

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

OPENING PRAYER & PLEDGE OF ALLEGIANCE

Pastor David Moore 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, Julie Humphrey, Tom Workman (entered the meeting at 7:06 p.m.), Richard Davidson, Ashton Robinson

COUNCIL ABSENT:

Charles Collinsworth was absent.

CITY OFFICERS PRESENT:

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

APPROVAL OF AGENDA

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

Roll call vote:

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

No: None

Abstain: None

Passed.

VISITOR'S BUSINESS

Janet Penn - Fence Requirements

Janet Penn spoke to council regarding allowances she felt should be in the fencing code.

BIDS

Auditorium Insulation and Ductwork

City Manager Kennedy addressed the council stating that this bid was sent out for the auditorium insulation and ductwork. Staff would like to ask council to reject the bids submitted.

Tom Workman entered at 7:06 p.m.

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Councilwoman Thomas made a motion to Approve the Bid from TNT for Auditorium Insulation and Ductwork; Councilman Cobb seconded.

Roll call vote:

Yes: None

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

Abstain: None

Failed.

Pitney Bowes MailCenter Bid

Finance Director Forest addressed the council stating that the purpose of this agenda item is to seek approval to enter into a new lease agreement for an updated postage machine. As a result of new postage regulations in 2025, the current postage machine does not have the required updated IMI Technology and is unable for the hardware to be retrofitted into the current machine.

Councilman Cobb made a motion to Approve the bid from Pitney Bowes for a postage machine; Councilwoman Humphrey seconded.

Roll call vote:

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

No: None

Abstain: None

Passed.

CivicPlus Pay Software

Finance Director Forest addressed the city council stating that this software is for payments to be processed through the new building permit system acquired. CivicPlus currently provides the city's website, meeting software and building permit and inspection software. This program would integrate with the website software to allow public and business online access to paying for permits. It would also allow citizens, contractors, developers and staff to see the paid invoice and integrate it directly into the permit software. This software will be the gateway for one of our current merchants, Authorize.net.

Councilman Cobb made a motion to Approve CivicPlus Pay Software; Councilman Workman seconded.

Roll call vote:

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

No: None

Abstain: None

Passed.

2024 Overlay and Asphalt Milling Project

Public Works Director Siler addressed the city council requesting council's approval of bids for road surface improvements through an asphalt overlay. This project is for the resurfacing of approximately 2.7 miles of City streets, 6 alleys, and 2 cemetery roads with new asphalt. We sent out three bid packets and received three bids.

APAC Central, Streets and Alley Overlay and milling: \$435,405.70, Cemetery Overlay:

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\$24,320.40, Mobilization \$4,110.00. Total bid \$463,836.10

Emery Sapp & Sons: Streets and Alley Overlay and milling: \$352,085.50, Cemetery Overlay: \$15,600.00, Mobilization \$.12,830.00. Total bid \$380,515.50

Blevins Asphalt: Streets and Alley Overlay and milling: \$305,662.65, Cemetery Overlay: \$15,366.00, Mobilization \$.7,550.00. Total bid \$328,578.65

City Staff recommends approving the bid from Blevins Asphalt for the amount of \$328,578.65.

Councilwoman Thomas made a motion to Approve the bid from Blevins Asphalt in the amount of \$328,578.65; Councilman Workman seconded.

Roll call vote:

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

No: None

Abstain: None

Passed.

PUBLIC HEARINGS

Public Hearing for Bill No. 2024-34: Article I Amending Section 710.180 Water Rates

Mayor Davidson opened the public hearing for Bill No. 2024-34 at 7:18 p.m.

Chuck Clay asked the council the percentage of increase being requested. He also asked if this encompassed industrial facilities, as well. He asked if this would be a raise for only the next couple years or will it raise every year. Are we working to decrease the water loss in the city?

Mayor Davidson addressed all of his questions.

Mayor Davidson closed the public hearing at 7:21 p.m.

Public Hearing for Bill No. 2024-35: Article VI Amending Section 705.450 Sewer Service Charge

Mayor Davidson opened the public hearing for Bill No. 2024-35 at 7:21 p.m.

There was no one present to speak.

Mayor Davidson closed the public hearing at 7:22 p.m.

NEW BUSINESS

Bill No. 2024-34: Article I Amending Section 710.180 Water Rates

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

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Councilman Cobb made a motion to Approve and Discuss Bill No. 2024-34; Councilwoman Humphrey seconded.

