

MINUTES
NEOSHO CITY COUNCIL
October 1, 2024 - 7:00 PM
Neosho Council Chambers
203 E. Main St., Neosho, MO

OPENING PRAYER & PLEDGE OF ALLEGIANCE

Father Chaz 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:

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

COUNCIL ABSENT:

There were none absent.

CITY OFFICERS PRESENT:

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

APPROVAL OF AGENDA

Mayor Davidson asked to amend the agenda to move Consent Agenda Item #7 Bill No. 2024-82 under Unfinished Business.

Councilwoman Robinson made a motion to Approve the Agenda as Amended; Councilman Workman seconded.

Roll call vote:

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

No: None

Abstain: None

Passed.

CONSENT AGENDA

Councilman Collinsworth made a motion to Approve the Consent Agenda to include:
September 3, 2024 Minutes

Bill No. 2024-76

Bill No. 2024-78

Bill No. 2024-79

Bill No. 2024-80

Bill No. 2024-81;

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Councilman Workman seconded.

Roll call vote:

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

No: None

Abstain: None

Passed.

UNFINISHED BUSINESS

Bill No. 2024-82: Agreement with Missouri Sugars for Calculation of Sewer Service

AN ORDINANCE authorizing the City of Neosho, Missouri, to enter into a Wastewater Use Agreement for Variance on Measurement with Missouri Sugars, LLC, Missouri Limited Liability Company, for the purpose of issuing a variant method of calculation for wastewater usage and requiring certain water and liquid shipping reports; and authorizing the Mayor to execute the same by and on behalf of the City of Neosho.

Attorney Snyder read Bill No. 2024-82 in title only.

Councilwoman Robinson made a motion to Approve and Discuss Bill No. 2024-82 as amended; Councilwoman Humphrey seconded.

City Attorney Snyder stated that the agreement has changed since it came to council on September 3, 2024. Language has been added for confidentiality.

Councilman Cobb made a motion to Amend Bill No. 2024-82 as presented by Staff; Councilman Workman seconded.

Roll call vote to amend Bill No. 2024-82:

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

No: None

Abstain: None

Passed.

Roll call vote to approve Amended Bill No. 2024-82:

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

No: None

Abstain: None

Passed.

VISITOR'S BUSINESS

There was no one present to speak.

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BIDS

Online Payment Processor Bid

Finance Director Forest addressed the city council stating that staff would like to request council to deny these bids because none of these companies met the requirements needed for our Springbrook software or CivicPay Plus software.

Councilman Collinsworth made a motion to Decline the Bids presented and authorize staff to request quotes from vendors; Councilman Cobb seconded.

Roll call vote:

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

No: None

Abstain: None

Passed.

By a consensus of council to allow staff to request quotes from companies that will integrate with our current software systems.

Fleet Trucks Parks Dept and Wastewater

Parks and Recreation Director Balls addressed the city council stating that he has received three state bids back for three half ton four wheel drive pickups for Parks and Wastewater Departments. Staff found three pickups at Griffith Motors and is requesting council to approve the purchase of these three vehicles in the amount of \$131,400.00. These were the cheapest vehicles staff found that were available right away.

Councilwoman Robinson made a motion to Approve the Purchase of the Three Trucks in the amount of \$131,400.00; Councilwoman Humphrey seconded.

Roll call vote:

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

No: None

Abstain: None

Passed.

NEW BUSINESS

Bill No 2024-83: Chapter 605 and 615 License and Miscellaneous

AN ORDINANCE of the City of Neosho amending Title VI Business and Occupation, of Chapter 605 Licenses and Miscellaneous Business Regulations by repealing and replacing Section 605.010 Required and amending Chapter 615 Peddlers, Solicitors and Canvassers and Mobile Merchants, to repeal and replace Section 615.020 Permit and License, to remove the requirement for proof of Workers' Compensation insurance for general business and solicitor/peddler/mobile merchant/merchant temporary licenses of the Code of Ordinances.

Attorney Snyder read Bill No. 2024-83 in title only.

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Councilwoman Robinson made a motion to Approve and Discuss Bill No. 2024-83; Councilman Cobb seconded.

Finance Director Forest addressed the city council stating that the purpose of this item is to seek approval to update the license requirements for businesses and solicitor, peddler and canvasser. Staff has revised the license requirements for businesses and removed the worker compensation requirement for businesses. While a statutory requirement to maintain workers compensation insurance the City is not requiring proof or affidavit unless they are contractors.

Roll call vote:

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

No: None

Abstain: None

Passed.

