

MINUTES
REGULAR SESSION CITY COUNCIL MINUTES
120 S. Ash
City Council Chambers
Tuesday, January 21, 2020
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 Thursday, January 16, 2020 at 4:30 p.m.

CALL TO ORDER

A regular session of the City Council of Nevada, Missouri was held on Tuesday, January 21, 2020 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

Councilperson Brian Leonard gave the invocation.

ROLL CALL

The following Council members were present for roll call:

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

Absent: Ryan Watts

Mayor Knox excused Councilperson Watts due to family obligations.

Staff present: Mark Mitchell, Interim City Manager; Wm. G. McCaffree, City Attorney; Kristie Modlin, Treasurer; Johnna Williams, Deputy City Clerk; Casey Crain, Chief of Police; Kevin Crump, Park & Recreation Director; Dan Scherer, Alliance Water Resources; Troy Denney, Fire Captain.

PROCLAMATIONS

There were none.

APPROVAL OF MINUTES

Councilperson Gallagher moved to accept the January 7, 2020 regular session City Council minutes as written. Councilperson Leonard provided the second. The motion was duly considered and passed unanimously.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Mayor Knox presented Judy Campbell for reappointment to the NRMC Moore-Few Care Center Board.

Councilperson Leonard moved to reappoint Judy Campbell to the NRMC Moore-Few Care Center Board, second term expiring 1/2023. Councilperson Gallagher provided the second. The motion was duly considered and passed unanimously.

Next, Mayor Knox presented Tricia Bridgewater for appointment to the NRMC Moore-Few Care Center Board.

Councilperson Eberhard moved to appoint Tricia Bridgewater to the NRMC Moore-Few Care Center Board, replacing Jenise Burch, term expiring 1/2023. Councilperson Gallagher provided the second. The motion was duly considered and unanimously passed.

CONSIDERATION OF BIDS

There were none.

PUBLIC PARTICIPATION FROM THOSE REGISTERED WITH THE CITY CLERK

Carol Branham, Housing Authority, discussed proposed housing rule change, wanted to make sure City Council was aware as it could affect the funding.

COMMUNICATIONS AND PETITIONS

There were none.

OLD BUSINESS

Next to be considered was Bill No. 2019-045 Authorizing the Execution of an Agreement with Dock Dogs, Inc. for a Special Event scheduled on October 3, 2020.

Councilperson Eberhard moved to place Bill No. 2019-045 on second reading by title only. Councilperson Gallagher provided the second. The motion was duly considered and passed by the following vote:

Aye: Eberhard; Gallagher; Knox; Leonard

Nay: None

Absent: Watts

The Mayor declared Bill No. 2019-045 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 8302 and was signed by the Mayor and attested by the City Clerk. The Mayor directed said Ordinance be engrossed upon the corporate records.

Next, Consideration of 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 Gallagher moved to place Bill No. 2019-046 on second reading by title only. Councilperson Leonard provided the second. The motion was duly considered and passed by the following vote:

Aye: Gallagher; Knox; Leonard; Eberhard

Nay: None

Absent: Watts

The Mayor declared Bill No. 2019-046 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 8303 and was signed by the Mayor and attested by the City Clerk. The Mayor directed said Ordinance be engrossed upon the corporate records.

Next, Consideration of Bill No. 2020-001 Amending Chapter 19 of the Nevada City Code pertaining to no parking zones.

Councilperson Gallagher moved to place Bill No. 2020-001 on second reading by title only. Councilperson Eberhard provided the second. The motion was duly considered and passed by the following vote:

Aye: Knox; Leonard; Eberhard; Gallagher

Nay: None

Absent: Watts

The Mayor declared Bill No. 2020-001 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 8304 and was signed by the Mayor and attested by the City Clerk. The Mayor directed said Ordinance be engrossed upon the corporate records.

Next, Consideration of Bill No. 2020-002 Authorizing and Directing the Transfer of a Tract of Real Estate to the Nevada Animal Shelter Corporation, a Missouri Nonprofit Corporation, to accommodate financing on an Animal Shelter for the City of Nevada, Missouri.

Councilperson Gallagher moved to place Bill No. 2020-002 on second reading by title only. Councilperson Eberhard provided the second. The motion was duly considered and passed by the following vote:

Aye: Leonard; Eberhard; Gallagher; Knox

Nay: None

Absent: Watts

The Mayor declared Bill No. 2020-002 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 8305 and was signed by the Mayor and attested by the City Clerk. The Mayor directed said Ordinance be engrossed upon the corporate records.

Then, Consideration of Bill No. 2020-003 Approving a Lease Agreement with the Nevada Animal Shelter Corporation, a Missouri Nonprofit Corporation, and Authorizing and Directing the Execution Thereof.

Councilperson Eberhard moved to place Bill No. 2020-003 on second reading by title only. Councilperson Gallagher provided the second. The motion was duly considered and passed by the following vote:

Aye: Eberhard; Gallagher; Knox; Leonard

Nay: None

Absent: Watts

The Mayor declared Bill No. 2020-003 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 8306 and was signed by the Mayor and attested by the City Clerk. The Mayor directed said Ordinance be engrossed upon the corporate records.

Next was Consideration of Bill No. 2020-004 Calling an Election on a Revenue Bond Question in Nevada, Missouri.

