

MINUTES
NEOSHO CITY COUNCIL
September 5, 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:

Julie Humphrey, Carl Cobb, Charles Collinsworth, Tom Workman, Angela Thomas, 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

Councilman Workman made a motion to Approve the Agenda; Councilman Collinsworth seconded.

Roll call vote:

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

No: None

Abstain: None

Passed.

CONSENT AGENDA

Councilman Collinsworth made a motion to Approve the Consent Agenda to include the following items:

August 15, 2023 Financial Work Session Minutes

August 15, 2023 Open Session Council Minutes

August 15, 2023 Closed Session Council Minutes

August 24, 2023 Special Session Minutes

Bill No. 2023-166

Bill No. 2023-167

Bill No. 2023-168

Bill No. 2023-169

Bill No. 2023-170

Bill No. 2023-171

Bill No. 2023-173;

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Councilwoman Humphrey seconded.

Roll call vote:

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

No: None

Abstain: None

Passed.

UNFINISHED BUSINESS

Bill No. 2023-172: Contract with Neosho School District for land lease

AN ORDINANCE authorizing the City of Neosho, Missouri, to enter into an Agreement with the Neosho School District, a political subdivision and public school district of the State of Missouri, for the purpose of leasing certain land in the area of Lafayette Street and Spring Street, Neosho, Missouri; and authorizing the Mayor to execute the same by and on behalf of the City of Neosho.

Attorney Paul read Bill No. 2023-172 in title only.

Councilman Cobb made a motion to Approve and Discuss Bill No. 2023-172; Councilwoman Robinson seconded.

Development Services Director Leavens addressed the city council stating that the school district met before the Historic District Commission regarding this playground placement. The question was asked regarding the type of fencing that was going to be used. The school district stated that they had plans for a black fence with nice poles every foot or so. This will not be a black chain-link fence.

Roll call vote:

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

No: None

Abstain: None

Passed.

VISITOR'S BUSINESS

Jennifer Shotwell - Area Agency of Aging

Jennifer Shotwell spoke to the Council regarding the status of the Area Agency on Aging Region 10. AAA manages the Neosho-Newton County Senior Center.

Robert Burr - Golf Course

Robert Burr was not present.

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Adrianna Henry and Brian Ward - Pub Crawl on the Square

Adrianna Henry addressed the council requesting a variance for the alcohol public ordinance for a pub crawl on October 13, 2023 on the Neosho Square. The bars would have to get special permits and an additional permit from ATC. The businesses would just like to have people walking the square and not closing the square down.

Jacob Holly

Jacob Holly stated that he lives right across from G&H Concrete, however is outside city limits of Neosho.

They have a vibrator at their business that makes horrendous noise that wakes his three year old daughter up in the middle of the night out of a dead sleep. He would like to see if the city can do something about this issue.

BIDS

2024 Celebrate Fireworks Display

Development Services Director Leavens addressed the city council stating that bids were sent out for Celebrate Neosho Fireworks Display and only one was received back. This bid was from Encore Pyrotechnics in the amount of \$19,950.00. This is the same company that has done this display for many years, but it was bought out by the gentleman that sets off the fireworks and the name was changed.

Staff recommends approving the bid from Encore Pyrotechnics.

Councilman Cobb made a motion to Approve the bid from Encore Pyrotechnics in the amount of \$19,950.00; Councilman Workman seconded.

Roll call vote:

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

No: None

Abstain: None

Passed.

FY24 Bulk Rock Salt

Public Works Director Siler addressed the city council stating that the purpose of this agenda item is to approve a bid for bulk rock salt. Staff sent out five bids and received three back.

Kunshak Chat & Coal \$79.00 per ton delivered

Williams Diversified Materials \$76.20 per ton delivered

Kansas Salt \$89.90 per ton delivered

City Staff recommends approval for the Bid from Williams Diversified Materials in the amount of \$76.20 per ton.

Councilwoman Thomas made a motion to Approve the bid from Williams Diversified Materials in the amount of \$76.20 per ton; Councilwoman Humphrey seconded.

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Roll call vote:

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

No: None

Abstain: None

Passed.

FY24 Concrete

Public Works Director Siler addressed the city council stating that this agenda item is for concrete services, however we only received one bid back and would like to ask council to deny this bid and let staff rebid. For FEMA purposes, if there were a flood or natural disaster, we would need to show at least two bids.

Councilman Collinsworth made a motion to approve the bid from Joplin Concrete; Councilman Workman seconded.

Roll call vote:

Yes: None

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

Abstain: None

Failed.

FY24 Bulk Rock

Public Works Director Siler stated that this is the annual bid for bulk rock for FY24 on an as-needed basis. This will be used for street repairs and other needs in the Public Works Department. We sent out three bids and received three back.

