

MINUTES
REGULAR SESSION CITY COUNCIL MINUTES
120 S. Ash
City Council Chambers
Tuesday, February 2, 2021
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 Section 610.021 RSMo., with a tentative agenda posted on Friday, January 29, 2021 at 1:00 p.m.

CALL TO ORDER

A regular session of the City Council of Nevada, Missouri was held on Tuesday, February 2, 2021 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

Jon Caudle gave the invocation.

ROLL CALL

The following Council members were present for roll call:

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

Absent: Ryan Watts

Staff present: Mark Mitchell, City Manager; Wm. G. McCaffree, City Attorney; Michele Bailey, City Clerk, Richard DeBruin, Police Sergeant; Sharon Kegler, HR Director, Troy Denney, Fire Chief

PROCLAMATIONS

There were none.

APPROVAL OF MINUTES

Councilperson Eberhard moved to accept the January 19, 2021 regular session City Council minutes as written.

Councilperson Vickers provided the second. The motion was duly considered and passed unanimously.

Councilperson Gallagher moved to accept the January 26, 2021 special session City Council minutes as written.

Councilperson Vickers provided the second. The motion was duly considered and passed unanimously.

Councilperson Vickers moved to accept the January 28, 2021 special session City Council minutes as written.

Councilperson Gallagher provided the second. The motion was duly considered and passed unanimously.

APPOINTMENTS TO BOARDS AND COMMISSIONS

- a. Consideration of appointment of Rodney Beard to the Board of Appeals with a term ending November 30, 2023. Mr. Beard will replace Amy Tweeten.

Councilperson Eberhard moved to appoint Rodney Beard to the Board of Appeals as written. Councilperson Gallagher provided the second. The motion was duly considered and passed unanimously.

- b. Next, Consideration of appointment of Mark Selsor to the Board of Adjustments with a 5-year term expiring October 31, 2025. Mr Selsor will replace Mary Haggans.

Councilperson Gallagher moved to appoint Mark Selsor to the Board of Adjustments as written. Councilperson Vickers provided the second. The motion was duly considered and passed unanimously.

CONSIDERATION OF BIDS

- a. Consideration of Bid from Professional Water Treatment (PWT) for Antiscalant water additive in the amount 'not to exceed' \$5,584.00.

Councilperson Eberhard moved to approve the bid from Professional Water Treatment (PWT) for the Antiscalant at a **not to exceed** amount of \$5,584.00.

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

Aye: Gallagher, Knox, Vickers, Eberhard

Nay: None

Absent: Watts

PUBLIC PARTICIPATION FROM THOSE REGISTERED WITH THE CITY CLERK

There were none.

COMMUNICATIONS AND PETITIONS

There were none

UNFINISHED BUSINESS

There is none.

OLD BUSINESS

- b. Second Reading of Bill No. 2021-006 A Special Ordinance of the City of Nevada, Missouri approving an agreement

addressing transfer of the title to real estate in the Central Business District in the City of Nevada, Missouri.

- i. Mayor Knox addressed concerns with said property in Bill No. 2021-006 regarding the property in the Central Business District and the City Attorney William McCaffree addressed his concerns.
- ii. Councilperson Vickers voiced his concerns of the cost of the debris removal and requested to further review of the matter so it does not become a burden on the public prior to acceptance of property title.
- iii. The Council determined the need to review all items associated with the transfer under administrative process.

Councilperson Vickers moved to **table until next regular session** Bill No. 2021-006 on Second reading by title only. Councilperson Gallagher provided the second. The motion was duly considered and council tabled Bill No. 2021-006 second reading until next regular session city council meeting by the following vote:

Aye: Knox, Vickers, Eberhard, Gallagher
Nay: None
Absent: Watts

NEW BUSINESS

- a. Public Hearing was held regarding Section 5311 Public Transportation Operating Assistance Grant and only one comment voiced in favor of the grant.
- b. Consideration of Bill No. 2021-007 A Special Ordinance of the City of Nevada, Missouri Approving the application for Federal Financial Assistance under Section 5311 of Chapter 53, Title 49 United States Code.

Councilperson Eberhard moved to place Bill No. 2021-007 on First reading by title only. Councilperson Gallagher provided the second. The motion was duly considered to move forward for second reading and passed by the following vote:

Aye: Vickers, Eberhard, Gallagher, Knox,
Nay: None
Absent: Watts

- c. Next, Consideration of Bill No. 2021-008 A Special Ordinance of the City of Nevada, Missouri Authorizing the execution of an agreement with Allgeier, Martin and Associates Inc. of Joplin, Missouri for miscellaneous engineering services.

Councilperson Vickers moved to place Bill No. 2021-008 on First reading by title only. Councilperson Gallagher provided the second. The motion was duly considered to move forward for second reading and passed by the following vote:

Aye: Eberhard Gallagher, Knox, Vickers
Nay: None
Absent: Watts

- d. Next, Consideration of Bill No. 2021-009 A Special Ordinance of the City of Nevada, Missouri Authorizing the execution of an agreement with Anderson Engineering, Inc. of Joplin, Missouri for miscellaneous engineering services.

