

MINUTES
REGULAR SESSION CITY COUNCIL MINUTES
120 S. Ash
City Council Chambers
Tuesday, February 4, 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 Friday, January 31, 2020 at 4:30 p.m.

CALL TO ORDER

A regular session of the City Council of Nevada, Missouri was held on Tuesday, February 4, 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

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

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; Kevin Crump, Park & Recreation Director; Dan Scherer, Alliance Water Resources; Tera McFarland, Recreation Services Manager; Amber Williamson, Police Department.

PROCLAMATIONS

Mayor Knox presented the Missouri Farm Bureau Thank a farmer Week, February 2-8, 2020 Proclamation.

APPROVAL OF MINUTES

Councilperson Eberhard moved to accept the January 21, 2020 regular session City Council minutes as written. Councilperson Gallagher provided the second. The motion was duly considered and passed unanimously.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Mayor Knox presented Monte Curtis for reappointment to the Airport Board.

Councilperson Gallagher moved to reappoint Monte Curtis to the Airport Board, term expiring 1/2024. Councilperson Eberhard provided the second. The motion was duly considered and passed unanimously.

Next, Mayor Knox presented Scott Buerge for reappointment to the Airport Board.

Councilperson Leonard moved to reappoint Scott Buerge to the Airport Board, term expiring 1/2024. Councilperson Gallagher provided the second. The motion was duly considered and unanimously passed.

Next, Mayor Knox presented Mike Farran for reappointment to the Airport Board.

Councilperson Eberhard moved to reappoint Mike Farran to the Airport Board, term expiring 1/2024. Councilperson Leonard provided the second. The motion was duly considered and unanimously passed.

CONSIDERATION OF BIDS

Consideration of Bid No. 2020-04 Walton Aquatic Center Pool Chemicals - Parks Dept.

Councilperson Eberhard moved to approve the bid from The Pool Guy, in the amount of \$7,171.41 for the pool chemicals. 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, Consideration of Bid No. 2020-05 Golf Course Turf Chemicals - Parks Dept.

Councilperson Leonard moved to approve the bid from Greens Pro, Inc. in the amount of \$56,612.10 for the golf course chemicals. 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, Consideration of Bid No. 2020-06 Golf Course Rough Mower - Parks Dept.

Councilperson Leonard moved to approve the bid from Kansas Golf & Turf in the amount of \$60,780.00 for the golf course rough mower. 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 Bid No. 2020-07 Full-size 15 Passenger Van - Parks Dept. Councilperson Leonard moved to approve the bid from Whiteside of S. Clairsville, Inc. in the amount of \$33,659.00 for the full-size 15 passenger van. Councilperson Eberhard provided the second. Jennifer Gundy, On My Own, stated that state grants were available and transportation van through taxi could be used. Kelly Ast, West Central, would like to coordinate with local programs. Max Waggoner, stated that ratio of adults to children would need to be taken into consideration.

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

Aye: Leonard; Eberhard; Gallagher; Knox

Nay: None

Absent: Watts

PUBLIC PARTICIPATION FROM THOSE REGISTERED WITH THE CITY CLERK

There were none.

COMMUNICATIONS AND PETITIONS

Will Tollerton, Bushwhacker Museum Historical Society requested a stained-glass window from Old Baptist Church.

Sheree Gayman, Chamber of Commerce spoke concerning the HGTV Hometown Makeover.

OLD BUSINESS

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

Councilperson Leonard moved to place Bill No. 2020-005 on second 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

The Mayor declared Bill No. 2020-005 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 8308 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. 2020-006 Amending the Fiscal 2019 Budget.

Councilperson Eberhard moved to place Bill No. 2020-006 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; Eberhard

Nay: None

Absent: Watts

The Mayor declared Bill No. 2020-006 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 8309 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. 2020-007 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 second 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

The Mayor declared Bill No. 2020-007 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 8310 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. 2020-008 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 second 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

The Mayor declared Bill No. 2020-008 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 8311 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. 2020-009 Amending Chapter 6 of the Municipal Code of the City of Nevada, Missouri concerning Code Updates.