Anchor Stone

1" Base \$7.75 per ton

¾" Clean \$11.75 per ton

Screening \$7.00 per ton

¼" Chips \$13.50 per ton

6" Rip Rap \$11.50 per ton

12" Rip Rap \$17.00 per ton

Joplin Stone

1" Base \$7.60 per ton

¾" Clean \$12.75 per ton

Screening \$7.00 per ton

¼" Chips \$15.75 per ton

6" Rip Rap \$11.55 per ton

12" Rip Rap \$15.00 per ton

Kemp Stone

1" Base \$7.50 per ton

¾" Clean \$12.00 per ton

Screening \$6.95 per ton

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¼" Chips \$12.00 per ton
6" Rip Rap \$14.00 per ton
12" Rip Rap \$16.00 per ton

City Staff recommends Council approve the bid from Kemp Stone due to price and location.

Councilwoman Robinson made a motion to Approve the bid from Kemp Stone due to price and location for bulk rock; Councilwoman Thomas seconded.

Roll call vote:

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

No: None

Abstain: None

Passed.

FY24 Asphalt

Public Works Director Siler stated that this is the annual bid for Asphalt for 2023/2024 on an as-needed basis. This

will be used for the repair of streets.

ESS Company Cold Mix \$79.00 per ton

ESS Company Hot Mix \$64.00 per ton

Blevins Asphalt Cold Mix \$82.00 per ton

Blevins Asphalt Hot Mix \$62.00 per ton

APAC Cold Mix \$No Bid

APAC Hot Mix \$66.50

The City Staff recommends approval for the Bid from Blevins Asphalt due to their mixture outperforming other companies' materials in our equipment.

Councilman Collinsworth made a motion to Approve the bid from Blevins Asphalt as presented by staff; Councilwoman Robinson seconded.

Roll call vote:

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

No: None

Abstain: None

Passed.

NEW BUSINESS

Public Hearing for Bill No. 2023-174 FY24 Budget

Mayor Davidson opened the Public Hearing for Bill No. 2023-174 at 7:34 p.m.

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There was nobody present to speak.

Mayor Davidson closed the Public Hearing for Bill No. 2023-174 at 7:34 p.m.

Bill No. 2023-174: FY24 Budget

AN ORDINANCE adopting a budget for the City of Neosho, Missouri, for the fiscal year beginning October 1, 2023, and ending September 30, 2024.

Attorney Paul read Bill No. 2023-174 in title only.

Councilman Cobb made a motion to Approve and Discuss Bill No. 2023-174; Councilwoman Humphrey seconded.

Finance Director Forest addressed the city council going over different changes since the last budget session. The YMCA has requested an increase to next year's budget of \$5,000 and an increase in CPI for additional years. The Hotel/Motel requests listed have been approved by the Events Board. (Attached to the minutes) The one individual employee that was below \$30,000 was increased and the supervisor above that employee was increased in-line with the positions. There are some P.O.s that will flow into the next fiscal year that will require budget amendments.

Roll call vote:

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

No: None

Abstain: None

Passed.

Bill No. 2023-141: MOU for Thomas Hart Benton Commemorative Mural

AN ORDINANCE authorizing the City of Neosho, Missouri, to enter into a Memorandum of Understanding and Agreement with the Neosho Arts Council, a Missouri Non-Profit Corporation, for the purpose of creating and maintaining the Thomas Hart Benton mural at Neosho City Hall; and authorizing the Mayor to execute the same by and on behalf of the City of Neosho.

Attorney Paul read Bill No. 2023-141 in title only.

City Manager Kennedy addressed the city council stating that the purpose of this agenda item is to seek council approval for the MOU with the Neosho Arts Council on the mural that will be placed on City Hall.

Councilwoman Humphrey made a motion to Approve and Discuss Bill No. 2023-141 MOU for Thomas Hart Benton Commemorative Mural; Councilman Cobb seconded.

Roll call vote:

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

No: None

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Abstain: None
Passed.

Bill No. 2023-175: New Section 710.220 Property Owner Liability for Water and Sewer Service -Liens

AN ORDINANCE enacting a new Section 710.220 "Property owner liability for water and sewer services – liens."

Attorney Paul read Bill No. 2023-175 in title only.

Councilman Cobb made a motion to Approve and Discuss Bill No. 2023-175 ; Councilwoman Robinson seconded.

Finance Director Forest addressed the city council stating that the purpose of this agenda item is to seek council's approval for creating an additional avenue for collecting from water and sewer accounts which leave large outstanding unpaid balances.

Discussion was held.

Mayor Davidson made a motion to Amend as presented \$500 regardless of residential or commercial, and including rental property; Councilman Workman seconded.

Roll call vote to approve amendment:

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

No: None

Abstain: None

Passed.

Roll call vote to approve the ordinance, as amended:

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

No: None

Abstain: None

Passed.

Bill No. 2023-177: Repeal Section 140.180 Opt Out of Sales Tax Holiday

AN ORDINANCE repealing Section 140.180 "Opt Out of Sales Tax Holiday."

