

MINUTES
REGULAR SESSION CITY COUNCIL MINUTES
120 S. Ash
City Council Chambers
Tuesday, November 19, 2019
7:00 p.m.

NOTICE OF MEETING

A regular session of the City Council of Nevada, Missouri was posted pursuant to Section 2-6 and Section 2-7 of the City Code and RSMo., Chapter 610.021 with a tentative agenda on Friday, November 15, 2019 at 4:30 p.m.

CALL TO ORDER

A regular session of the City Council of Nevada, Missouri was held on Tuesday, November 19, 2019 pursuant to Section 2-6 and 2-7 of the City Code and Section 3.11 of the City Charter.

Mayor Knox called the meeting to order at 7:00 p.m., followed by the Pledge of Allegiance.

INVOCATION

Gary Almquist gave the invocation.

ROLL CALL

The following Council members were present for roll call:

Present: Lyndon Eberhard; Carol Gallagher; George Knox; Brian Leonard;
Ryan Watts

Absent: None

Staff present: JD Kehrman, City Manager; Wm. G. McCaffree, City Attorney; Kristie Modlin, Treasurer; Johnna Williams, Deputy City Clerk; Mark Mitchell, CIO; Casey Crain, Chief of Police; William Thornton, Fire Chief; Randy Marti, Administrative Service Director; Sharon Kegler, Human Resources Director; Kevin Crump, Park & Recreation Director; Wayne Brown, Construction Specialist; Dan Scherer, Alliance Water Resources; Tera McFarland, Recreation Services Manager.

PROCLAMATIONS

Mayor Knox presented the Nevada Rotary Citizen of the Year Proclamation to Jason Meisenheimer.

APPROVAL OF MINUTES

Councilperson Watts moved to accept the November 5, 2019 special session City Council minutes as written. Councilperson Leonard provided the second. The motion was duly considered and passed unanimously.

Councilperson Watts moved to accept the November 5, 2019 regular session City Council minutes as written. Councilperson Gallagher provided the second. The motion was duly considered and passed unanimously.

Councilperson Eberhard moved to accept the November 14, 2019 special session City Council minutes as written. Councilperson Watts provided the second. The motion was duly considered and passed unanimously.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Mayor Knox presented Ron Chandler for re-appointment to the NRMCM Board.

Councilperson Eberhard moved to re-appoint Ron Chandler to the NRMCM Board, this will be Mr. Chandler's second term, expiring 12/2022. Councilperson Gallagher provided the second. The motion was duly considered and unanimously passed.

Next, Mayor Knox presented Wayne Reinert for re-appointment to the NRMCM Board.

Councilperson Eberhard moved to re-appoint Wayne Reinert to the NRMCM Board, this will be Mr. Reinert's second term, expiring 12/2022. Councilperson Gallagher provided the second. The motion was duly considered and unanimously passed.

CONSIDERATION OF BIDS

Then, consideration of Bid No. 2019-24 2020 Rock – Public Works.

Councilperson Gallagher moved to approve the bid from Ash Grove Aggregates for a not to exceed amount of \$160,625.00. Councilperson Watts provided the second. The motion was duly considered and passed by the following vote:

Aye: Eberhard; Gallagher; Knox; Leonard; Watts

Nay: None

Absent: None

The next bid to be considered was Bid No. 2019-25 2020 Concrete – Public Works.

Councilperson Watts moved to approve the bid from Nevada Concrete for a not to exceed amount of \$120,325.00. Councilperson Eberhard provided the second. The motion was duly considered and passed by the following vote:

Aye: Gallagher; Knox; Leonard; Watts; Eberhard

Nay: None

Absent: None

Next, consideration of Bid No. 2019-26 Fuel – Public Works.

Councilperson Eberhard moved to approve the bid from MFA Oil Company for \$.05 off the posted price for bulk fuel and \$.03 off the posted price for automotive fuel. Councilperson Watts provided the second. The motion was duly considered and passed by the following vote:

Aye: Knox; Leonard; Watts; Eberhard; Gallagher

Nay: None

Absent: None

Then, consideration of Bid No. 2019-29 Water Treatment Plant Generator Preventative Maintenance – Alliance.

