

**MINUTES**  
**NEOSHO CITY COUNCIL**  
**April 5, 2022 – 7:00 p.m.**  
**Neosho Council Chambers**  
**203 E. Main St., Neosho, MO**

**OPEN & CALL TO ORDER**

Mayor Doubek called the meeting to order at 7 p.m.

**OPENING PRAYER & PLEDGE OF ALLEGIANCE**

Ken Robinson gave the opening prayer and Mayor Doubek led the Pledge of Allegiance.

**ROLL CALL**

COUNCIL PRESENT:

Charles Collinsworth, Richard Davidson, Tyler DeWitt, William Doubek, Julie Humphrey, Ashton Robinson, and Angela Thomas were present.

COUNCIL ABSENT:

None were absent.

CITY OFFICERS PRESENT:

Jordan Paul, City Attorney; David Kennedy, City Manager; Cheyenne Wright, City Clerk. Minutes taken by City Clerk.

**APPROVAL AND CONSENT OF AGENDA**

Councilman Collinsworth made a motion to approve and consent the agenda:  
March 15, 2022 Open Session Council Meeting Minutes  
Bill No. 2022-21: Disc Golf Tournament Hotel-Motel Funds  
Bill No. 2022-22: T-37 Static Display at the Neosho Hugh Robinson Airport  
Bill No. 2022-23: Slurry Seal Agreement with Vance Brothers  
Councilwoman Humphrey seconded.

**Roll Call Vote:**

Charles Collinsworth - Yes

Richard Davidson – Yes

Tyler DeWitt – Yes

William Doubek - Yes

Julie Humphrey – Yes

Ashton Robinson – Yes

Angela Thomas – Yes

*Motion carried.*

**VISITOR'S BUSINESS**

Judy Haas Smith spoke regarding Dan and Mary Longwell and requesting to have the staircase located at the stairway next to the rock wall in Big Spring Park to be named Longwell Stairwell in their memory. Dan and Mary Longwell also worked for LIFE Magazine in 1936.

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Robert Williams spoke to Council asking for quarterly payments for the yearly membership at the Golf Course.

**BID**

**Hydraulic Breaker**

Public Works Director Siler addressed the Council stating that the purpose of this agenda is to authorize the purchase of a new backhoe mounted hydraulic breaker for the water departments Case backhoe. Staff sent out five bids and received back four bids.

Victor L. Phillips	\$10,050.00
Murphy Tractor	\$16,282.95
Fabrick Cat	SNO BID
Potter Equipment	\$17,800.00
Wear Parts & Equipment	\$15,999.00

This purchase is budgeted out of the D&M budgeted amount of \$18,000.00. Staff recommends approving the purchase of EC80 T Backhoe Breaker from Victor L. Phillips in the amount of \$10,050.00.

Councilman Collinsworth made a motion to approve the bid from Victor L. Phillips for the EC80 T Backhoe Breaker in the amount of \$10,050.00; Councilman DeWitt seconded.

**Roll Call Vote:**

- Richard Davidson – Yes
  - Tyler DeWitt – Yes
  - William Doubek - Yes
  - Julie Humphrey – Yes
  - Ashton Robinson – Yes
  - Angela Thomas – Yes
  - Charles Collinsworth - Yes
- Motion carried.*

**Police Department Computers**

Police Chief Baird addressed the Council stating that the purpose of this agenda is to replace computer equipment for the Police Department and new equipment for the Fire Department. On November 16, 2021, the council granted permission to go to bid on a replacement mobile computer system for the police department and an additional system for the Fire Department. A total of three companies bid on the project: one of the company's bids was incomplete, they bid the wrong number of computers. The winning bid was Stronghold Data at \$174,320.26. The third bidder, Turn-Key Mobile bid \$191,928.00. Approximately \$22,206 of the cost will be billed to the Neosho Fire Department, for the equipment that will be placed in their vehicles.

Councilwoman Thomas made a motion to approve the bid from Stronghold Data in the amount of \$174,320.26 for the Fire and Police Department computers; Councilman DeWitt seconded.

