

MINUTES
NEOSHO CITY COUNCIL
January 5, 2021 – 7:00 p.m.
Neosho Council Chambers
203 E. Main St., Neosho, MO

OPEN & CALL TO ORDER

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

OPENING PRAYER & PLEDGE OF ALLEGIANCE

Councilman Doubek gave the opening prayer and Mayor Allen led the Pledge of Allegiance.

ROLL CALL

COUNCIL PRESENT:

Carmin Allen, Tyler DeWitt, Angela Thomas, William Doubek, and Tom Workman 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 Clerk.

APPROVAL AND CONSENT OF AGENDA
APPROVAL OF THE MINUTES

December 15, 2020 Open Session Minutes

Councilman Doubek made a motion to approve and consent the agenda and to approve the December 15, 2020 Council Minutes; Councilman DeWitt seconded.

Roll call vote:

Carmin Allen – Yes

Tyler DeWitt - Yes

William Doubek – Yes

Angela Thomas – Yes

Tom Workman – Yes

Motion carried.

UNFINISHED BUSINESS

Bill No. 2020-1012 Amending C-2 General Business District

Bill No. 2020-1012 was read in title only by Attorney Paul.

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AN ORDINANCE AMENDING CHAPTER 405 ZONING REGULATIONS, ARTICLE II DISTRICT REGULATIONS, BY REPEALING SECTION 405.120 DISTRICT “C-2” GENERAL BUSINESS DISTRICT AND ENACTING A NEW SECTION 405.120 DISTRICT “C-2” GENERAL BUSINESS DISTRICT.

City Manager Kennedy addressed Council stating that the purpose of this Ordinance is to repeal the current C-2 classification under the 405-zoning code and replace with Bill No. 2020-1012. The Planning and Zoning Commission met on November 10, 2020 at 6 p.m. to discuss this request. They voted to recommend this change.

Councilman Doubek made a motion to approve Bill No. 2020-1012 Amending C-2 General Business District; Councilwoman Thomas seconded.

Roll call vote:

Tyler DeWitt - Yes
William Doubek – Yes
Angela Thomas – Yes
Tom Workman – Yes
Carmin Allen – Yes

Motion carried.

Bill No. 2020-1018 Amending C-3 Commercial Business District

AN ORDINANCE AMENDING CHAPTER 405 ZONING REGULATIONS, ARTICLE II DISTRICT REGULATIONS, BY REPEALING SECTION 405.130 DISTRICT “C-3” COMMERCIAL BUSINESS DISTRICT AND ENACTING A NEW SECTION 405.130 DISTRICT “C-3” COMMERCIAL BUSINESS DISTRICT.

Bill No. 2020-1018 was read in title only by Attorney Paul.

City Manager Kennedy addressed Council stating that the purpose of this Ordinance is to repeal the current C-3 classification under the 405-zoning code and replace with Bill No. 2020-1018. The Planning and Zoning Commission met on November 10, 2020 at 6 p.m. to discuss this request. They voted to recommend this change.

Councilman Doubek made a motion to approve Bill No. 2020-1018 Amending C-3 Commercial Business District; Councilman Workman seconded.

Roll call vote:

William Doubek – Yes
Angela Thomas – Yes
Tom Workman – Yes
Carmin Allen – Yes
Tyler DeWitt - Yes

Motion carried.

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Bill No. 2020-1030 Rezoning Request for Taylor Asset Management Cash/Garland Douglas

AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI, REZONING THE BELOW DESCRIBED PROPERTY, , NEOSHO, NEWTON COUNTY, MISSOURI, FROM R-1, FIRST DWELLING HOUSE DISTRICT, TO R-2, SECOND DWELLING HOUSE DISTRICT, AS PETITIONED BY TAYLER ASSET MANAGEMENT.

Bill No. 2020-1030 was read in title only by Attorney Paul.

