MINUTES
NEOSHO CITY COUNCIL
February 20, 2024 - 7:00 PM
Neosho Council Chambers
203 E. Main St., Neosho, MO

OPENING PRAYER & PLEDGE OF ALLEGIANCE

Pastor Tye Zola 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, Charles Collinsworth, Julie Humphrey, Tom Workman, Richard Davidson

COUNCIL ABSENT:
Ashton Robinson 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 Collinsworth made a motion to Approve the Agenda; Councilman Workman seconded.

Roll call vote:
Yes: Carl Cobb, Charles Collinsworth, Richard Davidson, Julie Humphrey, Angela Thomas, Tom Workman
No: None
Abstain: None
Passed.

CONSENT AGENDA

Councilman Cobb made a motion to Approve the Consent Agenda
February 6, 2024 Open Session Council Minutes
Bill No. 2024-08
Bill No. 2024-09
Bill No. 2024-10
Bill No. 2024-11

Councilwoman Humphrey seconded.

Roll call vote:
Yes: Carl Cobb, Charles Collinsworth, Richard Davidson, Julie Humphrey, Angela Thomas, Tom Workman
No: None
Abstain: None
Passed.

UNFINISHED BUSINESS

Bill No. 2024-05: Contract with Jimmy Smith Landscaping for Cemetery Grounds Maintenance

AN ORDINANCE authorizing the City of Neosho, Missouri, to enter into an Agreement with Jimmy Smith d/b/a Jimmy Smith Landscaping, for the purpose of providing lawn and landscaping services at the Neosho IOOF Cemetery for the not to exceed price of One Hundred Eight Thousand and 00/100 Dollars ($108,000.00); and authorizing the Mayor to execute the same by and on behalf of the City of Neosho. Attorney Snyder read Bill No. 2024-05 in title only.

Councilman Collinsworth made a motion to Approve and Discuss Bill No. 2024-05; Councilman Cobb seconded.

City Attorney Snyder addressed the council stating that there are a couple of amendments that need to be taken care of:
1. The name of the company is Smilin Smith Lawn Care LLC
2. The term of the contract needs to read March 1, 2024 to February 28, 2028
3. The payment schedule needs to be changed to reflect the attached payment schedule submitted by Mr. Smith, if the council wishes to do so.

Councilman Workman made a motion to Amend as presented by City Attorney and to approve the payment schedule presented by Mr. Smith; Councilman Collinsworth seconded.

Roll call vote to amend:
Yes: Carl Cobb, Charles Collinsworth, Richard Davidson, Julie Humphrey, Angela Thomas, Tom Workman
No: None
Abstain: None
Passed.

Roll call vote to approve amended bill:
Yes: Carl Cobb, Charles Collinsworth, Richard Davidson, Julie Humphrey, Angela Thomas, Tom Workman
No: None
Abstain: None
Passed.

Bill No. 2024-06: Contract with Maxim Golf for the Managing Services of the Neosho Golf Course

AN ORDINANCE authorizing the City of Neosho to enter into an Agreement with Maxim Golf, LLC, a Missouri Limited Liability Company, for the purpose of providing management and promotional services of the Neosho Golf Course with payment of said services based on revenues generated; and authorizing the Mayor to execute the same by and on behalf of the City of Neosho.

Attorney Snyder read Bill No. 2024-06 in title only.

Councilwoman Thomas made a motion to Approve and Discuss Bill No. 2024-06; Councilman Workman seconded.

City Attorney Snyder addressed the council stating that there are a couple of items that need to be amended. There is a relined version and all of the amendments are items discussed under closed.

Councilwoman Thomas made a motion to Amend as presented by the city attorney and attached documents; Councilman Workman seconded.

Roll call vote to amend:
Yes: Carl Cobb, Charles Collinsworth, Richard Davidson, Julie Humphrey, Angela Thomas, Tom Workman
No: None
Abstain: None
Passed.

Roll call vote to approve the amended bill:
Yes: Carl Cobb, Charles Collinsworth, Richard Davidson, Julie Humphrey, Angela Thomas, Tom Workman
No: None
Abstain: None
Passed.

Bill No 2024-07: FY24 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, 2023 AND ENDING SEPTEMBER 30, 2024.

Attorney Snyder read Bill No. 2024-07 in title only.

Councilman Cobb made a motion to Approve and Discuss Bill No. 2024-07; Councilman Workman seconded.