**Roll Call Vote:**

- Tyler DeWitt – Yes
- William Doubek - Yes
- Julie Humphrey – Yes

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Ashton Robinson – Yes  
Angela Thomas – Yes  
Charles Collinsworth - Yes  
Richard Davidson – Yes  
*Motion carried.*

### **INTRODUCTION OF NEW ORDINANCES (1<sup>st</sup> Readings)**

#### **Bill No. 2022-24: Lime Kiln Park Engineering Agreement for Dredging and Cleaning of Water Intake**

AN ORDINANCE authorizing the City of Neosho, Missouri, to enter into an Agreement with Allgeier, Martin and Associates, Inc., a Missouri Corporation, for the purpose of providing engineering services related to dredging and cleaning the water intake structure of the Lime Kiln Road Diversion Dam for the not to exceed price of Twenty-Eight Thousand and 00/100 Dollars (\$28,000.00); and authorizing the Mayor to execute the same by and on behalf of the City of Neosho.

*Bill No. 2022-24 read in title only by Attorney Paul.*

Councilman Robinson made a motion to approve and discuss Bill No. 2022-24: Lime Kiln Park Engineering Agreement for Dredging and Cleaning of Water Intake; Councilwoman Thomas seconded.

City Manager Kennedy addressed the Council stating that the purpose of this agenda item is to authorize Allgeier, Martin and Associates, Inc. to engineer dredging and cleaning of the water intake structure at Lime Kiln Park. In cooperation with building the rocky slope dam, the City of Neosho is also planning to dredge the upper portion where our water intake source is located. This has not been done in several years and over time the sediment needs to be removed from our water intake source.

#### **Roll Call Vote:**

William Doubek - Yes  
Julie Humphrey – Yes  
Ashton Robinson – Yes  
Angela Thomas – Yes  
Charles Collinsworth - Yes  
Richard Davidson – Yes  
Tyler DeWitt – Yes  
*Motion carried.*

#### **Bill No. 2022-25: Surplus City Property located to the North of White Oak Gas Station**

AN ORDINANCE of the City of Neosho, Missouri, declaring certain real property located at Business 49 and Hammer Road, as surplus and setting forth the method for disposing of the same.

*Bill No. 2022-25 read in title only by Attorney Paul.*

Councilman Humphrey made a motion to approve and discuss Bill No. 2022-25: Surplus City Property located to the North of White Oak Gas Station; Councilwoman Thomas seconded.

City Manager Kennedy addressed the Council stating that the purpose of this agenda item is to seek Council's approval for surplus of a piece of property owned by the City of Neosho located at Hammer Road and 86

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Highway/Business 49. The City of Neosho no longer need this property. This is a one (1) acre tract of land located directly North of the White Oak gas station.

**Roll Call Vote:**

Julie Humphrey – Yes  
Ashton Robinson – Yes  
Angela Thomas – Yes  
Charles Collinsworth - Yes  
Richard Davidson – Yes  
Tyler DeWitt – Yes  
William Doubek - Yes  
*Motion carried.*

**Bill No. 2022-26: Agreement with Dirks Heavy Contractors, LLC for Sewer Improvements at Timber Ridge Subdivision**

AN ORDINANCE authorizing the City of Neosho, Missouri, to enter into an Agreement with Dirks Heavy Contractors, LLC, a Missouri Limited Liability Company, for the purpose of providing construction services related to sanitary sewer improvements in Timber Ridge subdivision for the not to exceed price of Six Hundred Thirteen Thousand Eight Hundred Sixty-Four and 54/100 Dollars (\$613,864.54); and authorizing the Mayor to execute the same by and on behalf of the City of Neosho.

*Bill No. 2022-26 read in title only by Attorney Paul.*

Councilman Collinsworth made a motion to approve and discuss Bill No. 2022-26: Agreement with Dirks Heavy Contractors, LLC for Sewer Improvements at Timber Ridge Subdivision; Councilwoman Robinson seconded.

