

MINUTES
REGULAR SESSION CITY COUNCIL MINUTES
120 S. Ash
City Council Chambers
Tuesday, June 16, 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, June 12, 2020 at 4:00 p.m.

CALL TO ORDER

A regular session of the City Council of Nevada, Missouri was held on Tuesday, June 16, 2020 pursuant to Section 2-6 and 2-7 of the City Code and Section 3.11 of the City Charter. The meeting could be watched by Facebook live:
<https://www.facebook.com/ournevadmo/>.

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

INVOCATION

Mayor George Knox gave the invocation.

ROLL CALL

The following Council members were present for roll call:

Present: Lyndon Eberhard; Carol Gallagher; George Knox; Kendall Vickers;
Ryan Watts

Absent: None

Staff present: Mark Mitchell, Interim City Manager; Wm. G. McCaffree, City Attorney; Kristie Modlin, Treasurer; Johnna Williams, Deputy City Clerk; Troy Denney, Fire Chief; Sharon Kegler, Human Resources Director; Dan Scherer, Alliance Water Resources.

PROCLAMATIONS

There were none.

APPROVAL OF MINUTES

Councilperson Gallagher moved to accept the June 2, 2020 regular session City Council minutes as written. Councilperson Eberhard provided the second. The motion was duly considered and passed unanimously.

Councilperson Watts moved to accept the June 8, 2020 special session City Council minutes as written. Councilperson Eberhard provided the second. The motion was duly considered and passed unanimously.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Mayor Knox presented Adrienne Lee for appointment to the Park Board.

Councilperson Gallagher moved to appoint Adrienne Lee to the Park Board, replacing Annie Daugherty, term expiring June, 2023. Councilperson Watts provided the second. The motion was duly considered and unanimously passed.

CONSIDERATION OF BIDS

Then, consideration of Bid No. 2020-20 Water Treatment Plant Replacement De-Gasifier Blower and Motor – Alliance.

Councilperson Gallagher moved to approve the bid from The New York Blower Company in the amount of \$13,718.00. Councilperson Watts provided the second. The motion was duly considered and passed by the following vote:

Aye: Eberhard; Gallagher; Knox; Vickers; Watts

Nay: None

Absent: None

PUBLIC PARTICIPATION FROM THOSE REGISTERED WITH THE CITY CLERK

There were none.

COMMUNICATIONS AND PETITIONS

Charlie Zitnik, D.A. Davidson, discussed the interest rates and the refinancing of our Public Safety/Fire Department Buildings loan.

OLD BUSINESS

Next to be considered was Bill No. 2020-048 Accepting the Bid and Authorizing the Execution of an Agreement with TLC Mowing & Landscaping for Mowing Services.

Councilperson Gallagher moved to place Bill No. 2020-048 on second reading by title only. Councilperson Watts provided the second. The motion was duly considered and passed by the following vote:

Aye: Gallagher; Knox; Vickers; Watts; Eberhard

Nay: None

Absent: None

The Mayor declared Bill No. 2020-048 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 8342 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. 2020-049 Authorizing Payment from the Nevada Tourism Fund to the NRMCA Foundation for Marketing, Advertising and Promotions.

Councilperson Eberhard moved to place Bill No. 2020-049 on second reading by title only. Councilperson Watts provided the second. The motion was duly considered and passed by the following vote:

Aye: Knox; Vickers; Watts; Eberhard; Gallagher

Nay: None

Absent: None

The Mayor declared Bill No. 2020-049 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 8343 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. 2020-050 Amending Section 2-12 of the Code of the City of Nevada, Missouri.

Councilperson Gallagher moved to place Bill No. 2020-050 on second reading by title only. Councilperson Watts provided the second. The motion was duly considered and passed by the following vote:

Aye: Vickers; Watts; Eberhard; Gallagher; Knox

Nay: None

Absent: None

The Mayor declared Bill No. 2020-050 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 8344 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. 2020-051 Amending Section 2-20 of the Code of the City of Nevada, Missouri.