Finance Director Forest addressed the city council stating that the purpose of this item is to request an amendment of Chapter 710.180, Section A Generation of Revenue and Section B User Rate Structure. In July 2023, the water rates were increased to \$5.38 per 1000 gallons up to 100,000 gallons of usage and \$3.97 per 1000 gallons over 100,000 gallons of usage and usage outside the city limits is 1 ½ the rate. The City approved 75% of the original request in 2023 and prior to that, the City had not increased rates for water since 2017. This reduction in the original request reduces not only the operating revenues but the reserves to fund the approved 20-year plan. The ordinance presented in 2023 desired to adopt the recommendations of the rate study over two years. Staff is requesting the full recommendation in the rate study with increases in inflation. We continue to see increases in all our expenditures, as everyone is seeing during these times. The Public Works Department has been working on installing more zone meters as well as locating and repairing leaks in an effort to reduce the cities' water loss. These repairs must be continued on a regular basis to keep our system running. We are still absorbing these additional costs along with the repairs and chemicals which are above the budgeted amount in the Alliance Contract. The fund balance will not sustain the added expenses. In addition, the City needs to continue with the 20-year repair and replacement schedule. The reserve fund which supports the replacement schedule is in need of an increase to support the repairs and replacement. The increase proposed in the annual reserve is supported by the water rate increase proposed in this Ordinance. City Manager Kennedy addressed the Council stating that last year a twenty year plan was approved by council addressing our aging water and sewer system. The initial raise was only a portion and now staff are requesting the rest of that percentage of increase plus the CPI increase.

Roll call vote:

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

No: None

Abstain: None

Passed.

Bill No. 2024-35: Article VI Amending Section 705.450 Sewer Service Charges

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

Attorney Snyder read Bill No. 2024-35 in title only.

Councilman Cobb made a motion to Approve and Discuss Bill No. 2024-35; Councilwoman Thomas seconded.

Finance Director Forest addressed the council stating that the purpose of this item is to request an amendment of Chapter 705: Section 705.450, Paragraphs (D) and (E). Classification of Users- Monthly Service Charges. In July 2023, the City decreased sewer rates to \$5.06 per 1000 gallons and increased the base rate to \$13.52 per month. The City has not increased rates prior to this for sewer service since 2017. The City has been hit by increases in costs each year, just like everyone else. The city has been actively slip lining older pipes and continuing to maintain the older equipment as it needs replacing. These repairs must be continued on a regular basis to keep our system running. The City also renewed the contract with Alliance Water Resources in October 2020 to take advantage of their knowledge and expertise in our Filtration and Wastewater plants. This agreement was made to ensure the safety of our water systems. The Alliance agreement is another necessity with continued increases in expenses. Until now, we have been absorbing all of these additional costs, but our Fund Balance cannot continue to sustain these added expenses. In addition, the City is working with Allgeier Martin and Associates for a 20-year replacement plan for the wastewater system. The reserve fund is required to support the replacement needs and proposed schedule. The

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increase proposed in the annual reserve is supported by the wastewater rate increase proposed in this Ordinance.

Roll call vote:

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

No: None

Abstain: None

Passed.

Bill No. 2024-36: Pitney Bowes Mailcenter Postage Machine Agreement

AN ORDINANCE authorizing the City of Neosho, Missouri, to enter into a Lease Agreement with Pitney Bowes, Inc., for the purpose of leasing a postage meter device for documents sent by the United States Postal Service; and authorizing the Mayor to execute the same by and on behalf of the City of Neosho.

Attorney Snyder read Bill No. 2024-36 in title only.

Mayor Davidson made a motion to Approve and Discuss Bill No. 2024-36; Councilwoman Robinson seconded.

Finance Director Forest addressed the city council stating that the purpose of this item is to request the Mayor's signature on the agreement with Pitney Bowes for a new lease of the postage machine. Due to new postage regulations, a new postage machine is required to comply with the changes to Intelligent Mail Indicia (IMI). The term of the lease is five (5) years.

Roll call vote:

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

No: None

Abstain: None

Passed.

Bill No. 2024-37: Contract with CivicPlus Pay for Permit Payment and Integration

AN ORDINANCE authorizing the City of Neosho, Missouri, to enter into Agreement with CivicPlus, LLC, for the purpose of software to allow integration for permitting payment processing; and authorizing the Mayor to execute the same by and on behalf of the City of Neosho.

Attorney Snyder read Bill No. 2024-37 in title only.

Councilman Cobb made a motion to Approve and Discuss Bill No. 2024-37; Councilwoman Humphrey seconded.

