MINUTES
NEOSHO CITY COUNCIL
July 5, 2022 - 7:00 PM
Neosho Council Chambers
203 E. Main St., Neosho, MO

OPENING PRAYER & PLEDGE OF ALLEGIANCE

Jeff Higgins gave the opening prayer and Mayor DeWitt led the Pledge of Allegiance.

CALL TO ORDER

ROLL CALL

COUNCIL PRESENT:
Carl Cobb, Richard Davidson, Tyler DeWitt, Julie Humphrey and Angela Thomas.

COUNCIL ABSENT:
Charles Collinsworth and Ashton Robinson.

APPROVAL OF THE AGENDA AND CONSENT AGENDA

Councilman Cobb made a motion to Approve the Agenda and Consent Agenda; Councilwoman Humphrey seconded.

Roll call vote:
Yes: Carl Cobb, Angela Thomas, Julie Humphrey, Richard Davidson, Tyler DeWitt
No: None
Abstain: None
Passed.

June 21, 2022 Open Session Council Minutes

Bill No. 2022-48: Region M Grant Agreement

Bill No. 2022-49: Gross Receipts Tax Liberty Utilities

Bill No. 2022-50: Freeman and Stratford Engineering Services Agreement for Stormwater Improvements

VISITOR'S BUSINESS

Daniel Raines

Daniel Raines spoke to the Council regarding flowers being removed from his father's grave at the Neosho IOOF Cemetery.

BIDS

Golf Course Sign

The Parks and Recreation Director addressed the Council stating that the purpose of this agenda item is to seek Council's approval of a digital sign at the Neosho Golf Course. There were seven bids sent out and two bids were received back.
Sign Designs $14,749.00
Lancaster Signs $19,082.19

There is some excess money in the budget from the fountain installation at the Neosho Golf Course. The total cost to have this sign installed, if approved by the Council, is $15,949.00 with electric. Staff recommends approving the bid from Sign Designs in the amount of$14,749.00.

Councilwoman Humphrey made a motion to Approve the bid from Sign Designs in the amount of $14,749.00; Councilman Cobb seconded.

Roll call vote:
Yes: Carl Cobb, Angela Thomas, Julie Humphrey, Richard Davidson, Tyler DeWitt
No: None
Abstain: None
Passed.

Lime Kiln Rocky Slope Dam

Development Services Director Leavens addressed the Council stating that the purpose of this agenda is to approve one of the bids received and move forward with this project. There were three bids that were sent in. In July or 2019, the City of Neosho along with Fish and Wildlife began a project to construct a rocky slope dam in Lime Kiln Park. Bids were sent out for this project. Granger Dirtworks, Inc. is the low responsive, responsible bidder with a total bid in the amount of $474,292.00.

Granger Dirtworks $474,292.00
Dirks Heavy Contractors, LLC $1,023,242.37
Jeff Asbell Excavating & Trucking, Inc. $997,833.93

Staff recommends approving the bid from Granger in the amount of $474,292.00.

Councilman Cobb made a motion to Approve the bid from Granger Dirtworks in the amount of $474,292.00; Councilwoman Thomas seconded.

Roll call vote:
Yes: Carl Cobb, Angela Thomas, Julie Humphrey, Richard Davidson, Tyler DeWitt
No: None
Abstain: None
Passed.

INTRODUCTION OF NEW ORDINANCES (1st Readings)

Bill No. 2022-51: Dissolution of the Neosho TIF

AN ORDINANCE AMENDING ORDINANCE NO. 99-22 AND ORDINANCE NO. 99-23 OF THE CITY OF NEOSHO, MISSOURI AND ANY AMENDMENTS THERETO; TERMINATING THE DESIGNATION OF A REDEVELOPMENT AREA; TERMINATING A CERTAIN REDEVELOPMENT PROJECT ALONG WITH THE APPLICATION OF TAX INCREMENT ALLOCATION FINANCING IN THE AREA OF SAID REDEVELOPMENT PROJECT; DISSOLVING THE SPECIAL ALLOCATION FUND FOR THE REDEVELOPMENT AREA; AND PROVIDING FURTHER AUTHORITY, ALL PURSUANT TO THE REAL PROPERTY TAX INCREMENT ALLOCATION REDEVELOPMENT ACT.

Attorney Paul read the Bill in title only.