Economic Development Director Holcomb addressed Council stating that this rezoning request went before the Planning and Zoning Commission on November 10, 2020 at 6 p.m. The commission voted not to recommend this rezoning.

Councilman Workman made a motion to approve Bill No. 2020-1030 Rezoning Request for Taylor Asset Management Cash/Garland Douglas; Councilman DeWitt seconded.

Roll call vote:

Angela Thomas – Yes
Tom Workman – Yes
Carmin Allen – Yes
Tyler DeWitt - Yes
William Doubek – Yes

Motion carried.

Bill No. 2020-1031 Request for Annexation of 1062 Baxter Street for James and Rhonda Ely

AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI, ANNEXING THE BELOW DESCRIBED PROPERTY LOCATED IN NEOSHO, NEWTON COUNTY, MISSOURI ALL OF WHICH IS CONTIGUOUS WITH THE CITY OF NEOSHO, AS PETITIONED BY JAMES AND RHONDA ELY, UNDER ZONING DISTRICT R-1, FIRST DWELLING HOUSE DISTRICT CLASSIFICATION.

Bill No. 2020-1031 was read in title only by Attorney Paul.

Economic Development Director Holcomb addressed Council stating that this is a request to annex property at 1062 Baxter Street into the City Limits. The Planning and Zoning Commission met on November 10, 2020 at 6 p.m. to discuss this request. They voted to recommend this annexation as presented.

Councilman Workman made a motion to approve Bill No. 2020-1031 Request for Annexation of 1062 Baxter Street for James and Rhonda Ely; Councilman DeWitt seconded.

Roll call vote:

Tom Workman – Yes
Carmin Allen – Yes
Tyler DeWitt - Yes
William Doubek – Yes
Angela Thomas – Yes

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Motion carried.

Bill No. 2020-1032 Request for Annexation of 18732 Hwy 59 South for Elaine Walker Trust

AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI, ANNEXING THE BELOW DESCRIBED PROPERTY LOCATED IN NEOSHO, NEWTON COUNTY, MISSOURI ALL OF WHICH IS CONTIGUOUS WITH THE CITY OF NEOSHO, AS PETITIONED BY ELAINE WALKER TRUST, UNDER ZONING DISTRICT C-3, COMMERCIAL BUSINESS DISTRICT CLASSIFICATION.

Bill No. 2020-1032 was read in title only by Attorney Paul.

Economic Development Director Holcomb addressed Council stating that this is a request to annex property at 18732 Hwy 59 South into the City Limits. The Planning and Zoning Commission met on November 10, 2020 at 6 p.m. to discuss this request. They voted to recommend this annexation as presented.

Councilman Workman made a motion to approve Bill No. 2020-1032 Request for Annexation of 18732 Hwy 59 South for Elaine Walker Trust; Councilman DeWitt seconded.

Roll call vote:

Carmin Allen – Yes
Tyler DeWitt - Yes
William Doubek – Yes
Angela Thomas – Yes
Tom Workman – Yes

Motion carried.

Bill No. 2020-1036 Empire Electric Easement Relocation Request

AN ORDINANCE authorizing the City of Neosho, Missouri, to grant an easement to Liberty Utilities Services Corp., an Arizona Corporation, for the purpose of constructing and maintaining improvements for electric service on certain property located in Section 16, Township 24, Range 32, Newton County, Missouri; and authorizing the Mayor to execute the same by and on behalf of the City of Neosho.

Bill No. 2020-1036 was read in title only by Attorney Paul.

City Manager Kennedy addressed Council stating that this is to relocate and an easement on City Property located at 675 Radio Road. Empire Electric currently has an easement located at the above address and they are requesting to relocate the current easement to go around our lagoon. It currently goes over the middle of the lagoon and they wish to have it moved.

Councilman Workman made a motion to approve Bill No. 2020-1036 Empire Electric Easement Relocation Request; Councilman Doubek seconded.

Roll call vote:

Tyler DeWitt - Yes
William Doubek – Yes

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Angela Thomas – Yes
Tom Workman – Yes
Carmin Allen – Yes

Motion carried.