City Manager Kennedy addressed the Council stating that the purpose of this agenda item is to approve the agreement with the contractor to perform the sewer improvements at the Timber Ridge Subdivision.

**Roll Call Vote:**

Ashton Robinson – Yes  
Angela Thomas – Yes  
Charles Collinsworth - Yes  
Richard Davidson – Yes  
Tyler DeWitt – Yes  
William Doubek - Yes  
Julie Humphrey – Yes  
*Motion carried.*

**Bill No. 2022-27: Updated New Employee Handbook**

AN ORDINANCE adopting an employee handbook.

*Bill No. 2022-27 read in title only by Attorney Paul.*

Lance Parsons and Danny Naugle present to represent the 2001 Neosho Fire Department Union, spoke on behalf of the firefighters and their dislike of the current handbook presented before Council. They feel that the

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new handbook does not benefit the firefighters and has taken money away from their department.

Councilwoman Thomas made a motion to approve and discuss Bill No. 2022-27: Updated New Employee Handbook; Councilwoman Robinson seconded.

Human Resources Director Muhic addressed the Council stating that the purpose of this agenda item is to update the City of Neosho Employee Handbook. This handbook has not been updated since 2013 and this will update City policies and procedures, as well as to update several state and federal laws that have been enacted since 2013.

City Attorney Paul addressed the Council stating that the bones of this handbook were put together by Lauber Lawfirm's HR Attorney and the city's insurer, MIRMA.

Discussion followed.

City Manager Kennedy spoke regarding the old holiday pay and the language change. Language was 24 hours paid at time and a half if worked and if not worked, they would be paid 24 hours of time for the holiday or could bank that time 24 hours into earned leave. This was not fair and consistent with other departments. This was the only department that was allowed to do this. There were meetings weekly to go through each section of the old handbook. These meetings were held with all Directors present to discuss, and employees were welcome to sit in and bring any suggestions or issues to the Directors.

Council requested staff to speak to the Fire Chief before the next Council meeting.

### **Roll Call Vote:**

Angela Thomas – Yes  
Charles Collinsworth - Yes  
Richard Davidson – Yes  
Tyler DeWitt – No  
William Doubek - Yes  
Julie Humphrey – Yes  
Ashton Robinson – Abstain  
*Motion carried.*

### **NEW BUSINESS**

#### **Neosho TDD Nominations for Vacant Board Position**

City Manager Kennedy asked Council's direction on the nominations for two vacant positions on the TDD board. Jeff Maxwell and Gene Schwartz, Sr. terms were expiring.

Councilman Davidson made a motion for the City Manager to nominate and vote upon his discretion; Mayor Doubek seconded.

### **Roll Call Vote:**

Charles Collinsworth - Yes  
Richard Davidson – Yes  
Tyler DeWitt – Yes  
William Doubek - Yes

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Julie Humphrey – Yes  
Ashton Robinson – Yes  
Angela Thomas – Yes  
*Motion carried.*

### **Variance for a Lot-Split at Maple Street**

Development Services Director Leavens addressed the Council stating that the purpose for this agenda item is to request a variance for the property located at 413 Maple Street to split the lots. This lot was purchased by Habitat for Humanity, there was a dangerous structure on the property and Habitat for Humanity plan to demolish the dangerous structure and reconstruct two new homes on the property if approved by Council.

Councilwoman Robinson made a motion to approve the variance for 413 Maple Street for the lot split; Councilwoman Humphrey seconded.

#### **Roll Call Vote:**

Richard Davidson – Yes  
Tyler DeWitt – Yes  
William Doubek - Yes  
Julie Humphrey – Yes  
Ashton Robinson – Yes  
Angela Thomas – Yes  
Charles Collinsworth - Yes  
*Motion carried.*

### **Amendment to the Liberty Contract**

Public Works Director Siler addressed the Council stating that the purpose of this agenda item is to approve the amendment to the Liberty Utilities agreement. This amendment is to replace one non-working decorative light and replace with new wooden pole and LED streetlight.

