

MINUTES
NEOSHO CITY COUNCIL
April 19, 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

Mark Taylor 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:

April 5, 2022 Open Session Council Meeting Minutes

April 5, 2022 Closed Session Council Meeting Minutes

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

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

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

Councilman DeWitt 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.

UNFINISHED BUSINESS

Bill No. 2022-27: Updated New Employee Handbook

AN ORDINANCE adopting an employee handbook.

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

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

City Manager Kennedy addressed the Council stating that the purpose of this agenda item is to approve the updated new employee handbook, however staff would like to ask for the handbook, as presented, to be amended after speaking with the fire employees that were present on April 5, 2022. The recommendation for amendment is as follows:

- Under Section 4.14 Overtime/Compensatory Time...amend section (h) 4. Emergency, Public Safety-Fire Department 120 hours
- Under Section 5.03 Holidays.... amend section (g) to read, Public Safety personnel shall be allowed to accrue five (5) twelve (12) hour holidays for Police or twenty-four (24) hour holidays for Fire as “banked” time in lieu of pay. Banked holidays will not be eligible for payout. All other full-time employees who work a shift amount that is not specified here will be compensated for the holiday in the amount of their regular shift hours.

Councilman Davidson made a motion to amend Bill No. 2022-27: Updated New Employee Handbook with the following amendments per staff:

- Under Section 4.14 Overtime/Compensatory Time...amend section (h) 4. Emergency, Public Safety-Fire Department 120 hours
- Under Section 5.03 Holidays.... amend section (g) to read, Public Safety personnel shall be allowed to accrue five (5) twelve (12) hour holidays for Police or twenty-four (24) hour holidays for Fire as “banked” time in lieu of pay. Banked holidays will not be eligible for payout. All other full-time employees who work a shift amount that is not specified here will be compensated for the holiday in the amount of their regular shift hours.

Councilwoman Thomas seconded.

Roll Call Vote:

Richard Davidson – Yes

Tyler DeWitt – Yes

William Doubek - Yes

Julie Humphrey – Yes

Ashton Robinson – Yes

Angela Thomas – Yes

Charles Collinworth - Yes

Motion carried.

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Roll Call Vote to Approve Amended Bill No. 2022-27:

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

Bill No. 2022-28: Canvassing the returns of the Municipal Election for Council Member position held Tuesday, April 5, 2022, 1st, 2nd & 3rd Readings...UNDER EMERGENCY MEASURE

THE SAME BEING AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI, CANVASSING THE RETURNS OF THE MUNICIPAL ELECTION HELD TUESDAY, APRIL 5, 2022, SUBMITTING TO THE QUALIFIED VOTERS OF SAID CITY, CANDIDATES FOR THE OFFICE OF CITY COUNCIL MEMBER FOR WARD 4 AND AT LARGE AND DECLARING THE RESULTS THEREOF UNDER EMERGENCY MEASURE SO AS TO COMPLY WITH PROVISIONS OF THE CITY CHARTER.

Bill No. 2022-28 was read in title only by Attorney Paul.

Councilman Davidson made a motion to approve and discuss Bill No. 2022-28: Canvassing the returns of the Municipal Election for Council Member position held Tuesday, April 5, 2022, 1st, 2nd & 3rd Readings...UNDER EMERGENCY MEASURE; Councilman DeWitt seconded.

There was no discussion.

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. 2022-29: Canvassing the returns of the Municipal Election for the Use Tax for general revenue...held Tuesday, April 5, 2022, 1st, 2nd & 3rd Readings...UNDER EMERGENCY MEASURE

THE SAME BEING AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI, CANVASSING THE RETURNS OF THE MUNICIPAL ELECTION HELD TUESDAY, APRIL 5, 2022, SUBMITTING TO THE QUALIFIED VOTERS OF SAID CITY, TO IMPOSE A USE TAX FOR GENERAL REVENUE PURPOSES AT THE RATE OF THREE PERCENT (3.0%) AND DECLARING THE RESULTS THEREOF UNDER EMERGENCY MEASURE SO AS TO COMPLY WITH PROVISIONS OF THE CITY CHARTER.