NEW BUSINESS

Bill No. 2021- 01: Branco Agreement for the Golf Course Restroom Project

AN ORDINANCE authorizing the City of Neosho to enter into an Agreement with Branco Enterprises, Inc., a Missouri Corporation, for the purpose of making improvements at the Neosho Municipal Golf Course for the not to exceed price of Seventy-Five Thousand and 00/100 Dollars (\$75,000.00); and authorizing the Mayor to execute the same by and on behalf of the City of Neosho.

Bill No. 2021-01 was read in title only by Attorney Paul.

Clint Dalbom, Parks/Recreation and Golf Course Director addressed Council stating that this is to approve the contract with Branco INC of Neosho to move forward with the improvement of existing bathrooms on the Neosho Golf Course and bring them up to ADA standards and to also construct a new ADA restroom on the south edge of the golf course. The bids for the restroom improvements were brought to Council on December 1st, 2020. Council approved the bid from Branco, INC of Neosho for that project.

Staff recommends Council approving the bid for the bathrooms and to allow staff to move forward with this project once final reading is done.

Councilman Doubek made a motion to approve Bill No. 2021-01 Agreement with Branco Enterprises for the Restoration and Build of Bathrooms at the Neosho Golf Course; Councilwoman Thomas seconded.

Roll call vote:

William Doubek – Yes
Angela Thomas – Yes
Tom Workman – Yes
Carmin Allen – Yes
Tyler DeWitt – Yes

Motion carried.

Bill No. 2021- 02: Newton County Central Dispatch Contract

AN ORDINANCE authorizing the City of Neosho, Missouri, to enter into an Agreement with the County of Newton, Missouri, for the purpose of providing dispatch services; and authorizing the Mayor to execute the same by and on behalf of the City of Neosho.

Bill No. 2021-02 was read in title only by Attorney Paul.

Jason Baird, Neosho Police Chief, addressed Council stating that the purpose of this agenda item is to provide dispatching and answering services for the City of Neosho including all related computer networking interfacing with State and Federal services. We have contracted with Central Dispatch since 1995 for the complete service

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allowing us to be free of the expense and management of equipment and staffing to provide this valuable service.

Councilman Doubek made a motion to approve Bill No. 2021-02 Newton County Central Dispatch Contract; Councilman Workman seconded.

Roll call vote:

Angela Thomas – Yes

Tom Workman – Yes

Carmin Allen – Yes

Tyler DeWitt – Yes

William Doubek – Yes

Motion carried.

Bill No. 2021- 03: Special Obligation Refunding Bonds Bond Documents

Bill No. 2021-03 was read in title only by Attorney Paul.

Daphne Pevahouse, Director of Finance, addressed Council stating that the purpose of this item is to authorize the issuance of the Special Obligation Refunding Bonds Series 2021. The City has two outstanding debt obligations that can be prepaid beginning April 2021:

- Series 2013 Special Obligation Bonds, outstanding in the amount of \$1.83 million with an average interest rate of 3.17%
- Series 2014 Certificates of Participation, outstanding in the amount of \$1.84 million with an average interest rate of 3.10%
- Both series of securities have final maturities in 2027. At current bond market interest rate levels, the City could save approximately \$160,000 total 2021-2027 by refinancing the two series of obligations.
- \$90,000 by refinancing the Series 2013 Special Obligation Bonds
- \$70,000 by refinancing the Series 2014 Certificates of Participation

Councilman Doubek made a motion to approve Bill No. 2021-03 Special Obligation Refunding Bond, Series 2021; Councilwoman Thomas seconded.

Roll call vote:

Tom Workman – Yes

Carmin Allen – Yes

Tyler DeWitt – Yes

William Doubek – Yes

Angela Thomas – Yes

Motion carried.