Finance Director Forest addressed the city council stating that the purpose of this item is to request approval to enter into a contract with CivicPlus to provide payment integration with the building permit and inspection software. CivicPlus currently provides the city's website, meeting software and building permit and inspection software. This program would integrate with the website software to allow public and business online access to paying for permits. It would also allow citizens, contractors, developers and staff to see the paid invoice and integrate directly into the permit software. This software will be the gateway for one of our current merchants, Authorize.net.

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Roll call vote:

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

No: None

Abstain: None

Passed.

Bill No. 2024-38: Amending City Code Section 405.300

AN ORDINANCE of the City of Neosho amending Title IV Land Use, Chapter 405 Zoning Regulations, Article IV Administration by repealing and replacing Section 405.300 Procedure for Amendments, Special Use Permits, and Applications for Abandonment or Vacation of Streets and Alleys of the Code of Ordinances to establish notice requirements for hearings pursuant to Chapter 89 RSMo.

Attorney Snyder read Bill No. 2024-38 in title only.

Councilman Cobb made a motion to Approve and Discuss Bill No. 2024-38; Councilwoman Robinson seconded.

Development Services Director Leavens addressed the city council stating that the purpose of this item is to gain the Council's authorization for the Mayor to sign an amended Section 405.300 Ordinance pertaining to the Procedure for Amendments, Special Use Permits, and Application for Abandonment or Vacation of Streets and Alleys. This amendment updates and streamlines the public notification portion of the ordinance to more directly reflect Missouri Revised Statute Chapter 89 and changes the publication timeline to adapt flexibility for local newspaper days.

Roll call vote:

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

No: None

Abstain: None

Passed.

Bill No. 2024-39: Stratford - Freeman Stormwater Change Order No. 1, UNDER EMERGENCY MEASURE...1ST, 2ND AND 3RD READINGS

AN ORDINANCE of the City of Neosho authorizing Change Order No. 1 for an Agreement for Construction Services with Jeff Asbell Excavating & Trucking, Inc., a Missouri Corporation for cost overrun in the amount of ONE HUNDRED THOUSAND SIX HUNDRED FIFTY-THREE and 25/100 Dollars (\$100,653.25) and 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. 2024-39 in title only.

Councilwoman Robinson made a motion to Approve and Discuss Bill No. 2024-39; Councilman Workman seconded.

Development Services Director Leavens addressed the city council stating that the purpose of this item is to gain the Council's approval for the Mayor to sign Change Order No. 1 for extending Stratford-Freeman Stormwater project. This project is mostly funded through a MO DED CDBG grant. The original project proposal bids came in under the original estimates, leaving funds available in the grant to extend the project an

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additional 193 feet to the south side of Boyd Street. Previously, the Council had approved the addition to this project. This change order expends the remaining funds available in the grant by providing for the additional materials cost of \$100,653.25.

Roll call vote:

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

No: None

Abstain: None

Passed.

Bill No. 2024-40: Amendment to the OccuMed Agreement - Rate Increase

AN ORDINANCE authorizing the City of Neosho, Missouri, to enter into an Amended Agreement with Freeman-Oak Hill Health System, a Missouri Nonprofit Corporation, d/b/a Freeman Health System, for the purpose of providing occupational health services; and authorizing the Mayor to execute the same by and on behalf of the City of Neosho.

Attorney Snyder read Bill No. 2024-40 in title only.

Councilwoman Robinson made a motion to Approve and Discuss Bill No. 2024-40; Councilman Workman seconded.

Human Resources Director Muhic addressed the council regarding the increase to the Occumed contract. The purpose of this item is to notify you of a 5% rate increase for all or part of Occumed's services effective April 1, 2024. Our 28% discount is still applicable.

Roll call vote:

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

No: None

Abstain: None

Passed.

Resolution Bill No. 2024-25: Airport Hunting Policy

A RESOLUTION of the City of Neosho, Missouri, adopting an Archery Hunting Policy.

Attorney Snyder read Resolution Bill No. 2024-25 in title only.

Councilman Cobb made a motion to Approve and Discuss Resolution Bill No. 2024-25; Councilman Workman seconded.

City Manager Kennedy addressed the city council stating that the purpose of this agenda item is to help reduce the wildlife population in the Crowder area.

Roll call vote:

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

No: None

Abstain: None

Passed.

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Resolution Bill No. 2024-26: Destruction of Records

A RESOLUTION OF THE CITY OF NEOSHO, MISSOURI, NOTIFYING THE COUNCIL OF THE DESTRUCTION OF CITY RECORDS.