Staff is requesting to amend the budget for additional expenses and Capital Purchases.
Fund Increase (Decrease)
100 General Fund ($163,427.00)
124 Shop With A Hero $12.00
130 Fire Fund ($169,545.00)
180 Park & Rec Fund ($48,753.00)
300 Capital Fund ($0.00)
310 Hotel Motel Fund ($45,218.00)
500 Water/Wastewater Fund ($150,824.00)
800 Street Department ($140,960.00)

Total City Increase (Decrease) in Fund Balance ($718,715.00)

Mayor Davidson made a motion to Amend as presented by staff; Councilwoman Thomas seconded.

Roll call vote to amend:
Yes: Carl Cobb, Charles Collinsworth, Richard Davidson, Julie Humphrey, Angela Thomas, Tom Workman
No: None
Abstain: None
Passed.

Roll call vote to approve the amended bill:
Yes: Carl Cobb, Charles Collinsworth, Richard Davidson, Julie Humphrey, Angela Thomas, Tom Workman
No: None
Abstain: None
Passed.

VISITOR'S BUSINESS

Ira Markum - RV Zoning

Ida Marcum 9777 Janice Lane was present to speak to council regarding an RV Park in city limits and the new RV code.

Matthew Ezell - Harassment Complaint

Matthew Ezell was not present to speak.

BIDS

Crowder Reservoir Washout and Access Lid Repair

Alliance Water Resources Manager, Ken Brady, addressed the council stating that a recent inspection of the Crowder reservoir revealed some sediment build-up on the floor of the underground storage tank. While the flow through the tank is clean water in, clean water out, over time, sediment does accumulate within the tank and needs to be removed. The current access hatch is original equipment from the 1940s. The structure's top and vents have substantial rust and the bricks are beginning to crumble. The lid has been temporarily covered to prevent rainwater from entering the reservoir, but a replacement is urgently needed. This replacement would include replacing the entire access hatch with a new carbon steel structure protected with a high performance coating system, a lockable, secure access hatch, and 4 new screened vents, all within DNR specs. This project will immediately resolve the safety and security concerns created by the deterioration of this access hatch. This is not a budgeted item and staff will need to bring back a budget amendment for this project.

Councilman Collinsworth made a motion to Approve the bid as presented by staff; Councilwoman Humphrey seconded.

Roll call vote:
Yes: Carl Cobb, Charles Collinsworth, Richard Davidson, Julie Humphrey, Angela Thomas, Tom Workman
No: None
Abstain: None
Passed.

NEW BUSINESS

Bill No. 2024-13: Dangerous Buildings Ordinance Changes

AN ORDINANCE of the City of Neosho repealing and replacing Chapter 525 Dangerous Buildings and Structures, to amend procedures and appeals for the determination of dangerous buildings and structures of the Code of Ordinances for the City of Neosho.

Attorney Snyder read Bill No. 2024-13 in title only.

Councilwoman Humphrey made a motion to Approve and Discuss Bill No. 2024-13; Councilman Collinsworth seconded.

Development Services Director Leavens addressed the city council stating that city management has changed the departments and staff that investigate dangerous buildings and structures and enforce the applicable ordinances. These changes are reflected in the requested changes in the ordinances. The changes change the person responsible for the investigation from "building inspector" to "compliance inspector" to allow the new city hall Code Enforcement Officer to investigate and sign off on dangerous building and places the entire process within the responsibility of the Development Services Department.

Roll call vote:
Yes: Carl Cobb, Charles Collinsworth, Richard Davidson, Julie Humphrey, Angela Thomas, Tom Workman
No: None
Abstain: None
Passed.

Bill No. 2024-14: Republic Dumpster Agreement

AN ORDINANCE authorizing the City of Neosho, Missouri, to enter into an Agreement with Allied Services, LLC, a Delaware Limited Liability Company, for the purpose of collecting and disposing of solid waste; authorizing the Mayor to execute the same by and on behalf of the City of Neosho; and containing an emergency provision.

Attorney Snyder read Bill No. 2024-14 in title only.

Councilman Collinsworth made a motion to Approve and Discuss Bill No. 2024-14; Councilman Workman seconded.

City Manager Kennedy addressed the council stating that previously, the City utilized GFL formerly WCA for the two dumpsters located behind 123 E Main St and in the parking lot directly in front of Mitchell's Drug Store. The agreement is for a monthly service fee of $106.50 for a once a week pick up for the dumpster in the parking lot in front of Mitchell's Drug and $213.00 per month for a twice-weekly pick-up for the dumpster located at 123 E Main. The dumpsters will have a capacity of six (6) yards each and the ability to lock. The

agreement will increase 5% beginning March 2025. There are additional charges with this agreement. There is an overage charge of $60.00 per yard when the dumpster is over the 6 yards at pickup. Phone calls were made to the customers for the preference of once a week or twice-weekly pickup. Once that information was received and the cost and agreement provided, letters were mailed to the customers with the breakdown of cost.