Councilman Collinsworth made a motion to approve the amendment to the Liberty Utilities agreement; Councilman DeWitt seconded.

#### **Roll Call Vote:**

Tyler DeWitt – Yes  
William Doubek - Yes  
Julie Humphrey – Yes  
Ashton Robinson – Yes  
Angela Thomas – Yes  
Charles Collinsworth - Yes  
Richard Davidson – Yes  
*Motion carried.*

### **Day Cab Tractor Discussion**

Public Works Director Siler addressed the Council stating that the purpose of this agenda item is to request a change in the funds budgeted for public works. In the FY22 budget, a red iron building was budgeted for, however with the materials sky rocketing, the cost of the building has went up exponentially. Staff would like

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to utilize the funds to purchase a used day cab to pull our excavator. The current vehicle is 1986 truck that has reached the end of its usefulness. Staff budgeted \$60,000 out of D&M and \$60,000 out of Streets. Staff would like to spend between \$50,000 to \$60,000 on the used truck.

By a consensus of Council to go out for bid and bring back a budget amendment.

#### **Request to Reallocate Recreational Trails Grant Match Funds**

Parks and Recreation Director Dalbom addressed the Council stating that the purpose of this agenda item is to ask Council's approval of moving funds originally allocated for the recreational trails grant match and use these funds to cover some unexpected equipment repair costs and to help complete projects delayed due to COVID-19, the Scenic Park Ballfields and Parks Department Shop/Office.

By a consensus of Council to bring back a budget amendment for these funds to be reallocated.

#### **Holiday Classic Discussion**

Councilwoman Robinson stated that she feels that half of these funds could be given for this event. Instead of the full \$15,000.00 give \$7,500.00, as this was put into the budget that Council approved.

Councilwoman Thomas stated that these amounts need to be worked on and discussed during budget time.

Councilman Davidson stated that the event raised \$19,000.00 and the City was requested to pay \$15,000.00 yet were not deemed 'super sponsors.

Councilman DeWitt stated that this event has gone on for many years and should be self-sustaining at this point.

Councilman Collinsworth stated that this event needs to grow their sponsors to make this event more self-sustaining.

Discussion was held.

Staff requested to bring back an ordinance bill to the April 19<sup>th</sup> Council Meeting.

#### **REPORT OF CITY OFFICERS**

There were no reports.

#### **CLOSED**

Mayor Doubek made a motion to go into closed session under 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.

Councilman Collinsworth seconded.

#### **Roll call vote:**

William Doubek – Yes

Julie Humphrey – Yes

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Ashton Robinson - Yes  
Angela Thomas – Yes  
Charles Collinsworth – Yes  
Richard Davidson – Yes  
Tyler DeWitt – Yes  
*Motion carried.*

Mayor Doubek closed the meeting at 8:40 p.m.

The meeting reconvened in regular session at 9:05 p.m. and announced that one vote was taken.

**ADJOURN**

Mayor Doubek asked if there was any further business to come before Council, with no response, he asked for a motion to adjourn; a motion was made by Councilman Collinsworth; seconded by Councilwoman Robinson.

**Roll Call Vote:**

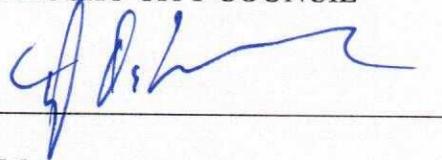
Julie Humphrey – Yes  
Ashton Robinson – Yes  
Angela Thomas – Yes  
Charles Collinsworth - Yes  
Richard Davidson – Yes  
Tyler DeWitt – Yes  
William Doubek - Yes  
*Motion carried.*

Mayor Doubek adjourned the regular session meeting at 9:06 p.m.

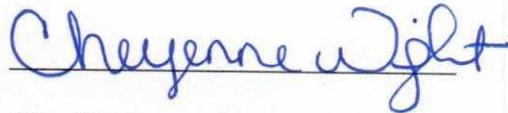
APPROVED

ATTEST

NEOSHO CITY COUNCIL



Mayor



City Clerk