Attorney Snyder read Resolution Bill No. 2024-26 in title only.

Councilwoman Robinson made a motion to Approve and Discuss Resolution Bill No. 2024-26; Councilwoman Humphrey seconded.

City Clerk Wright addressed the city council stating that the purpose of this item is to comply with the state procedures for the retention and destruction of municipal records. RSMo 109.230 states: The director shall, with due regard for the functions of agencies concerned, and subject to the approval of the Secretary of State: Publish lists of records authorized for disposal and retention. City Code Section 110.390 states the City Clerk shall have custody of and shall safely keep the public records, the original rolls of ordinances and resolutions of the City Council, such other records, documents and papers of a public nature as may be delivered into his/her custody.

Roll call vote:

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

No: None

Abstain: None

Passed.

Resolution Bill No. 2024-27: Street Slurry Seal Agreement with Vance Brothers

A RESOLUTION OF THE CITY OF NEOSHO, MISSOURI, approving an agreement for street improvement services with Vance Brothers, Inc., a Missouri Corporation, for the purpose of providing service for street improvements by slurry seal for specified traffic ways within the City of Neosho, for the not to exceed price of Two Hundred Fifty-Eight Thousand, Eighty-Seven and 20/100 dollars (\$258,087.20) and authorizing the Mayor to execute the same by and on behalf of the City of Neosho.

Attorney Snyder read Resolution Bill No. 2024-27 in title only.

Councilman Cobb made a motion to Approve and Discuss Resolution Bill No. 2024-27; Councilwoman Thomas seconded.

Public Works Director Siler addressed the city council stating that The purpose of this item is to approve the agreement with Vance Brothers for the application of Slurry Seal to city streets. During the April 16th, 2024 council meeting, council approved the bid from Vance Brothers in the amount of \$258,087.20. This is the agreement to move forward with this project.

Roll call vote:

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

No: None

Abstain: None

Passed.

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Resolution Bill No. 2024-28: MoDED CDBG Competitive Grant Intent to Apply

A RESOLUTION OF THE CITY OF NEOSHO, MISSOURI, STATING INTENT TO SECURE FUNDING THROUGH THE COMMUNITY DEVELOPMENT BLOCK GRANT DEMOLITION PROGRAM AND AUTHORIZING THE MAYOR AND/OR CITY MANAGER TO PURSUE ACTIVITIES IN AN ATTEMPT TO SECURE FUNDING.

Attorney Snyder read Resolution Bill No. 2024-28 in title only.

Councilwoman Robinson made a motion to Approve and Discuss Resolution Bill No. 2024-28; Councilwoman Thomas seconded.

Development Services Director Leavens addressed the city council stating that the purpose of this item is to gain the council's approval for the mayor to sign a resolution authorizing staff to apply for a grant to assist in demolishing the structure located at 224 N Washington St. The city owns the Schaffer Building located at 224 N Washington St. The building has been declared blighted property by the city council. This grant could provide up to \$300,000 in funding with a 20% match for the demolition of the structure. Other grant opportunities are also being sought for this project but are not guaranteed.

Roll call vote:

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

No: None

Abstain: None

Passed.

Resolution Bill No. 2024-29: Amending Employee Handbook Adding Section 3.09 Disability Discrimination Grievance Procedure

A RESOLUTION of the City of Neosho, Missouri, adopting a Disability Discrimination Grievance Procedure to conform to Section 5.04 of the Rehabilitation Act of 1979 (29 U.S.C. 794) and the American with Disabilities Act (ADA) and incorporating the same into the City of Neosho Employee Handbook by adding a new Section 3.09 Disability Discrimination Grievance Procedure.

Attorney Snyder read Resolution Bill No. 2024-29 in title only.

Councilman Cobb made a motion to Approve and Discuss Resolution Bill No. 2024-29; Councilman Workman seconded.

Human Resources Director Muhic The purpose of this item is to request approval to insert "Section 3.09: Disability Discrimination Grievance Procedure" in the City Employee Handbook. This is a procedure that various grants prefer to see in policy.

Roll call vote:

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

No: None

Abstain: None

Passed.

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Resolution Bill No. 2024-30: Change Order Request (COR) 01 CSG_RBN. 2024-22

A RESOLUTION OF THE CITY OF NEOSHO, MISSOURI, authorizing Change Order No. 1 for an agreement for construction services with Marion Company, LLC, d/b/a Construction Services Group, a Missouri limited liability company, for the purpose of providing construction services related to the repair of the Neosho Municipal Auditorium for the not to exceed price of Forty Seven Thousand and 00/100 dollars (\$47,000.00) and authorizing the Mayor to execute the same by and on behalf of the City of Neosho.