Roll call vote:
Yes: Carl Cobb, Charles Collinsworth, Richard Davidson, Julie Humphrey, Angela Thomas, Tom Workman
No: None
Abstain: None
Passed.

Resolution Bill No. 2024-05: Bank Signatory Approval of Golf Management Bank Account

A RESOLUTION OF THE CITY OF NEOSHO, MISSOURI, DESIGNATING NEW SIGNATORIES ON CITY OF NEOSHO CHECKING ACCOUNTS HELD AT FIRST COMMUNITY BANK FOR USE OF THE NEOSHO GOLF COURSE.

Attorney Snyder read Resolution Bill No. 2024-05 in title only.

Councilman Cobb made a motion to Approve and Discuss Resolution Bill No. 2024-05; Councilman Workman seconded.

Finance Director Forest addressed the council stating that as part of the agreement with Maxim Golf, LLC, a new bank account is to be opened for golf revenues and expenses to be deposited into and paid from this new account. Maxim agrees that the City shall have two designated signers or separate viewers for the account as well as designate Bryan Minnis with Maxim Golf, LLC as an authorized agent and signatory on the account or in his absence, Ben Costain.

Roll call vote:
Yes: Carl Cobb, Charles Collinsworth, Richard Davidson, Julie Humphrey, Angela Thomas, Tom Workman
No: None
Abstain: None
Passed.

Resolution Bill No. 2024-06: 331 Robinson Street Real Estate Purchase

A RESOLUTION approving a Real Estate Purchase Contract between the City of Neosho, Missouri and Brandon Heydorn and Tory Heydorn, husband and wife, for the purchase of certain real property located in the City of Neosho.

Attorney Snyder read Resolution Bill No. 2024-06 in title only.

Councilwoman Thomas made a motion to Approve and Discuss Resolution Bill No. 2024-06; Councilman Collinsworth seconded.

City Manager Kennedy stated that this is the approval of the agreement for the property at 331 Robinson Street. This resolution finalizes the acquisition of this property as it relates to the stormwater project.

Roll call vote:
Yes: Carl Cobb, Charles Collinsworth, Richard Davidson, Julie Humphrey, Angela Thomas, Tom Workman
No: None
Abstain: None
Passed.

Resolution Bill No. 2024-07: 303 North Wood Street Real Estate Purchase

A RESOLUTION approving an Assignment of Real Estate Contract between the City of Neosho, Missouri and Blackacre Properties, LLC, a Missouri Limited Liability Company for an assignment of rights to purchase certain real property located in the City of Neosho.

Attorney Snyder read Resolution Bill No. 2024-07 in title only.

Councilman Cobb made a motion to Approve and Discuss Resolution Bill No. 2024-07; Councilwoman Humphrey seconded.

City Manager Kennedy addressed the council stating that the City of Neosho is purchasing the property, 303 North Wood Street, for the future development of a Public Safety Center. This property recently became available for purchase and was presented to the Council to acquire it.

Roll call vote:
Yes: Carl Cobb, Charles Collinsworth, Richard Davidson, Julie Humphrey, Angela Thomas, Tom Workman
No: None
Abstain: None
Passed.

Resolution Bill No. 2024-08: MOU for NSD and City of Neosho for Demolition Project

A RESOLUTION approving a Memorandum of Understanding and Agreement with the Neosho School District for the purpose of cooperating in the Community Development Block Grant Program for the property located at 105 N. Lafayette Street within the City of Neosho.

Attorney Snyder read Resolution Bill No. 2024-08 in title only.

Councilman Cobb made a motion to Approve and Discuss Resolution Bill No. 2024-08; Councilwoman Thomas seconded.

City Manager Kennedy addressed the council stating that this is the agreement with the school district for the property located next to the Haas building. This agreement is for the city to take ownership of the property once the environmental studies are completed and the results are reviewed. Then the city will apply for a CDBG Grant for demolition of the structure in question.

Roll call vote:
Yes: Carl Cobb, Charles Collinsworth, Richard Davidson, Julie Humphrey, Angela Thomas, Tom Workman
No: None
Abstain: None
Passed.

Resolution Bill No. 2024-09: Neosho Police / Joplin Police Mutual Aid Agreement

A RESOLUTION approving an Intergovernmental Police Protection Mutual Aid Agreement with the City of Joplin for the purpose of providing mutual aid police services between both municipalities.

Attorney Snyder read Resolution Bill No. 2024-09 in title only.