Councilman Cobb made a motion to Approve and Discuss Bill No. 2022-51; Councilwoman Thomas seconded.
Attorney Paul addressed the Council stating that the purpose of this agenda item is to abolish the TIF. The City Council of the City of Neosho, Missouri by Ordinance No. 99-22, adopted and approved on July 6, 1999 (the "Blighting Ordinance"), found and declared a certain area within the boundaries of the City depicted and further described in exhibits to that certain document entitled "Redevelopment Plan Neosho Tax Increment Finance District – 1999" (the "Redevelopment Plan") and further legally described in Exhibit A to the Blighting Ordinance (the "Redevelopment Area") to be a blighted area as defined by the Real Property Tax Increment Allocation Redevelopment Act, sections 99.800 through 99.866 of the Revised Statutes of Missouri, as amended (the "TIF Act")

Staff recommends approving Bill No. 2022-51.

Roll call vote:
Yes: Carl Cobb, Angela Thomas, Julie Humphrey, Richard Davidson, Tyler DeWitt
No: None
Abstain: None
Passed.

Bill No. 2022-52: FY22 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, 2021 AND ENDING SEPTEMBER 30, 2022.

Attorney Paul read Bill No. 2022-52 in title only.

Councilman Thomas made a motion to Approve and discuss Bill No. 2022-52; Councilman Cobb seconded.

Finance Director Forest addressed the Council stating the purposes for these budget amendments. There are two corrections that need to be made to the ordinance that is before Council. There were a few changes to the TIF funds after the agenda was posted. The TIF Fund should be refunded $612,924.00 and on page two of the ordinance under the Streets Department, expenditures should show $0.00 not $500.00.

Councilman Cobb made a motion to Amend Bill No. 2022-52 to include the corrections stated by Finance

Director Forest; Councilwoman Humphrey seconded.

Roll call vote to amend:
Yes: Carl Cobb, Angela Thomas, Julie Humphrey, Richard Davidson, Tyler DeWitt
No: None
Abstain: None
Passed.

Roll call vote to approve:
Yes: Carl Cobb, Angela Thomas, Julie Humphrey, Richard Davidson, Tyler DeWitt
No: None
Abstain: None
Passed.

NEW BUSINESS

Amendment to Electric Service Agreement with Liberty Utilities

Public Works Director Siler addressed the Council stating that the purpose of this agenda item is to seek the Council's approval of the amendment to the Liberty Utilities Agreement to include the following:

1240 Circle Dr.	WO #965332	monthly decrease	-$1.82
1216 Circle Dr.	WO #965340	monthly decrease	-$1.82
1813 Rachel St.	WO #965345	monthly decrease	-$1.82
Jefferson St & Sherman.	WO #965347	monthly decrease	-$1.82
703 Laurel Cr.	WO #965352	monthly decrease	-$1.82

The total decrease would be $9.10.

Councilman Cobb made a motion to Approve the amendment to the Liberty Utilities Agreement as presented by Staff; Councilwoman Humphrey seconded.

Roll call vote:
Yes: Carl Cobb, Angela Thomas, Julie Humphrey, Richard Davidson, Tyler DeWitt
No: None
Abstain: None
Passed.

Discussion Chapter 125 and 405 of the Neosho City Code

Attorney Paul addressed the Council stating that this is regarding the Historic Board and how the Board of Adjustments shows in the city code. However, the Board of Adjustment only specifies building inspector denials and not the Historic Preservation Committee.

Attorney Paul stated that at the next meeting there will be a bill coming to council for these changes. How would the council like to proceed?

Councilman Davidson addressed the Council stating that there are discrepancies in the code and would like to see them cleaned up.

Mayor DeWitt would also like to see that cleaned up.

By a consensus of the Council to clean up this code.

Appeal from Denial of Certificate of Appropriateness by the Historic District Board-Fidelity Abstract

Attorney Paul explained how the procedure for this agenda item should go. The Historic Preservation Committee has determined that the criteria for the exterior of the Fidelity Abstract building has not met the City code. Fidelity Abstract disagrees and has filed an appeal to the HPC decision.

Development Services Director Leavens stated that this is regarding the building across the street from the Neosho post office that lies in the Historic District. The front facing bricks have been falling off and the windows are needing upgraded. They were wanting to place stucco on the outside instead of the brick. The HPC doesn't like the brick facade on the outside of the building being removed. This went through two or three HPC meetings and it has reached an impasse and the cost effectiveness for the owner has became an issue. The windows at this point have been purchased but not replaced due to the tinting to the windows. The code says the windows cannot be less than 95% clear and the windows purchased are 73% due to the sun that comes through and heats up the building.

Discussion was held between the Council and Mr. Leavens.

Councilwoman Humphrey stated that she researched and found that this is a special laying of brick and was put up in 1948.