Attorney Snyder read Resolution Bill No. 2024-30 in title only.

Councilwoman Robinson made a motion to Approve and Discuss Resolution Bill No. 2024-30; Councilman Cobb seconded.

City Manager Kennedy addressed the city council stating that this is a Change Order Request (COR) for Neosho Auditorium repair. The scope of work is being added to our current contract with CSG for auditorium renovations. This change order request is in the amount of \$47,000.00. These funds will come from capital expenses in this year's budget.

Roll call vote:

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

No: None

Abstain: None

Passed.

Request for Variance to Code Section 215.195-B. - Neosho School District Graduation

Fire Chief Houk addressed the city council stating that the purpose of this agenda item is to address the request from the NSD to allow fireworks to be displayed at high school graduation. City ordinance dictates that the discharge of fireworks is limited to the periods of 7:00 AM – 11:00 PM from July 1st through July 10th. July 4th Fireworks may be discharged from 7:00 AM – 12:00 midnight. I have received a request from the Neosho R5 School District requesting permission to discharge fireworks on May 16, 2024, at approximately 9:15 immediately following high school graduation. The fireworks will be discharged from 418 Fairgrounds Rd, at the administration building. This would be a temporary variance from city ordinance.

Mayor Davidson made a motion to approve request for variance to code section 215.195-B for the Neosho School District Graduation; Councilman Workman seconded.

Roll call vote:

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

No: None

Abstain: None

Passed.

Area Agency on Aging Public Match Letter

City Manager Kennedy addressed the city council stating that this item is to authorize the Mayor to sign the Area Agency on Aging (AAA) letter for donation of 1017 Carl Sweeney Pkwy. The City of Neosho and AAA have teamed up to provide amenities for our area seniors. This is to include AAA the use of 1017 Carl Sweeney Pkwy facility to provide a nutrition program and activities in Neosho. This is an annual letter of our in kind support of this program for the use of our facility.

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Councilman Cobb made a motion to Approve the public match letter with Area Agency on Aging for the Senior Citizen Center; Councilwoman Robinson seconded.

Roll call vote:

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

No: None

Abstain: None

Passed.

REPORT OF CITY OFFICERS

Hill Street

City Manager Kennedy addressed the council stating that he has been approached about renaming Hill Street by the Neosho High School. There are no houses on that street and this is Senior Hill that is painted every year. Suggestions would be to name the street something in support of our school, such as Wildcat Drive or Wildcat Way.

By a consensus of Council to move forward with renaming Hill Street.

Annexing Hwy 60 / Filtration Plant

City Manager Kennedy addressed the council about the city annexing property from the Hickory Creek bridge at the RV Park to the Filtration Plant located out by Lime Kiln.

By a consensus of council to move forward with the annexations.

Marmic Fire

Mayor Davidson asked about Marmic Fire requesting five year sprinkler inspections.

Fire Chief Houk stated that he is not aware of anything but will get an answer. If this is coming down from the state or not.

Hwy 86 Roundabout -

Councilman Cobb stated that the roundabout looks very good. If you have not been out to the Senior Center in a while, go and look at the renovations and upgrades the city has done.

City Manager Kennedy addressed the roundabout comments. Mr. Kennedy stated that he had sat in the Branco parking lot for fifteen-twenty minutes watching the flow of traffic and not seen any issues.

ADJOURN

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

Councilman Cobb made a motion to Adjourn; Councilwoman Humphrey seconded.

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Roll call vote:

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

No: None

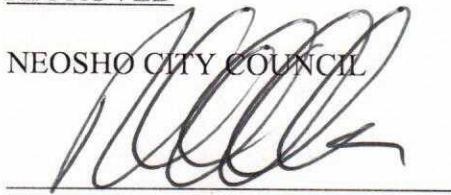
Abstain: None

Passed.

Mayor Davidson adjourned the May 7, 2024 City Council meeting at 8:10 p.m.

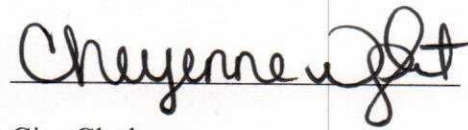
APPROVED

NEOSHO CITY COUNCIL



Mayor

ATTEST



City Clerk