Attorney Paul read Bill No. 2023-177 in title only.

Finance Director Forest addressed the city council stating that this ordinance is to repeal Article VI Section 140.180 Sales Tax Holiday to comply with the RSMo 144.049. In August of 2021, the state of Missouri enacted SB153, which repealed the ability of local governments to opt out of the sales tax holidays including the "Back to School Holiday" held in August.

Councilman Cobb made a motion to Approve and Discuss Bill No. 2023-177; Councilwoman Humphrey

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seconded.

Roll call vote:

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

No: None

Abstain: None

Passed.

Bill No. 2023-178: 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. 2023-178 in title only.

Councilwoman Robinson made a motion to Approve and Discuss Bill No. 2023-178; Councilman Collinsworth seconded.

Finance Director Forest addressed the city council stating that these are the updates since the council approved the last budget amendment. These changes are due to vehicles that were approved to be purchased earlier in order to get the vehicles.

Roll call vote:

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

No: None

Abstain: None

Passed.

Resolution Bill No. 2023-06: Adopting FY24 Purchasing Policy

A RESOLUTION adopting purchasing policies and procedures.

Attorney Paul read Resolution Bill No. 2023-06 in title only.

Councilman Cobb made a motion to Approve and Discuss Resolution Bill No. 2023-06; Councilwoman Robinson seconded.

Finance Director Forest addressed the city council stating that the purpose of this agenda item is to seek council approval of the purchasing policy and procedures to include amendment changes to language under emergency purchases to follow the city code and updates code references.

Roll call vote:

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

No: None

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Abstain: None
Passed.

Property Lien for 508 East McKinney Street

City Manager Kennedy addressed the city council stating that staff met with the family at 506 E. McKinney requesting to reduce the property lien amount due to the city. The total amount due to the city is \$10,803. The family stated that they could pay \$5,000 to include the amount owed to the county in back taxes and the rest go to the city for the lien. This lien is from 2015. The amount due to the county is \$1,372.32 and that would leave the city collecting \$3,627.68. Staff recommends the reduced amount.

Councilwoman Thomas made a motion to Approve the reduction in property liens to \$3,627.68 total paid to the city for 508 McKinney; Councilman Workman seconded.

Roll call vote:

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

No: None

Abstain: None

Passed.

Missouri LAGERS Employer Delegate Appointment

Human Resources Director Muhic addressed the city council stating that this agenda item is to approve an employer delegate for MO Lagers. Staff recommends approving the Human Resources Director as the employer delegate.

Councilwoman Thomas made a motion to Approve Krysti Muhic as the Neosho LAGERS Employer Delegate; Councilman Workman seconded.

Roll call vote:

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

No: None

Abstain: None

Passed.

Golf Course Discussion

Mayor Davidson addressed the room and council regarding the issues that have been seen on Facebook and asked the City Manager to update the council on how these have been corrected.

City Manager Kennedy stated that getting behind on aspects of the golf course such as mowing, due to lack of employees. They also have had issues with fungus and disease on four of the greens, and have aerated and sanded the back nine. The mowing is now almost caught up. They have been switching employees due to school and such which pulled other employees away. The engine on the irrigation pump was down for a while. The Supervisor reached out to Toro and they could not get down until the middle of September to fix the

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equipment. Once Tony realized there was a new mechanic at public works, he took that out there and he got it fixed quickly.

Discussion followed.

Mayor Davidson asked why we could not use volunteers at the golf course.

City Manager Kennedy stated that the city attorney advised against this due to it being in violation of FLSA laws to allow volunteers to receive compensation for their work. This was the case before the city stopped accepting volunteers. They were receiving free golf.

Mayor Davidson asked the city attorney to find out how the City of Joplin have volunteers work on their course.

REPORT OF CITY OFFICERS

City Manager Kennedy addressed the council and stated that Engine 7 has been received.

City Manager went over other updates for the city, such as the MML Conference, Fall Festival, the Roundabout Bid Opening next Friday. The City Pool is now closed.

Council requested staff to only bring ARPA Storm Water Buyouts if problems with real estate acquisitions come up. Then we can go ahead and close as long as there are no issues.

ADJOURN

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

Councilman Collinsworth made a motion to Approve; Councilman Cobb seconded.

Roll call vote:

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

No: None

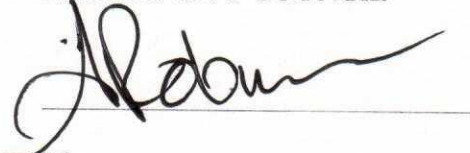
Abstain: None

Passed.

Mayor Davidson adjourned the September 5, 2023 Council Meeting at 8:36 p.m.

APPROVED

NEOSHO CITY COUNCIL


Mayor

ATTEST


City Clerk



October 13, 2023 Pub Crawl Event

From 5 – 10 p.m.