David Sims addressed the Council about other buildings that had a different facade on the outside, such as the new judicial system. He explained why HPC did not approve the stucco on the facade of the building.

Discussion was held between Mr. Sims and the Council.

Tyler Marion addressed the Council stating what they were doing on the building and the issues that were found by the HPC and stated that he had other contractors come in and look at the brick to find out how to remove it. This is not just a facade on the outside, this is a brick structural wall, and we are trying to save that. We were asked to get construction engineers, but this is not cost effective. Speed brick is something that was discussed, but it is not made anymore. We are also having trouble with matching the color of the brick. The windows were approved in a special meeting due to the rising cost of construction items. However, then it was found that the clarity is supposed to be 95% or higher and these windows are 73%.

David Sims stated the owner did not specify the window clarity. CBT and the Canopy windows are not historical as far as the code. The Canopy windows were not approved by the HPC but could not speak to CBT due to not being on the board at that time.

Councilman Cobb asked if the Historic District could be changed or if a business could opt out.
Attorney Paul stated that the Council would have to approve the district being changed or a business being removed from the district.

Gary Hendrix, owner of Fidelity Abstract, addressed the Council about the brick. He said that the rain gets into the bricks and it will pop out or break. Dr. Peterson, the Canopy, Newton County Abstract all have stucco finish.

Discussion was held.

By a consensus of Council to approve the windows for Fidelity Abstract and Title Co. at 73%.

Mayor DeWitt made a motion to Grant the Appeal to Reverse the Boards Decision for Fidelity Abstract & Title Co.; Councilman Cobb seconded.

Roll call vote:
Yes: Carl Cobb, Angela Thomas, Richard Davidson
No: Julie Humphrey, Tyler DeWitt
Abstain: None
Failed.

Permanent Event Electricity on the Square

Development Services Director Leavens addressed the Council stating that the purpose of this agenda item is to seek the Council's approval of putting permanent event electricity on the square. The exhaust and the reliability issues and the cords all over everywhere are a tripping hazard. The current plan is to put permanent meter loops on the square. Then place spider boxes throughout and take out locations on the square. The recommendation is to pay for this out of hotel/motel fund and have the first phase out of this year's budget and phase two out of next year's budget.
The proposal is to complete the project in two main phases.

PHASE 1
The first phase would complete the eastside of the square and provide all the "spider" boxes needed for all four sides of the square before the Fall Festival. Generators would still have to be rented for the Fall Festival, but the use of the "Spider" boxes would reduce the cords and provide closer connections for the vendors.
The Ward's generously dug a trench during construction of Eastside Social to allow us to place an underground conduit in the alley along the southside of their new business and have offered to allow the city to place a permanent connection point on a brick pillar at the front of their business.
This will reduce the cost to complete the permanent east side portion to $6,300.00
There are three options for the "spider" boxes (a total of eight boxes are needed):
- a commercially produced 50amp box with 12 110v outlets at $2150.00 each.
-a commercially produced vertical box with two 50amp outlets and four 110 v outlets at $10,000.00 each.
-a city constructed vertical box with two 50amp RV outlets, one 30amp RV outlet and 12 110v outlets at $4500.00 to $5000.00 each.
The preferred "spider" box would be the city-constructed vertical box as it would be outfitted to suit our needs.
The estimated cost of phase one would be $46,300.00

PHASE 2
Phase 2 would be the installation of permanent electricity on the other three sides of the square. This project would be done in the 2022-2023 budget year and would consist of installing a meter loop, underground conduit and wiring, a power base box, and protective bolsters on the other three sides of the square.
The estimated cost of phase 2 is $48,900.00.
The "spider" boxes will have other uses also, such as power points for Big Spring Park lighting during the holidays, special events and public emergencies.

David explained that he would like to be ready for Fall Festival if Council approves.

Councilwoman Thomas made a motion to Approve the City Constructed Boxes and Necessary Materials; Councilman Cobb seconded.

Roll call vote:
Yes: Carl Cobb, Angela Thomas, Julie Humphrey, Richard Davidson, Tyler DeWitt
No: None
Abstain: None
Passed.

REPORT OF CITY OFFICERS

There was no report of city officers.

ADJOURN

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

Roll call vote:
Yes: Carl Cobb, Angela Thomas, Julie Humphrey, Richard Davidson, Tyler DeWitt
No: None
Abstain: None
Passed.

The July 5th, 2022 Council Session ended at 9:11 p.m.

APPROVED
NEOSHO CITY COUNCIL

Mayor

ATTEST

Cheyenne Wright
City Clerk