Councilwoman Thomas made a motion to Approve and Discuss Resolution Bill No. 2024-09; Councilman Workman seconded.

Lieutenant Whitehead addressed the council stating that the Joplin Police Department has hired a new Chief Of Police, and this new agreement reflects those changes. Whitehead requested the council to approve Chief Baird to sign the agreement.

Roll call vote:
Yes: Carl Cobb, Charles Collinsworth, Richard Davidson, Julie Humphrey, Angela Thomas, 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 the this agenda item is to seek council approval for the amendments to the Liberty Utility Agreement.

1. 1229 Reid Rd. WO#1030400 monthly decrease -$1.78
2. Greenwood & Bus 49 WO#1030402 monthly increase $0.77
3. Wall St & Jefferson Ave WO#1029784 monthly decrease -$1.78
4. 320 Washington Ave WO#1030250 monthly decrease -$3.36
5. Broadway & Grant St WO#1030393 monthly increase $0.77
6. Mayberry Dr & Reid Rd WO#1030397 monthly decrease -$1.78
7. Morse Skate Park WO#1030258 monthly decrease -$3.36
8. E Coler & Lafayette St WO#1030226 monthly increase $0.77
9. Mary & Old Scenic WO#1030223 monthly increase $0.77
10. Pineville & Oak Cliff WO#1029397 monthly increase $0.77
11. Oak Ridge & Eliff Dr. WO#1029391 monthly increase $0.77
12. Oak Ridge & Hwy 60 WO#1029383 monthly decrease -$0.46

Total monthly decrease of -$7.90

Councilman Collinsworth made a motion to Approve the amendments to the Liberty Utility Contract; Councilman Cobb seconded.

Roll call vote:
Yes: Carl Cobb, Charles Collinsworth, Richard Davidson, Julie Humphrey, Angela Thomas, Tom Workman
No: None
Abstain: None
Passed.

NLC- Service Line Customer Warranty Letter

Finance Director Forest presented the letter to council with all the requested changes from the February 6, 2024 council meeting.

By a consensus of council for approval of the letter as presented.

1420 N Business 49 Voluntary Annexation Request

Development Services Director Leavens addressed the city council stating that the purpose of this agenda item is to seek council approval for the annexation public hearing date of March 5, 2024
By a consensus of council for March 5, 2024.

Air Force T-37 Static Display Aircraft Agreement

Development Services Director Leavens addressed the city council stating that the purpose of this agenda item is to seek council approval for the agreement for the T-37 Static Display at the Airport.

Councilwoman Thomas made a motion to Approve the agreement for the T-37 Static Display at the Airport; Councilwoman Humphrey seconded.

Roll call vote:
Yes: Carl Cobb, Charles Collinsworth, Richard Davidson, Julie Humphrey, Angela Thomas, Tom Workman
No: None
Abstain: None
Passed.

Huey Helicopter "Annual Certification of Army Materiel Status" Renewal

Development Services Director Leavens addressed the city council stating that the purpose of this agenda item is to seek council approval for the agreement for the Huey Helicopter located at the Neosho VFW.

Councilman Cobb made a motion to Approve the agreement for the Huey Helicopter; Councilman Workman seconded.

Roll call vote:
Yes: Carl Cobb, Charles Collinsworth, Richard Davidson, Julie Humphrey, Angela Thomas, Tom Workman
No: None
Abstain: None
Passed.

REPORT OF CITY OFFICERS

Mayor Davidson updated the council and the room on the TDD Board Meeting and that the board has passed a resolution to end the TDD tax.

Finance Report - January

Finance Director Forest addressed the city council updating them on the monthly financials.

Annual Safety Evaluation

City Manager Kennedy updated the council on the MIRMA Annual Safety Audit. The city received a grading of 99%.

CLOSED SESSION

Mayor Davidson made a motion to go into Closed Session under Section 610.021 (1); Councilman Workman seconded.

Roll call vote:
Yes: Carl Cobb, Charles Collinsworth, Richard Davidson, Julie Humphrey, Angela Thomas, Tom Workman
No: None
Abstain: None
Passed.

Mayor Davidson closed open session at 8:01 p.m.

Mayor Davidson reconvened open session at 8:45 p.m. and announced that two votes were taken.

ADJOURN

None made a motion to Adjourn; None seconded.

Roll call vote:
Yes: None
No: None
Abstain: None
There being no further business to come before the council, Mayor Davidson asked for a motion to adjourn.

Mayor Davidson adjourned the February 20, 2024 Council Meeting at 8:46 p.m.

APPROVED

NEOSHO CITY COUNCIL

Mayor

ATTEST

City Clerk