Bill No. 2024-84: Amending City Code 300.020 and 300.120 for UTVs on City Streets

AN ORDINANCE of the City of Neosho amending Chapter 300 General Provisions, Title III Traffic Code, of the Code of Ordinances by amending Section 300.020 Definitions to repeal and replace the definition of Motor Vehicle and add a new definition for Utility Vehicle and amending Chapter 340 Miscellaneous Driving Rules, Title III Traffic Code, of the Code of Ordinances by repealing and replacing Section 340.120 Off Road Vehicles, Allowed—Exceptions, Prohibited Uses for adding exceptions of Utility Vehicles and Golf Carts on City Streets.

Attorney Snyder read Bill No. 2024-84 in title only.

Councilman Collinsworth made a motion to Approve and Discuss Bill No. 2024-84; Councilwoman Robinson seconded.

City Manager Kennedy addressed the city council stating that he was requested to bring this council item back before the council. The ordinance before council tonight, is the same ordinance with the amendments from September 3, 2024 council meeting for UTV and Golf carts on city streets. At the request of several citizens, we developed an ordinance allowing a Utility Task Vehicle (UTV) and golf carts on city streets.

Roll call vote:

Yes: Charles Collinsworth, Richard Davidson, Ashton Robinson, Angela Thomas, Tom Workman

No: Carl Cobb, Julie Humphrey

Abstain: None

Passed.

Bill No. 2024-85: Amending City Code 600.050 Drinking in Public

AN ORDINANCE of the City of Neosho to authorize waiving enforcement of Section 600.050, Drinking in Public—Intoxicating Liquor; of Chapter 600, Alcoholic Beverages; Article I, Generally; under Title VI Business and Occupation to the Neosho Code of Ordinances for approved dates limited to the mapped area of the downtown square for the purpose of promoting local businesses and community events.

Attorney Snyder read Bill No. 2024-85 in title only.

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Councilwoman Humphrey made a motion to Approve and Discuss Bill No. 2024-85; Councilman Workman seconded.

City Manager Kennedy addressed the city council stating that the purpose of this item is to seek approval for some changes to the downtown businesses dates for events on the square allowing alcohol. To amend chapter 600.050 for Downtown Business Association. Recently, the City Council amended the city code to allow the downtown businesses to host special events throughout the year. This change will allow two more events, one being in March and the other in October. These two months were originally going to be larger events. However, due to proper oversight and logistics, they are now just requesting these to be added to the existing ordinance.

Roll call vote:

Yes: Charles Collinsworth, Richard Davidson, Julie Humphrey, Angela Thomas, Tom Workman

No: Carl Cobb, Ashton Robinson

Abstain: None

Passed.

Bill No. 2024-86: Surplus City Vehicles_Parks Department and Wastewater Department

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 Snyder read Bill No. 2024-86 in title only.

Councilwoman Robinson made a motion to Approve and Discuss Bill No. 2024-86; Councilwoman Humphrey seconded.

To seek Council approval to surplus three vehicles; one from the Parks Department and two from Wastewater. These vehicles are in need of replacement. Vehicles have been found to replace these aged vehicles.

2002 Ford F-150 XL Vin # 1FTRF17W22NB85471

2012 Ford F-150 XL Vin # 1FTNF1WF0CKD75001

2014 Ford F-150 XL Vin # 1FTMF1EM3EKD69626

2008 Chevrolet Uplander Vin # 1GNDV23178D162481

Roll call vote:

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

No: None

Abstain: None

Passed.

Bill No. 2024-87: Contract with Encore Pyrotechnics for Celebrate Neosho Fireworks

AN ORDINANCE of the City of Neosho, Missouri, authorizing an Agreement by and between the City of Neosho and Pyrotechnics by Encore, LLC, a Missouri limited liability company for the purpose of providing a fireworks display for the Annual Celebrate Neosho, Independence Day Event; and authorizing the Mayor to execute the same by and on behalf of the City of Neosho.

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Attorney Snyder read Bill No. 2024-87 in title only.

Councilwoman Thomas made a motion to Approve and Discuss Bill No. 2024-87; Councilwoman Robinson seconded.

Human Resources Muhic addressed the city council stating that the purpose of this item is to seek approval for The purpose of this item is to authorize the Mayor to sign the agreement between the City of Neosho and Encore Pyrotechnics to provide the fireworks display at the 2025 Celebrate Neosho. The City of Neosho proudly hosts the annual Celebrate Neosho event, a community celebration that concludes with a grand fireworks display. To ensure the success and safety of this annual event, the City engages a professional fireworks contractor each year. This partnership ensures that the fireworks display is executed with the highest standards of safety, quality, and entertainment for all attendees.

Roll call vote:

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

No: None

Abstain: None

Passed.