Bill No. 2022-29 was read in title only by Attorney Paul.

Councilman Collinsworth made a motion to approve and discuss Bill No. 2022-29: Canvassing the returns of

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the Municipal Election for the Use Tax for general revenue...held Tuesday, April 5, 2022, 1st, 2nd & 3rd Readings...UNDER EMERGENCY MEASURE; Councilwoman Thomas seconded.

There was no discussion.

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. 2022-30: Canvassing the returns of the Municipal Election for the request to amend the City Charter Section 2.16 “Voting” for the City Council held Tuesday, April 5, 2022, 1st, 2nd & 3rd Readings...UNDER EMERGENCY MEASURE

THE SAME BEING AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI, CANVASSING THE RETURNS OF THE MUNICIPAL ELECTION HELD TUESDAY, APRIL 5, 2022, SUBMITTING TO THE QUALIFIED VOTERS OF SAID CITY, AN AMENDMENT TO THE CITY CHARTER, AMENDING SECTION 2.16 “VOTING AND DECLARING THE RESULTS THEREOF UNDER EMERGENCY MEASURE SO AS TO COMPLY WITH PROVISIONS OF THE CITY CHARTER.

Bill No. 2022-30 was read in title only by Attorney Paul.

Councilman Davidson made a motion to approve and discuss Bill No. 2022-30: Canvassing the returns of the Municipal Election for the request to amend the City Charter Section 2.16 “Voting” for the City Council held Tuesday, April 5, 2022, 1st, 2nd & 3rd Readings...UNDER EMERGENCY MEASURE; Councilman DeWitt seconded.

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.

PROCLAMATION

Proclamation for State Farm was read in its entirety by City Clerk Wright and presented to Julie Doubek representing State Farm.

Proclamation for William Doubek was read in its entirety by City Clerk Wright and presented to William Doubek by Mayor Pro Tempore Davidson.

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ADJOURN...SINE...DIE

Mayor Doubek asked for a motion to adjourn ...sine...die.

Councilman Davidson made a motion to adjourn...sine...die and Councilman Collinsworth seconded.

Roll Call Vote:

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

Mayor Doubek adjourned...sine...die

RECESS

The council meeting was in recess between 7:18 and 7:20.

ADMINISTER OATH OF OFFICE TO NEWLY ELECTED COUNCILMEN

Oath of Office

City Clerk Wright administered the oath of office to Carl Cobb, Ward 4, and Angela Thomas, At Large.

RECONVENED SESSION - NEOSHO CITY COUNCIL

City Clerk Wright reconvened the meeting at 7:20 p.m. with the following council members in attendance: Carl Cobb, Charles Collinsworth, Richard Davidson, Tyler DeWitt, Julie Humphrey, Ashton Robinson, and Angela Thomas.

ELECTION OF MAYOR

City Clerk Wright called for nominations for Mayor.

Councilman DeWitt was nominated for Mayor by Councilman Davidson.

City Clerk Wright asked if there were any further nominations for Mayor. There being none, the city clerk called the roll.

Roll call vote:

Carl Cobb – Yes
Charles Collinsworth – Yes
Richard Davidson - Yes
Tyler DeWitt – Yes

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

Councilman DeWitt was elected to the Mayor seat by acclamation of the Council.

ELECTION OF MAYOR PRO TEMPORE

Mayor DeWitt assumed the chair of Mayor and called for nominations for Mayor Pro Tempore.

Councilwoman Humphrey nominated Councilman Davidson.

Mayor DeWitt asked if there were any other nominations for the position of Mayor Pro Tempore. There being none, he called for a vote.

Roll call vote:

Charles Collinsworth – Yes
Richard Davidson - Yes
Tyler DeWitt – Yes
Julie Humphrey – Yes
Ashton Robinson - Yes
Angela Thomas – Yes
Carl Cobb – Yes
Motion carried.

Mayor DeWitt stated that Councilman Davidson has been elected to the Mayor Pro Tempore seat by acclamation of the Council.