Councilperson Gallagher moved to place Bill No. 2021-009 on First reading by title only. Councilperson Vickers provided the second. The motion was duly considered to move forward for second reading and passed by the following vote:

Aye: Gallagher, Knox, Vickers, Eberhard
Nay: None

Absent: Watts

- e. Next, Consideration of Bill No. 2021-010 A Special Ordinance of the City of Nevada, Missouri Authorizing the execution of an agreement with Olsson Engineering, Inc. of Joplin, Missouri for miscellaneous engineering services.

Councilperson Gallagher moved to place Bill No. 2021-010 on First reading by title only. Councilperson Vickers provided the second. The motion was duly considered to move forward for second reading and passed by the following vote:

Aye: Knox, Vickers, Eberhard Gallagher,
Nay: None
Absent: Watts

- f. Next, Consideration of Bill No. 2021-011 A Special Ordinance of the City of Nevada, Missouri Authorizing the execution of an agreement with Anderson Engineering, Inc. of Joplin, Missouri for Johnson Drive Improvements.

Councilperson Vickers moved to place Bill No. 2021-011 on First reading by title only. Councilperson Eberhard provided the second. The motion was duly considered to move forward for second reading and passed by the following vote:

Aye: Vickers, Eberhard Gallagher, Knox,
Nay: None
Absent: Watts

- g. Next, Consideration of Bill No. 2021-012 A General Ordinance of the City of Nevada, Missouri Amending Chapter 40 of the Code of the City of Nevada, Missouri pertaining to water collections.

Councilperson Gallagher moved to place Bill No. 2021-012 on First reading by title only. Councilperson Eberhard provided the second. The motion was duly considered to move forward for second reading and passed by the following vote:

Aye: Eberhard Gallagher, Knox, Vickers,
Nay: None
Absent: Watts

- h. Next, Consideration of Bill No. 2021-013 for the execution of an agreement by and between the Vernon County Commission and the City of Nevada Missouri for 911 Services.

Councilperson Gallagher moved to place Bill No. 2021-013 on First reading by title only. Councilperson Vickers provided the second. The motion was duly considered to move forward for second reading and passed by the following vote:

Aye: Gallagher, Knox, Vickers, Eberhard
Nay: None
Absent: Watts

- i. Next, Consideration of Bill No. 2021-014 An Emergency Ordinance of the City of Nevada Missouri Accepting the bid and authorizing the execution of an agreement for demolition and debris removal of 101 E. Cherry

Councilperson Gallagher moved to **table** Bill No. 2021-014 on First reading by title only. Councilperson Vickers provided the second. The motion was duly considered for item to be **tabled** until review of Bill No. 2021-006 and items concerning property at 101 E. Cherry are reviewed and resolved. The motion was considered and passed by the following vote:

Aye: Knox, Vickers, Eberhard, Gallagher,
Nay: None
Absent: Watts

There was **no Second Reading** of Bill No. 2021-014 An Emergency Ordinance of the City of Nevada Missouri Accepting the bid and authorizing the execution of an agreement for demolition and debris removal of 101 E. Cherry **due to the First read being tabled by the council.**

REPORTS

Monthly Department Reports

- i. Recreation Report-January 2020

Boards and Commissions Written Minutes/Reports

December 16, 2020 Park Board Meeting Minutes
October 27, 2020 NRMC Board of Directors Minutes
December 8, 2020 NRMC Board of Directors Minutes

Mayor's Report

City Manager's Report

City Manager Mark Mitchell presented his report to the council and the report is attached.

MISCELLANEOUS MATTERS

Councilperson Eberhard asked about the bridge overpass and City Manager explained this has been pushed back until at least March due to the company staff changes.

EXECUTIVE SESSION

The Mayor Requests an Executive Session for Reasons in Accordance with Section 610.021 RSMo. Subparagraph (1) Subparagraph 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. 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 go into Executive Session for Reasons in Accordance with Section 610.021 RSMo. Subparagraph (1) Subparagraph 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. 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 5-minute recess*.

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

Aye: Vickers, Eberhard Gallagher, Knox,

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 **8:07** p.m.

Present: Vickers, Eberhard, Gallagher, Knox

Absent: Watts

Staff Present: Mark Mitchell, City Manager; Michele Bailey, City Clerk.

Sharon Kegler, HR Director; William McCaffree, City Attorney.

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

Aye: Vickers; Eberhard, Gallagher; Knox
Nay: None
Absent: Watts

Executive session adjourned at 9:00 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 Eberhard provided the second. The motion was duly considered and passed by the following vote:

Aye: Eberhard, Gallagher, Knox, Vickers
Nay: None
Absent: Watts

The meeting adjourned at 9:04 p.m.

Michele Bailey, City Clerk

(seal)
ATTEST:

George Knox, Mayor

Michele Bailey, City Clerk