Councilperson Watts moved to place Bill No. 2020-051 on second reading by title only. Councilperson Eberhard provided the second. The motion was duly considered and passed by the following vote:

Aye: Watts; Eberhard; Gallagher; Knox; Vickers

Nay: None

Absent: None

The Mayor declared Bill No. 2020-051 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 8345 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. 2020-052 Authorizing the Execution of an Agreement with Nevada Little League Football for use of the Twin Lakes Football Facility.

Councilperson Gallagher moved to place Bill No. 2020-052 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; Vickers; Watts

Nay: None

Absent: None

The Mayor declared Bill No. 2020-052 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 8346 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. 2020-053 Adopting and Reenacting Bill No. 1991-15, Ordinance No. 3665, Codified as Section 2-121 of the Code of the City of Nevada, Missouri, Regarding Financial Disclosure.

Councilperson Gallagher moved to place Bill No. 2020-053 on first reading by title only. Councilperson Watts provided the second. The motion was duly considered and passed by the following vote:

Aye: Gallagher; Knox; Vickers; Watts; Eberhard

Nay: None

Absent: None

Next, Consideration of Bill No. 2020-054 Approving a Renewal Agreement with St. Louis County, Missouri for Administration of a Prescription Drug Monitoring Program (PDMP).

Councilperson Eberhard moved to place Bill No. 2020-054 on first reading by title only. Councilperson Gallagher provided the second. The motion was duly considered and passed by the following vote:

Aye: Knox; Vickers; Watts; Eberhard; Gallagher

Nay: None

Absent: None

Next to be considered was Resolution No. 1562 Approving Membership in the Kaysinger Basin Regional Planning Commission.

Councilperson Eberhard moved to approve Resolution No. 1562, seconded by Councilperson Watts. The motion was duly considered and passed unanimously.

Next to be considered was Resolution No. 1563 Approving an Application Submitted by Classic Cab LLC for an Occupation License to Operate a Taxicab Business in the City of Nevada, Missouri.

Councilperson Watts moved to approve Resolution No. 1563, seconded by Councilperson Gallagher. 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 – May
- ii. Fire Department – May
- iii. Animal Control – May
- iv. Police Department – May
- v. Alliance Water Resources – May
- vi. Finance – May
 - i. Business License – May

Boards and Commissions Written Minutes/Reports

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

- i. Housing Authority Minutes – March 20, 2020
- ii. Housing Authority Minutes – April 10, 2020
- iii. Housing Authority Minutes – May 5, 2020

Mayor's Report

There was none.

City Manager's Report

There was none.

MISCELLANEOUS MATTERS

Councilperson Eberhard inquired about the Hickory Street Railroad Crossing. They will start early summer and plan to be complete by September, 2020. We will evaluate traffic during overpass project to see what upgrades need to be completed. Lynn Street project is about a week out from being completed.

EXECUTIVE SESSION

The City Manager requested an 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 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 Watts 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 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: Vickers; Watts; Eberhard; Gallagher; Knox

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 7:37 p.m.

Present: Eberhard; Gallagher; Knox; Vickers; Watts

Absent: None

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

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

Aye: Watts; Eberhard; Gallagher; Knox; Vickers

Nay: None

Absent: None

Executive session adjourned at 9:19 p.m.

Councilperson Eberhard made a motion to approve Resolution No. 1564 Authorizing Gilmore and Bell, Inc. to issue a response letter to ACA Financial Guaranty

Corporation's Request for Waiver of Breach of Condition. Councilperson Watts seconded the motion. The motion was duly considered and passed unanimously.

Councilperson Gallagher made a motion to approve Resolution No. 1565 Authorizing the City Manager to send a 60 Day Notice of Termination Letter to Alliance Water Resources as Part of the Process of Negotiating and Re-Bidding Water/Wastewater Services. The second was made by Councilperson Eberhard. The motion was duly considered and passed unanimously.

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 Vickers provided the second. The motion was duly considered and passed by the following vote:

Aye: Eberhard; Gallagher; Knox; Vickers; Watts

Nay: None

Absent: None

The meeting adjourned at 9:21 p.m.

Johnna Williams, Deputy City Clerk

(seal)
ATTEST:

George Knox, Mayor

Johnna Williams, Deputy City Clerk