VISITOR'S BUSINESS

There was no Visitor's Business.

BIDS

Day Cab Truck

Public Works Director Siler addressed the Council stating that the purpose of this agenda item is to seek approval of the purchase of a day cab truck for hauling the public works excavator. There were five bid packets sent out and three were received back.

Vander Haag's Inc.	NO BID
Rush Truck Center	\$59,650.00 (2016 International 462,146 miles)
	\$48,950.00 (2011 Mack Pinnacle 325,431 miles)
	\$54,950.00 (2016 Western Star 583,183 miles)
American Truck Centers	NO BID
TLG Peterbilt	\$59,950.00 (2014 Freightliner 338,153 miles)
MHC Kentworth	\$69,950.00 (2016 Freightliner 402,052 miles)

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It is staff's recommendation to approve the bid from Rush Truck Centers in the amount of \$59,650.00 for the 2016 International.

Councilman Collinsworth approved the bid as presented by staff; Councilman Davidson seconded.

Roll call vote:

Richard Davidson - Yes

Tyler DeWitt – Yes

Julie Humphrey – Yes

Ashton Robinson - Yes

Angela Thomas – Yes

Carl Cobb – Yes

Charles Collinsworth – Yes

Motion carried.

INTRODUCTION OF NEW ORDINANCES (1st Readings)

Public Hearing for Bill No. 2022-32 Rezoning of 600 East McKinney

Public Hearing opened at 7:26 p.m.

There was nobody present to speak.

Public Hearing closed at 7:27 p.m.

Bill No. 2022-32: Rezoning for 600 East McKinney

AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI, REZONING THE SOUTHEAST 40' X 50' OF THE BELOW DESCRIBED PROPERTY A PLOT OF LAND AT 600 E MCKINNEY STREET FROM R-3, APARTMENT HOUSE DISTRICT TO C-2, GENERAL BUSINESS DISTRICT, FOR THE PURPOSES OF HAVING A 4' X 8' ADVERTISING SIGN INSTALLED.

Bill No. 2022-32 was read in title only by Attorney Paul.

Councilman Collinsworth made a motion to approve and discuss Bill No. 2022-32: Rezoning for 600 East McKinney; Councilman Davidson seconded.

Development Services Director Leavens addressed the Council stating that the purpose of this agenda item is to seek Council approval of a rezoning of a portion of the property located at 600 E McKinney St from R-3 to C-2 for a 4X8 commercial advertising sign on the property.

Roll call vote:

Tyler DeWitt – Yes

Julie Humphrey – Yes

Ashton Robinson - Yes

Angela Thomas – Yes

Carl Cobb – Yes

Charles Collinsworth – Yes

Richard Davidson - Yes

Motion carried.

Bill No. 2022-09: Timber Ridge Construction Phase Engineering

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 contract administration and construction inspections of sanitary sewer improvements in Timber Ridge subdivision for the not to exceed price of Thirty-Eight Thousand and 00/100 Dollars (\$38,000.00); and authorizing the Mayor to execute the same by and on behalf of the City of Neosho.

Bill No. 2022-09 was read in title only by Attorney Paul.

Councilwoman Humphrey made a motion to approve and discuss Bill No. 2022-09: Timber Ridge Construction Phase Engineering; Councilwoman Thomas seconded.

City Manager Kennedy addressed the Council stating that the purpose of this agenda item is to contract with Allgeier, Martin and Associates to oversee the construction phase and inspections of the work conducted by Dirks Heavy Construction, LLC. This work is for the replacement of a sewer main in the Timber Ridge subdivision. This agreement oversees the construction, as well as inspection of the work being completed.

Roll call vote:

Julie Humphrey – Yes
Ashton Robinson - Yes
Angela Thomas – Yes
Carl Cobb – Yes
Charles Collinsworth – Yes
Richard Davidson - Yes
Tyler DeWitt – Yes

Motion carried.

Bill No. 2022-31: Holiday Classic Agreement with Branco Enterprises, Inc.