Councilperson Gallagher moved to place Bill No. 2020-004 on second reading by title only. Councilperson Leonard provided the second. The motion was duly considered and passed by the following vote:

Aye: Gallagher; Knox; Leonard; Eberhard

Nay: None

Absent: Watts

The Mayor declared Bill No. 2020-004 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 8307 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

Next, Consideration of Bill No. 2020-005 Authorizing Payment from the Nevada Tourism Fund to the Nevada Griffon Board of Directors for Marketing, Advertising and Promotions.

Councilperson Eberhard moved to place Bill No. 2020-005 on first reading by title only. Councilperson Gallagher provided the second. The motion was duly considered and passed by the following vote:

Aye: Knox; Leonard; Eberhard; Gallagher

Nay: None

Absent: Watts

Next, Consideration of Bill No. 2020-006 Amending the Fiscal 2019 Budget.

Councilperson Gallagher moved to place Bill No. 2020-006 on first reading by title only. Councilperson Leonard provided the second. The motion was duly considered and passed by the following vote:

Aye: Leonard; Eberhard; Gallagher; Knox

Nay: None

Absent: Watts

Then, Mayor Knox opened a public hearing regarding a request for a special use permit – home based photography business at 511 S. Clay at 7:22 p.m.

With no public comment the public hearing was closed at 7:23 p.m.

Then, Consideration of 2020-007 Awarding a Special Use Permit for a Home Occupation Photography Business to Shane Hirschman for the Property located at 511 S. Clay, Nevada, Missouri.

Councilperson Leonard moved to place Bill No. 2020-007 on first reading by title only. Councilperson Gallagher provided the second. The motion was duly considered and passed by the following vote:

Aye: Eberhard; Gallagher; Knox; Leonard

Nay: None

Absent: Watts

Next was Consideration of Bill No. 2020-008 Amending Chapter 12 of the Municipal Code of the City of Nevada, Missouri concerning Code Updates.

Councilperson Eberhard moved to place Bill No. 2020-008 on first reading by title only. Councilperson Gallagher provided the second. The motion was duly considered and passed by the following vote:

Aye: Gallagher; Knox; Leonard; Eberhard

Nay: None

Absent: Watts

Next was Consideration of Bill No. 2020-009 Amending Chapter 6 of the Municipal Code of the City of Nevada, Missouri concerning Code Updates.

Councilperson Leonard moved to place Bill No. 2020-009 on first reading by title only. Councilperson Eberhard provided the second. The motion was duly considered and passed by the following vote:

Aye: Knox; Leonard; Eberhard; Gallagher

Nay: None

Absent: Watts

Next was Consideration of Bill No. 2020-010 Amending Chapter 11 of the Municipal Code of the City of Nevada, Missouri concerning Code Updates.

Councilperson Eberhard moved to place Bill No. 2020-010 on first reading by title only. Councilperson Gallagher provided the second. The motion was duly considered and passed by the following vote:

Aye: Leonard; Eberhard; Gallagher; Knox

Nay: None

Absent: Watts

Next was Consideration of Bill No. 2020-011 Amending Chapter 25A of the Municipal Code of the City of Nevada, Missouri concerning Code Updates.

Councilperson Leonard moved to place Bill No. 2020-011 on first reading by title only. Councilperson Eberhard provided the second. The motion was duly considered and passed by the following vote:

Aye: Eberhard; Gallagher; Knox; Leonard

Nay: None

Absent: Watts

REPORTS

Monthly Department Reports

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

- i. Municipal Court – December, 2019 Annual
- ii. Fire Department – December
- iii. Animal Control – December
- iv. Police Department – December
- v. Alliance Water Resources – December
- vi. Finance – December
 - i. Business License – December

Boards and Commissions Written Minutes/Reports

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

- i. Planning Commission – October 8, 2019

Mayor's Report

There was none.

City Manager's Report

City Manager, Mark Mitchell reported, that there is misinformation concerning the hospital tax out in the public. There is no sun-set date on the tax, it will terminate when the City's hospital revenue bonds, now outstanding, have been retired or when terminated by the City Council, whichever occurs first. Also, when we receive first quarter numbers, we will report that info.

Developer in Eastview Heights is requesting rural water due to not city lines out in that area – will be on city sewer, the properties are inside city limits.

Will be meeting with YMCA and Golfers this week.

MISCELLANEOUS MATTERS

Mayor Knox stated there is a Mayor's coffee scheduled for Thursday, January 23, 2020 at 8:00 a.m. – Precision Coffee.

EXECUTIVE SESSION

The Mayor requested an executive session 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: Gallagher; Knox; Leonard; Eberhard

Nay: None

Absent: Watts

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 7:40 p.m.

Present: Eberhard; Gallagher; Knox; Leonard

Absent: Watts

Staff present: Mark Mitchell, Interim City Manager; Wm. G. McCaffree, City Attorney

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: Knox; Leonard; Eberhard; Gallagher

Nay: None

Absent: Watts

Executive session adjourned at 8:47 p.m.

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: Leonard; Eberhard; Gallagher; Knox

Nay: None

Absent: Watts

The meeting adjourned at 8:48 p.m.

Johnna Williams, Deputy City Clerk

(seal)
ATTEST:

George Knox, Mayor

Johnna Williams, Deputy City Clerk