents of the four developed areas.
- ▶ If considering a repair to City of Neosho standards. Some requests by the City may not be economically feasible.
 - ▶ Complete overlay
 - ▶ Curb and guttering
 - ▶ Engineering analysis
 - ▶ Widening

What are we requesting?

- ▶ City Council consider the proposed options.
- ▶ Work toward a beneficial and fair solution to provide continued road access to hundreds of Neosho residents, yet still be responsible stewards of City funds.
- ▶ Review by City of Neosho staff and advisory boards (Police, Fire, Public Works, City Planner, City Inspector, Traffic Commission, Planning & Zoning, etc.)
- ▶ Response or request for further information within 90 days to allow for repairs to be completed before inclement weather.