Bill No. 2024-88: Contract with 2MPR, LLC dba Precision Heating & Air for City HVAC Services

AN ORDINANCE of the City of Neosho, Missouri, authorizing an Agreement by and between the City of Neosho and 2MPR, LLC, a Missouri limited liability company for the purpose of providing general heating, ventilation, and air conditioning services ("HVAC") for City HVAC equipment maintenance and repair; and authorizing the Mayor to execute the same by and on behalf of the City of Neosho.

Attorney Snyder read Bill No. 2024-88 in title only.

Councilman Collinsworth made a motion to Approve and Discuss Bill No. 2024-88; Councilman Workman seconded.

City Manager Kennedy addressed the city council stating that the purpose of this item is to seek approval for the contract with 2MPR, LLC dba Precision Heating & Air for citywide HVAC services. Staff sent bids out for city-wide HVAC services and council awarded the bid to Precision Heating and Air during the September 3, 2024 Council Meeting.

Roll call vote:

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

No: None

Abstain: None

Passed.

Bill No. 2024-89: Surplus City Property/Doniphan Drive

AN ORDINANCE of the City of Neosho declaring a certain tract of real property containing approximately one hundred fifty-seven acres along Doniphan Drive as surplus and authorizing the same to be sold pursuant to Section 120.235 Purchases and Sales of Real Estate.

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Attorney Snyder read Bill No. 2024-83 in title only.

Councilwoman Humphrey made a motion to Approve and Discuss Bill No. 2024-89; Councilman Collinsworth seconded.

City Manager Kennedy addressed the city council stating that the purpose of this item is to seek approval for the sale of real estate property. The city owns a large parcel of property in the Industrial Park on Doniphan Drive. This property has been surveyed, and an appraisal has been completed for the value. I am requesting this property to be listed by sealed bid. If no bids are received, we will then list the property with a real estate company.

Roll call vote:

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

No: None

Abstain: None

Passed.

Bill No. 2024-90: Surplus City Property/Howard Bush Drive

AN ORDINANCE of the City of Neosho declaring two (2) certain tracts of real property containing approximately sixteen and seven-tenths acres and thirty-five acres along Daniel Boone Drive and Austin Avenue as surplus and authorizing the same to be sold pursuant to Section 120.235 Purchases and Sales of Real Estate.

Attorney Snyder read Bill No. 2024-90 in title only.

Councilman Collinsworth made a motion to Approve and Discuss Bill No. 2024-90; Councilman Workman seconded.

City Manager Kennedy addressed the city council stating that the purpose of this item is to seek approval for the sale of real estate property. The city owns a property on Howard Bush Drive. This property has been surveyed, and an appraisal has been completed for the value. I am requesting this property to be listed by sealed bid. If no bids are received, we will then list the property with a real estate company.

Roll call vote:

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

No: None

Abstain: None

Passed.

Resolution Bill No. 2024-52: Authorizing an Application for a Land Water Conservation Fund Grant for Scenic Park

A RESOLUTION of the City of Neosho, Missouri, stating intent to seek funding through the Land and Water Conservation Fund Program and authorizing the City Manager to sign all grant application documents in an attempt to secure funding.

Attorney Snyder read Resolution Bill No. 2024-52 in title only.

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Councilwoman Robinson made a motion to Approve and Discuss Resolution Bill No. 2024-52; Councilwoman Humphrey seconded.

Development Services Director Leavens addressed the city council stating that the purpose of this agenda item is to seek council approval for the city manager to sign an application and associated documents for a grant request from the Land Water Conservation Fund. The city continues to improve the public parks and make them more accessible to all citizens. If authorized, this application would request matching funds to install an ADA parking lot, ADA sidewalk, ADA bathrooms and a new covered pavilion in the northern half of Scenic Park. The total project cost is estimated at \$225,000 with a budgeted cash or match value amount of \$112,500 placed in the 2024-2025 Parks Department budget.

Roll call vote:

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

No: None

Abstain: None

Passed.

Resolution Bill No. 2024-55: Spring Street and Lafayette Street Property_NSD

A RESOLUTION of the City of Neosho, Missouri, approving a Memorandum of Understanding and Agreement with the Neosho School District, a Missouri political subdivision, for the purpose of entering into a future real estate agreement to purchase or acquire real property and to sell or transfer real property to be declared surplus.

Attorney Snyder read Resolution Bill No. 2024-55 in title only.

Councilman Collinsworth made a motion to Approve and Discuss Resolution Bill No. 2024-55; Councilman Workman seconded.

City Manager Kennedy addressed the city council stating that the purpose of this item is to seek approval to enter into an agreement with the Neosho School District for real estate. The district has requested a parcel of property currently owned by the city. In turn, the city wishes to acquire a parking lot off of Wood Street. This agreement is for a property exchange between the two entities.