AN ORDINANCE authorizing the City of Neosho, Missouri, to enter into an Agreement with Branco Enterprises, Inc., a Missouri Corporation, for the purpose of promoting the Neosho Holiday Classic Tournament for the not to exceed price of Seven Thousand Five Hundred and 00/100 Dollars (\$7,500.00); and authorizing the Mayor to execute the same by and on behalf of the City of Neosho.

Bill No. 2022-31 was read in title only by Attorney Paul.

Councilwoman Robinson made a motion to approve and discuss Bill No. 2022-31: Holiday Classic Agreement with Branco Enterprises, Inc.; Councilman Collinsworth seconded.

City Manager Kennedy stated that this agenda item was brought back at the request of the City Council.

Roll call vote:

Ashton Robinson - Yes
Angela Thomas – Yes
Carl Cobb – Yes
Charles Collinsworth – Yes

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Richard Davidson - Yes
Tyler DeWitt – Yes
Julie Humphrey – Yes
Motion carried.

Bill No. 2022-33: Stronghold Data Agreement for Computers for Fire and Police

AN ORDINANCE authorizing the City of Neosho, Missouri, to enter into an Agreement with Stronghold Data, L.L.C., a Missouri Limited Liability Company, for the purpose of providing information technology products and services for the police and fire departments for the not to exceed price of One Hundred Seventy-Four Thousand Three Hundred Twenty and 26/100 Dollars (\$174,320.26); and authorizing the Mayor to execute the same by and on behalf of the City of Neosho.

Bill No. 2022-33 was read in title only by Attorney Paul.

Councilman Collinsworth made a motion to approve and discuss Bill No. 2022-33: Stronghold Data Agreement for Computers for Fire and Police; Councilwoman Humphrey seconded.

Police Chief Baird addressed the Council stating that the purpose of this agenda item is to approve the purchasing agreement for the purchase/install of fire and police department mobile computer software with Stronghold Data company.

Roll call vote:

Angela Thomas – Yes
Carl Cobb – Yes
Charles Collinsworth – Yes
Richard Davidson - Yes
Tyler DeWitt – Yes
Julie Humphrey – Yes
Ashton Robinson - Yes
Motion carried.

NEW BUSINESS

ARPA Funds

Finance Director Forest addressed the Council stating that the purpose of this agenda item is to request Council to provide guidance for the eligible use selection of the State and Local Fiscal Recovery Funds (SLFRF) received through the American Rescue Plan Act (ARPA or ACT)

Councilwoman Humphrey made a motion to approve the designation of ARPA funds under the standard allowance for lost revenue and expend the funds under the provision of government services; Councilman Cobb seconded.

Roll call vote:

Carl Cobb – Yes
Charles Collinsworth – Yes
Richard Davidson - Yes
Tyler DeWitt – Yes

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

Request Approval for Fireworks at Neosho Graduation

Fire Chief Houk addressed the Council stating that the purpose of this agenda item is to seek approval from Council to allow the Neosho School District to set off fireworks after the Neosho Graduation. These fireworks are Class C grade and are the same type of fireworks that can be purchased in a firework tent.

Councilman Davidson made a motion to approve the request from the Neosho School District for fireworks after the Neosho graduation; Councilman Cobb seconded.

Roll call vote:

Charles Collinsworth – Yes
Richard Davidson - Yes
Tyler DeWitt – Yes
Julie Humphrey – Yes
Ashton Robinson - Yes
Angela Thomas – Yes
Carl Cobb – Yes
Motion carried.

Fire Fighter Trainee Position and Program

Fire Chief Houk addressed the Council stating that he is requesting to be authorized to hire civilian personnel who wish to be firefighters and provide them with the training needed to become a firefighter. This individual would still have to pass all required tests and background investigations as a full-time employee. As it stands, the fire department only hires those that have the firefighter 1 & 2, hazmat awareness and operations, and emergency medical responder training certificates. There would be an agreement signed at the beginning of this process stating that the new employee must pay off the training within the first year and stay with the department for two consecutive years following the training in order to not be required to pay back any training costs.