Councilperson Gallagher moved to approve the bid from Cummins Sales and Service in the amount of \$8,802.51 for generator preventative maintenance and repair. Councilperson Leonard provided the second. The motion was duly considered and passed by the following vote:

Aye: Leonard; Watts; Eberhard; Gallagher; Knox

Nay: None

Absent: None

Next was consideration of Bid No. 2019-30 Sewer Line CCTV Service and Mobilization – Alliance.

Councilperson Watts moved to approve the bid from Mayer Specialty Services LLC in the amount of \$23,349.80 for the west interceptor video inspection and mobilization. Councilperson Eberhard provided the second. The motion was duly considered and passed by the following vote:

Aye: Watts; Eberhard; Gallagher; Knox; Leonard

Nay: None

Absent: None

PUBLIC PARTICIPATION FROM THOSE REGISTERED WITH THE CITY CLERK

Bob Hawks, 1017 S. Adams, representing the Griffons spoke concerning applying for tourism funds for 2020 budget.

COMMUNICATIONS AND PETITIONS

Fire Chief Bill Thornton presented Tristan McIntosh and Tyler Janes for promotional pinning.

OLD BUSINESS

Next to be considered was Bill No. 2019-042 Accepting the bid and authorizing the execution of an Agreement with Cash's Quality Electric, Inc. for the Earp Park Electrical Upgrades.

Councilperson Eberhard moved to place Bill No. 2019-042 on second reading by title only. Councilperson Watts provided the second. The motion was duly considered and passed by the following vote:

Aye: Eberhard; Gallagher; Knox; Leonard; Watts

Nay: None

Absent: None

The Mayor declared Bill No. 2019-042 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 8290 and was signed by the Mayor and attested by the City Clerk. The Mayor directed said Ordinance be engrossed upon the corporate records.

Next to be considered was Bill No. 2019-043 Accepting the bid and authorizing the execution of an Agreement with Waste Corporation of Missouri, LLC of Joplin, Missouri.

Councilperson Eberhard moved to place Bill No. 2019-043 on second reading by title only. Councilperson Gallagher provided the second. The motion was duly considered and passed by the following vote:

Aye: Gallagher; Knox; Leonard; Watts; Eberhard

Nay: None

Absent: None

The Mayor declared Bill No. 2019-043 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 8291 and was signed by the Mayor and attested by the City Clerk. The Mayor directed said Ordinance be engrossed upon the corporate records.

NEW BUSINESS

Then, Consideration of Bill No. 2019-045 Authorizing the execution of an Agreement with Dock Dogs, Inc for a Special Event scheduled on October 3, 2020.

Councilperson Watts moved to place Bill No. 2019-045 on first reading by title only. Councilperson Gallagher provided the second. Discussion followed and Councilperson Gallagher made a motion to postpone this item until after the 2020 budget has been approved. Councilperson Eberhard seconded the motion. The motion was duly considered and passed by the following vote:

Aye: Knox; Leonard; Watts; Eberhard; Gallagher
Nay: None
Absent: None

Next to be considered Bill No. 2019-046 Authorizing the execution of an Agreement with DLW Timberworks Lumberjack Show for a Special Event scheduled on October 3, 2020.

Councilperson Leonard moved to postpone Bill No. 2019-046 until after the 2020 budget has been approved. Councilperson Eberhard provided the second. The motion was duly considered and passed by the following vote:

Aye: Leonard; Watts; Eberhard; Gallagher; Knox;
Nay: None
Absent: None

Next to be considered Bill No. 2019-047 Authorizing Payments for Flood Mitigation Projects.

Councilperson Eberhard moved to place Bill No. 2019-047 on first reading by title only. Councilperson Watts provided the second. The motion was duly considered and passed by the following vote:

Aye: Watts; Eberhard; Gallagher; Knox; Leonard

Nay: None

Absent: None

Next to be considered was Resolution No. 1546 Authorizing a Waiver of Section 19-123 of the Code of the City of Nevada, Missouri to Permit Parking during a Promotion Event to be held December 2-7, 2019.