Roll call vote:

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

No: None

Abstain: None

Passed.

Resolution Bill No. 2024-56: Newton County Public Safety Grant

A RESOLUTION of the City of Neosho, Missouri, authorizing acceptance of a Public Safety Grant Award from the Newton County Public Safety Board in the amount of Ten Thousand Six Hundred Twenty-Six and 11/100 Dollars (\$10,626.11) and authorizing the Neosho Fire Department Chief to execute documents to effectuate the same.

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Attorney Snyder read Resolution Bill No. 2024-56 in title only.

Councilwoman Humphrey made a motion to Approve and Discuss Resolution Bill No. 2024-56; Councilman Workman seconded.

Fire Chief Houk addressed the city council stating that the purpose of this item is to seek approval to accept a grant from Newton County Public Safety. Staff applied for the Newton County Public Safety Grant in August for the purchase of a bunker gear extractor washer and dryer for Fire Station 2. The extractor washer and dryer are just one more recommended step to help cut down on the exposure to carcinogens that contaminate our bunker gear while fighting a fire. With station 2 having this equipment, it will eliminate the need to transport contaminated gear from one station to another to be washed. This equipment will help us continue to meet the requirement to be in the Missouri Firefighters Critical Illness Pool, a pool funded by the Missouri Department of Public Safety to help care for emergency service members who get cancer in the environments they work in. We have made it through the process and have been selected for approval of \$10,626.11 for the purchase of the extractor washer and dryer. The City Attorney has looked over the award letter. This was a budgeted item.

Roll call vote:

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

No: None

Abstain: None

Passed.

Extension of City Utilities for 13991 Pennell Lane and an Irrevocable Consent

Development Services Director Leavens addressed the city council stating that the purpose of this agenda item is to seek council approval for an Irrevocable Consent to Annexation of property west of 13991 Pennell Lane. The property owner has agreed to an Irrevocable Consent to Annexation of the property described in the documents in consideration for connecting to city water and sewer. The property is not contiguous with the city and not eligible for immediate annexation. The owner will connect at his own expense and be charged at 1.5 time the resident rate. The correct paperwork has been completed.

Councilman Collinsworth made a motion to Approve the Extension of City Utilities for 13991 Pennell Lane and Irrevocable Consent; Councilman Workman seconded.

Roll call vote:

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

No: None

Abstain: None

Passed.

Fall Festival Update

Public Information Officer, Jessica Johnson, updated the council on the Fall Festival coming up this Saturday, October 5th. Johnson updated the council on different events and activities for this festival. This is the biggest event for the City of Neosho.

215.195 Fireworks Discussion

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City Manager Kennedy asked for guidance from council on what council would like to see for the change in City Code Section 215.195.

Councilman Cobb requested July 1st through the 4th for setting off fireworks. Councilwoman Humphrey agreed with Mr. Cobb.

Councilwoman Robinson stated she would like to see the weekend before and the weekend after. She feels that the four days would be too stringent for the young families that have kids that want to set off fireworks.

Councilman Collinsworth stated that he would like to see the code stay as the 10 days.

Councilman Workman stated that he would like the weekend before and the weekend after.

Mayor Davidson stated that there needs to be more consensus before bringing back an ordinance that everyone can come to terms with.

APPOINTMENTS AND VACANCIES

Enhanced Enterprise Zone Board

- *Request for Appointment by Warren Langland*

Councilman Cobb made a motion to Appoint Warren Langland to the Enhanced Enterprise Zone Board for Grow Neosho; Councilwoman Thomas seconded.

Roll call vote:

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

No: None

Abstain: None

Passed.

REPORT OF CITY OFFICERS

August Financial Report

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

Scrap Tire Grant for Parks Department Update

Parks and Recreation Director Balls addressed the city council stating that the grant that staff submitted has been received for scrap tire picnic tables for the parks.

Service Line Warranty Program Update

Finance Director Forest addressed the city council updating them on the current numbers for the Service Line Warranty Program.

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CLOSED SESSION

Section 610.021 (1) RSMo,...Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between public governmental body or its representatives and its attorneys.

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

Roll call vote:

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

No: None

Abstain: None

Passed.

Mayor Davidson closed the open session at 8:08 p.m.

Mayor Davidson reconvened open session at 8:24 p.m. and announced that one vote was taken.

ADJOURN

There being no further business to come before the city council, Mayor Davidson made a motion to Approve; Councilman Collinsworth seconded.

Roll call vote:

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

No: None

Abstain: None

Passed.

Mayor Davidson adjourned the October 1, 2024 Council Meeting at 8:24 p.m.

APPROVED

NEOSHO CITY COUNCIL

Mayor

ATTEST

City Clerk