Councilperson Gallagher moved to place Bill No. 2020-009 on second reading by title only. Councilperson Leonard 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. 2020-009 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 8312 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. 2020-010 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 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; Eberhard

Nay: None

Absent: Watts

The Mayor declared Bill No. 2020-010 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 8313 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. 2020-011 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 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. 2020-011 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 8314 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. 2020-012 Establishing a Fee Schedule for the Use of the Frank E. Peters Municipal Golf Course.

Councilperson Eberhard moved to place Bill No. 2020-012 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

Nay: Leonard

Absent: Watts

Next, Consideration of Bill No. 2020-013 Authorizing the Execution of an Agreement with the Missouri Highways and Transportation Commission for Sign Program Participation.

Councilperson Leonard moved to place Bill No. 2020-013 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

Then, Mayor Knox opened a public hearing regarding the City's Public Transportation Program for 2020-2021 at 7:57 p.m.

Carol Branham, Housing Authority, stated public transportation is critical for our community, concerns still exist for hours of operation, need has not decreased.

Jennifer Gundy, On My Own, did survey and targeted the users of service about 45 people, would like to work together with City to expand hours.

Heather Shepherd, On My Own, would like to expand hours and allow everyone to accessible transportation.

Kelly Ast, West Central, MoDot has available funds and we have applied for a Community Mobility Coordinator.

With no further public comment the public hearing was closed at 8:12 p.m.

Then, Consideration of Bill No. 2020-014 Approving the Application for Federal Financial Assistance Under Section 5311 of Chapter 53, Title 49 United States Code.

Councilperson Gallagher moved to place Bill No. 2020-014 on first 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

Next was Consideration of Bill No. 2020-015 Amending Chapter 37 of the Municipal Code of the City of Nevada, Missouri Concerning Fences.

Councilperson Eberhard moved to place Bill No. 2020-015 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; Gallagher

Nay: Eberhard

Absent: Watts

Next was Consideration of Bill No. 2020-016 Authorizing the Execution of an Agreement with Mayer Specialty, LLC of Goddard, Kansas for Video Inspection Services.

Councilperson Leonard moved to place Bill No. 2020-016 on first 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

Next was Consideration of Resolution No. 1548 Authorizing the City Council to Execute a Missouri Highway Safety Program City Council Authorization Form for possible Funding Assistance for Traffic Enforcement.

Councilperson Gallagher moved to approve Resolution No. 1548, seconded by Councilperson Eberhard. The motion was duly considered and passed unanimously.

REPORTS

Monthly Department Reports

There were none.

Boards and Commissions Written Minutes/Reports

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

- i. NRMCMoore-Few Care Center Board – November 20, 2019
- ii. NRMCMoore-Few Care Center Board – December 18, 2019
- iii. Library Board – November 21, 2019
- iv. Library Board – December 23, 2019
- v. Park Board – November 20, 2019

Mayor's Report

There was none.

City Manager's Report

City Manager, Mark Mitchell reported, that he wanted to make sure City Council was all in favor of donating stained glass; they were all in favor. KSN is doing a story on the old first Baptist Church. The City of Nevada now has Facebook, twitter and an Instagram account. Would like to do a security training at the next City Council meeting – maybe around 6:00 p.m. Sent out letter concerning volunteers and how thankful we are for them.

MISCELLANEOUS MATTERS

There was none.

EXECUTIVE SESSION

The Mayor requested an executive session in accordance with Section 610.021 RSMo., Subparagraph (1) Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys and (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 go into executive session for reasons in accordance with Section 610.021 RSMo., Subparagraph (1) Legal actions, causes of action or

litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys and (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 Eberhard.

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

Aye: Eberhard; Gallagher; Knox; Leonard

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 8:55 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 (1) Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys and (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 adjourn the executive session and move back into regular session. The second was provided by Councilperson Leonard. The motion was duly considered and passed by the following vote:

Aye: Gallagher; Knox; Leonard; Eberhard

Nay: None

Absent: Watts

Executive session adjourned at 9:58 p.m.

ADJOURNMENT

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

Councilperson Leonard moved to adjourn the regular session of City Council. 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 meeting adjourned at 9:58 p.m.

Johnna Williams, Deputy City Clerk

(seal)
ATTEST:

George Knox, Mayor

Johnna Williams, Deputy City Clerk