Liberty Utilities Amendment to the Contract

Nate Siler, Public Works Director, addressed Council stating that these two items are to ask for Council to approve the amendment to the Liberty Utilities Contract. This installation was done back in July of 2019 for a nonworking light along High Street and on Hearell Avenue. The monthly increase for the light at High Street would be \$1.12

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and the increase for the light at Hearell would be \$1.02.

Councilman Doubek made a motion to approve amendments to the Liberty Utilities Contract and authorize the Mayor to sign; Councilman DeWitt seconded.

Roll call vote:

Carmin Allen – Yes
Tyler DeWitt – Yes
William Doubek – Yes
Angela Thomas – Yes
Tom Workman – Yes

Motion carried.

4-Way Stop Request at Skyline Drive and Northwest Blvd.

Police Chief Baird addressed Council stating that the purpose of this agenda item is to get a 2-way stop intersection at Skyline Drive and Northwest Boulevard transformed into a 4-way stop intersection. On December 7th, 2020, Jamie and Crystal Franklin came to the traffic commission to request a 2-way intersection, located at Skyline Drive and Northwest Boulevard be transformed into a 4-way stop intersection. The Franklins stated a lot of younger people have moved into the neighborhood with children and they fear for their safety. When you pull up to the stop sign, going north on Skyline, you almost have to pull out in the middle of the roadway to see if anything is coming. The Franklins' had previously contacted Neosho Public Works Director, Nate Siler on the issue who went to the location to investigate. Mr. Siler confirmed when you pull up to the intersection, you indeed must pull out to the middle of the road to see around a (legally installed) wooden fence near this intersection and recommended to the commission we vote in favor of this request. There has only been one traffic accident recorded at this location in the last 20 years. It is the Traffic Commission's recommendation to allow public works to transform this intersection into a four way stop.

Councilman Workman made a motion to approve a 4-Way Stop Sign at Skyline Drive and Northwest Boulevard; Mayor Allen seconded.

Roll call vote:

Tyler DeWitt – Yes
William Doubek – Yes
Angela Thomas – Yes
Tom Workman – Yes
Carmin Allen – Yes

Motion carried.

Helicopter

City Manager Kennedy addressed the Council stating that the purpose of this agenda item is to get direction from Council on where they would like to see the Helicopter placed. The helicopter has been at Morse Park for many years, but due to vandalism, the City would like to see it placed in a safer location. As a part of this year's annual budget, funds were set aside to renovate the Helicopter that had been placed in Morse Park. Since being placed, the Helicopter has sustained significant damage due to vandalism. The VFW Post 4142 and the Neosho Exchange Club voiced interest from both organizations for placement on their properties. Also, during

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this meeting, after both entities spoke to Council, the Neosho Exchange Club requested to be removed from consideration as they were unaware the VFW had been lobbying for several years for the helicopter to be placed at their facility.

Discussion was held among the Council.

Mayor Allen made a motion to have the Helicopter placed at the Neosho VFW Post 4142; Councilman Doubek seconded.

Roll call vote:

William Doubek – Yes

Angela Thomas – Yes

Tom Workman – Yes

Carmin Allen – Yes

Tyler DeWitt – Yes

Motion carried.

TDD Election

City Manager Kennedy addressed the Council stating that the purpose of this agenda item is to get guidance from Council on voting in the Special Election beginning January 25th, to January 29th, 2021. The Neosho TDD District has requested a special election for two projects within the TDD District. In cooperation with the Neosho School District the TDD is requesting a project on Kodiak Road from Waldo Hatler Memorial Drive to Maple Drive. These improvements are for asphalt overlay, curb and gutter and stormwater improvements. Also, in cooperation with MoDOT at the intersection of Highway 60 and Business I-49/Highway 59 to replace the deteriorating asphalt medians.

Discussion was held among the Council. By a consensus of the Council to vote yes on both projects.

Councilman Workman made a motion to have the City Manager vote yes on both projects; Councilman Doubek seconded.