Councilperson Gallagher moved to approve Resolution No. 1546, seconded by Councilperson Eberhard. The motion was duly considered and passed unanimously.

REPORTS

Monthly Department Reports

The following reports were reviewed and are on file in the City Clerk's Office:

- i. Municipal Court – October
- ii. Fire Department – October
- iii. Animal Control – October
- iv. Police Department – October
- v. Alliance Water Resources – October
- vi. Finance – October
 - i. Business License – October

Boards and Commissions Written Minutes/Reports

There were none.

Mayor's Report

There was none.

City Manager's Report

There was none.

MISCELLANEOUS MATTERS

Councilperson Leonard spoke in opposition of how the decision to close the golf course was made, also disagrees that the golf course should close from November to March. Needs more up to date info on website and would like to have golf advisory committee.

EXECUTIVE SESSION

The City Manager Requests an Executive Session for Reasons in Accordance with Section 610.021 RSMo., Subparagraph (3) Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded.

Councilperson Eberhard moved to go into executive session for reasons in accordance with Section 610.021 RSMo., Subparagraph (3) Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded, after a five-minute recess. The second was provided by Councilperson Gallagher.

The motion was duly considered and passed by the following vote:

Aye: Eberhard; Gallagher; Knox; Leonard; Watts

Nay: None

Absent: None

An executive session of the City Council of the City of Nevada, Missouri was held in the City Council Chambers, 120 S. Ash, Nevada, Missouri, beginning at 7:51 p.m.

Present: Eberhard; Gallagher; Knox; Leonard; Watts

Absent: None

Staff present: JD Kehrman, City Manager; Wm. G. McCaffree, City Attorney; Johnna Williams, Deputy City Clerk; Kristie Modlin, City Treasurer; Sharon Kegler, Human Resources Director.

Discussion was limited to Section 610.021 RSMo., Subparagraph (3) Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded.

Councilperson Gallagher moved to adjourn the executive session and move back into regular session. The second was provided by Councilperson Eberhard. The motion was duly considered and passed by the following vote:

Aye: Gallagher; Knox; Leonard; Watts; Eberhard

Nay: None

Absent: None

Executive session adjourned at 8:18 p.m.

Thereupon Bill No. 2019-048 Accepting a Contract and Authorizing Payment was submitted for consideration as an emergency ordinance, as provided in said Bill.

Councilperson Leonard moved to place Bill No. 2019-048 on first reading.
Councilperson Watts provided the second.

Thereupon the Bill was duly considered, read by title only, and passed by the following vote:

Aye: Knox; Leonard; Watts; Eberhard; Gallagher

Nay: None

Absent: None

Thereupon, Councilperson Eberhard moved to place Bill No. 2019-048 on second reading as an emergency ordinance, as provided in said Bill. Councilperson Gallagher provided the second.

The Bill was thereupon duly considered, ready by title only, and passed by the following vote:

Aye: Leonard; Watts; Eberhard; Gallagher; Knox

Nay: None

Absent: None

Thereupon the Mayor declared Bill No. 2019-048 duly passed, approved and adopted. The Bill was numbered Ordinance No. 8292 and signed by the Mayor and attested by the City Clerk. The Mayor directed said Ordinance be engrossed upon the corporate records.

Thereupon, Councilperson Leonard made a motion to appoint Mark Mitchell as Interim City Manager effective January 1, 2020 with a salary of \$65,000. The second was provided by Councilperson Eberhard. The motion was duly considered and passed by the following vote:

Aye: Watts; Eberhard; Gallagher; Knox; Leonard

Nay: None

Absent: None

ADJOURNMENT

With no further business to come before City Council, Mayor Knox asked for a motion to adjourn.

Councilperson Gallagher moved to adjourn the regular session of City Council. Councilperson Leonard provided the second. The motion was duly considered and passed by the following vote:

Aye: Eberhard; Gallagher; Knox; Leonard; Watts

Nay: None

Absent: None

The meeting adjourned at 8:35 p.m.

Johnna Williams, Deputy City Clerk

(seal)
ATTEST:

George Knox, Mayor

Johnna Williams, Deputy City Clerk