Discussion was held with the Council and staff.

By a consensus of Council to move forward.

Police Trainee Program

Police Chief Baird stated that he would like to request the same type of program as the Fire Chief, however his would be more intensive due to what is required of police. Due to the nationwide decrease in police applicants, police departments have been forced to produce competitive means to gain prospective applicants to fill vacancies in the department. Producing a method for paying for the applicant's training and a competitive salary while attending the training will open the applicant pool possibilities. There would be an agreement signed at the beginning of this process stating that the new employee must pay off the training within the first year and stay with the department for two consecutive years following the training in order to not be required to pay back any training costs.

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Discussion was held with the Council and staff.

By a consensus of Council to move forward.

Golf Carts on City Streets

Dr. Kendall spoke before the Council asking for golf carts to be allowed on city streets. He drives his within his subdivision due to an illness that prohibits him from walking too far.

Police Chief Baird addressed the Council stating that on April 7th, 2022 the Traffic Commission unanimously approved allowing golf carts on city streets with some stipulations.

Discussion was held.

By a consensus of Council to bring back an ordinance to following Council Meeting.

Pre-Engineered Metal Building Materials

Public Works Director Siler addressed the Council stating that we had originally budgeted for a red iron building to be constructed at Public Works to store our equipment in. We recently had council approve of utilizing these funds for a used day cab truck due to the increase in building materials. After the purchase of the day cab truck, we have \$60,000 remaining in the budget. We recently received information on preowned pre-engineered metal building materials from Robertson Press Machinery in Joplin that was purchased in 2019. They are closing their business and no longer have a need for this building. Their asking price is \$50,000.00, which is well below current pricing for materials. However, this building has a 20 lb. per snow load and our code currently states 30 lb. snow load. However, our area is rated between a 15-20 per pound snow load. When the building codes were approved in 2019 as a whole, this was included in the code. The 30 lb. snow load is seen more so in Minnesota and your states that see more winter precipitation. Staff is requesting that Council approve the purchase of this building.

Discussion was held.

Councilman Davidson made a motion to approve the purchase of the metal building materials in the amount of \$50,000.00 under the stipulation that the change in snow loads would not affect insurance; Councilwoman Thomas seconded.

Roll call vote:

Richard Davidson - Yes

Tyler DeWitt – Yes

Julie Humphrey – Yes

Ashton Robinson - No

Angela Thomas – Yes

Carl Cobb – Yes

Charles Collinsworth – Yes

Motion carried.

Leak Detection Update

Public Works Director Siler addressed the Council stating that the purpose of this item is to update the Council

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and citizens on where the city is at, as far as water loss and leak detection. Last year the city approved the placement of master water meters downtown to narrow in on the water loss issues that have been plaguing the city for years. Staff is narrowing the area down and finding where the issues are lying. Anyone that would like to see the maps, are to contact the Public Works Director and set up a time to meet.

REPORT OF CITY OFFICERS

City Manager Kennedy stated that Freedom Church have been renting the Neosho Auditorium while the church is renovating their own facility. Freedom Church is donating their sound board and lighting to say thank you to the City of Neosho for the use of the Neosho Auditorium.

ADJOURN

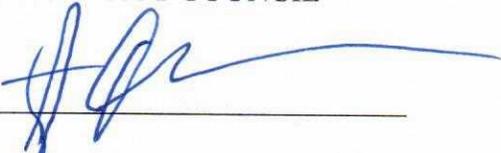
Mayor DeWitt asked if there was any further business to come before Council, with no response, he asked for a motion to adjourn; a motion was made by Councilman Cobb; seconded by Councilwoman Robinson.

Mayor DeWitt adjourned the regular session meeting at 8:45 p.m.

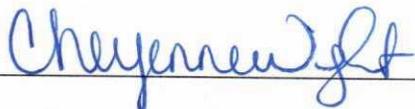
APPROVED

ATTEST

NEOSHO CITY COUNCIL



Mayor



City Clerk