Roll call vote:

Angela Thomas – Yes

Tom Workman – Yes

Carmin Allen – Yes

Tyler DeWitt – Yes

William Doubek – Yes

Motion carried.

YMCA Soccer Discussion

Parks & Golf Director Dalbom addressed Council stating the purpose of this agenda item is to seek guidance from Council on whether they would like to partner with the YMCA on the soccer program the City normally puts on in the Spring and Fall. The Tri-State YMCA has made a proposal to partner with the City of Neosho in the operation of the Soccer Program. This appears to be an opportunity for the City of Neosho to further streamline operations and free up employee workloads as it pertains to running the soccer program. The Parks

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Crew would still be responsible for the maintenance of the fields, goals, and grounds. Tri-State YMCA would facilitate all aspects of youth soccer, including wage cost to deliver youth soccer, receive all revenue from entry fees and secure donations to help support the program. Tri-State YMCA will provide referees, staff, coaches and always provide for staff to be on-site during games.

Discussion was held among the Council.

Councilman Workman asked about an increase in rates.

Dalbom stated that the fees would stay the same, unless you were a YMCA member then you would get a discount. The YMCA will also be offering financial assistance programs.

Councilman Workman made a motion to approve partnering with the Tri-State YMCA for the City Soccer Program; Councilman Doubek seconded.

Roll call vote:

Tom Workman – Yes

Carmin Allen – Yes

Tyler DeWitt – Yes

William Doubek – Yes

Angela Thomas – Yes

Motion carried.

Use Tax Discussion

City Manager Kennedy stated that the Council had requested the Use Tax to be put on the next election in April. The deadline for filing for that election is January 26th, so staff would like to know if Council still desires this to be placed on the April ballot.

Discussion was held among the Council.

By a consensus of the Council, Council agrees to put the Use Tax onto the April ballot.

Attorney Paul stated that he would bring ballot language for the Use Tax to be placed onto the April ballot to the January 19th Council Meeting.

Alliance Water Resources Renewal Discussion

City Manager Kennedy stated that during the budget sessions, Council requested that money be placed into the Water Filtration/Wastewater budget for staff in the event the City goes out for bid for these services or decides whether to bring it back in house.

Mayor Allen stated that he would like to see the City take this back over.

Councilman Workman stated that we do need to take into consideration that these positions will be higher due to the DNR standards being different than when the City ran the facility, and this will increase their salary.

Shawn Middendorf, with Alliance Water Resources, addressed Council stating that the liability is also taken off

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the City's shoulders and placed on Alliance Water Resources. We also have more access to experts since this is the field, we work in.

Council requested Staff to bring numbers showing the City taking over the facilities verses Alliance Water Resources or another company continuing to run this facility.

APPOINTMENTS AND VACANCIES

1. Events Board (3 Vacancies for Resident; 3 Vacancies for County)

- Paul Richardson submitted a letter of interest.
- Lynn Otey submitted a letter of interest.
- Janet Penn submitted a letter of interest.
- Kathi Pellegrin submitted a letter of interest.

Motion was made by Mayor Allen to appoint Lynn Otey and Kathi Pelligrin to the Events Board under the Residents position; Councilman DeWitt seconded.

Roll call vote:

Carmin Allen – Yes
Tyler DeWitt – Yes
William Doubek – Yes
Angela Thomas – Yes
Tom Workman – Yes

Motion carried.

Motion was made by Councilwoman Thomas to appoint Janet Penn to a County position on the Events Board; Councilman Workman seconded.

Roll call vote:

Tyler DeWitt – Yes
William Doubek – Yes
Angela Thomas – Yes
Tom Workman – Yes
Carmin Allen – Yes

Motion carried.

Discussion was held among Council and City Attorney Paul on whether to appoint Paul Richardson due to him contracting with the City on running the Events.

Due to this being a conflict of interest at this time, Paul Richardson was not appointed to the board.

2. Golf Course Board (1 Vacancy for Resident)

- Ask for the Removal of Chris Yokely due to missing more than three meetings of the Board
- Letter of Interest from Richard Clemons
- Letter of Interest from Mike Swartz

Golf Course Director Dalbom stated to Council that he would like to see Chris Yokely removed from the board

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due to missing more than three meetings. Dalbom stated that he has been over the Golf Course for eight months now and has not seen him at a single meeting.

City Clerk Wright stated that she has contacted Chris Yokely in the past to find out why he has missed meetings and various reasons were given.

Mayor Allen made a motion to remove Chris Yokely from the Golf Course Board; Councilman Doubek seconded.

Roll call vote:

William Doubek – Yes
Angela Thomas – Yes
Tom Workman – Yes
Carmin Allen – Yes
Tyler DeWitt – Yes

Motion carried.

Mayor Allen made a motion to appoint Richard Clemons to the position of County Resident that is now vacant due to Chris Yokely's removal; Councilman Workman seconded.

Roll call vote:

Angela Thomas – Yes
Tom Workman – Yes
Carmin Allen – Yes
Tyler DeWitt – Yes
William Doubek – Yes

Motion carried.

Mayor Allen made a motion to appoint Mike Swartz to the Resident position vacancy; Councilman Workman seconded.

Roll call vote:

Tom Workman – Yes
Carmin Allen – Yes
Tyler DeWitt – Yes
William Doubek – Yes
Angela Thomas – Yes

Motion carried.

3. Parks and Recreation Board (2 Vacancies for Resident; 1 Vacancy for City Limits/County)

- Letter of Resignation from Angie Leach
- Letter of Resignation from Michael Selgeby
- Letter of Interest from Jeremy Fregia-Neosho Resident
- Letter of Interest from Brent Scott-Neosho Resident
- Letter of Interest from Doug Addy-Newton County Resident

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- Letter of Interest from Joe Birner

Councilman DeWitt made a motion to accept the letters of resignation from Angie Leach and Michael Selgeby; Councilman Workman seconded.

Roll call vote:

Carmin Allen – Yes
Tyler DeWitt – Yes
William Doubek – Yes
Angela Thomas – Yes
Tom Workman – Yes

Motion carried.

Councilman Workman made a motion to appoint Doug Addy to the County Resident position; Councilman DeWitt seconded.

Roll call vote:

Tyler DeWitt – Yes
William Doubek – Yes
Angela Thomas – Yes
Tom Workman – Yes
Carmin Allen – Yes

Motion carried.

Councilman Doubek made a motion to appoint Jeremy Fregia and Brent Scott to the Resident positions on the board; Councilman DeWitt seconded.

Roll call vote:

William Doubek – Yes
Angela Thomas – Yes
Tom Workman – Yes
Carmin Allen – Yes
Tyler DeWitt – Yes

Motion carried.

REPORT OF CITY OFFICERS

CLOSED SESSION

There being no further business, Mayor Allen asked for a motion to close the meeting pursuant to:

1. Section 610.021 (2) RSMo...Leasing, purchasing, or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration, therefore.

Councilman Doubek made a motion to go into closed; Councilman DeWitt seconded.

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Roll call vote:

Angela Thomas – Yes
Tom Workman – Yes
Carmin Allen – Yes
Tyler DeWitt – Yes
William Doubek – Yes

Motion carried.

Mayor Allen closed the meeting at 7:53 p.m.

The meeting reconvened in regular session at 8:20 p.m. and announced that no votes were taken.

ADJOURN

Mayor Allen 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 Councilwoman Thomas; seconded by Councilman Doubek.

Roll call vote:

Tom Workman – Yes
Carmin Allen – Yes
Tyler DeWitt – Yes
William Doubek – Yes
Angela Thomas – Yes

Motion carried.

Mayor Allen adjourned the regular session meeting at 8:22 p.m.

APPROVED

ATTEST

NEOSHO CITY COUNCIL

Mayor

City Clerk