

**MINUTES**  
**REGULAR SESSION CITY COUNCIL MINUTES**  
**120 S. Ash**  
**City Council Chambers**  
**Tuesday, December 7, 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 RSMo., Chapter 610.021 with a tentative agenda on December 2, 2021 @ 2:30 pm

***CALL TO ORDER***

A regular session of the City Council of Nevada, Missouri was held on Tuesday, December 7, 2021, 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 7:04 pm followed by the Pledge of Allegiance.

***INVOCATION:*** Megan Allen – Nazarene Church

***ROLL CALL***

The following Council members were present for roll call:

Mayor Knox  
Dr Gallagher  
Mr. Vickers  
Mr Eberhard

Aye: Gallagher, Knox, Vickers, Eberhard

Nay: 0

Absent: 0

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

Absent: None

Staff present: Mark Mitchell, City Manager, Wm. G. McCaffree, City Attorney; Stephanie Martin, City Clerk, William Denman, City Treasurer, Sharon Baker, HR Manager

***PROCLAMATIONS – None***

## **APPROVAL OF MINUTES**

Councilperson Eberhard moved to accept the November 23, 2021, 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**

### ***Appoint/Remove candidates to the City Convalescent Home Board (Moore Few & Barone)***

Councilperson Gallagher moved to remove Trish Bridgewater from the City Convalescent Home Board for Moore Few and Barone. Councilperson Eberhard provided the second. The motion was duly considered and passed unanimously.

Councilperson Gallagher moved to appoint Mike Parson to the City Convalescent Home Board for Moore Few and Barone. Councilperson Vickers provided the second. The motion was duly considered and passed unanimously.

Councilperson Eberhard moved to appoint Linda Douglas to the City Convalescent Home Board for Moore Few and Barone. Councilperson Gallagher provided the second. The motion was duly considered and passed unanimously.

Councilperson Gallagher moved to appoint Bill Kohler the City Convalescent Home Board for Moore Few and Barone. Councilperson Vickers provided the second. The motion was duly considered and passed unanimously.

Councilperson Gallagher moved to appoint Jayne Novak to the NRMCM Board of Directors to replace Steve Russ who's term ends December 31, 2023. Councilperson Vickers provided the second. The motion was duly considered and passed unanimously.

Councilperson Vickers moved to appoint Cindy Thompson to the NRMCM Board of Directors to replace Delton Fast who's term ends December 31, 2027. Councilperson Eberhard provided the second. The motion was duly considered and passed unanimously.

## **CONSIDERATION OF BIDS -**

Councilperson Eberhard moved to accept Resolution No. 1598 accepting a Bid from Nevada Concrete, Inc. Nevada MO to provide concrete for 2022 in the amount not to exceed \$120,325.00. Councilperson Vickers provided the second. The motion was duly considered and passed unanimously.

Councilperson Eberhard moved to accept Resolution No. 1599 accepting a Bid from Ash Grove Aggregates, Butler MO for various size rock in 2022 ub the amount not to exceed \$160,625.00. Councilperson Vickers provided the second. The motion was duly considered and passed unanimously.

Councilperson Gallagher moved to accept Resolution No.1600 accepting a Bid from Hot Spot, Nevada MO for \$.10 cents less than posted price for 2022 to the Public Works vehicles. Councilperson Vickers provided the second. The motion was duly considered and passed unanimously.

***PUBLIC PARTICIPATION FROM THOSE REGISTERED WITH THE CITY CLERK***

Marvin Query – Petition for Moore Few and Barone

Ron Schowengerdt Member Director of the Nevada Lions Club spoke about a “Help Project” for the club’s 100 year anniversary coming up. He stated that after a meeting with the Nevada Parks Board they have decided to donate \$10,000.00 dollars to go towards a complete restoration of Earp Park in Nevada. He talked about possible fund matching grants being offered with no funds cap. Hoping for work to be completed in 26 months or by February 2024.

Nashonite Hackman – spoke about potential discrimination against her as a woman of color. Gave her views and concerns about the lack of Police involvement to hers complaints and charges she has filed with the Nevada Police department and “nothing being done”. Mark Mitchell City Manager agreed to check in to these statements and get back to her.

***COMMUNICATIONS AND PETITIONS: - None***

***UNFINISHED BUSINESS: - None***

***OLD BUSINESS: None***

***REPORTS***

***Monthly Department Reports***

November Municipal Court Report  
November Fire Department

***Boards and Commissions Written Minutes/Reports - None***

***Mayor’s Report – None***

**City Manager's Report** - Mark Mitchell suggested Work Sessions be scheduled after the New Year for Tourism. Ben Vickers spoke up to discuss possible Broadband Funds grants being offered by the US government. Biggest pay out for several years and possibly many more years. Could possibly be used for different tourism projects. Other work sessions need to be schedule to discuss different grants.

**NEW BUSINESS**

- a.) Second reading of Bill No. 2021-073 A Special Ordinance authorizing the execution of an agreement with H.W. Lochner Inc. for consulting and design services

Councilperson Vickers moved to place Bill No. 2021-073 on second 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:

**Dr. Gallagher**  
**Mr. Vickers**  
**Mr. Eberhard**  
**Mayor Knox**

Aye: Gallagher, Vickers, Eberhard, Knox  
Nay: 0  
Absent: 0

- a) Second reading of Bill No. 2021-074 A Special Ordinance authorizing the execution of an agreement with H.W. Lochner Inc. for construction services

Councilperson Eberhard moved to place Bill No. 2021-074 on first reading by title only. Councilperson Gallagher provided the second. The motion was duly considered to move forward for the first reading and passed by the following vote:

**Mr. Vickers**  
**Mr. Eberhard**  
**Mayor Knox**  
**Dr. Gallagher**

Aye: Vickers, Eberhard, Knox, Gallagher  
Nay: 0  
Absent: 0

- a. Consideration of Bill No. 2021-075 – Special Ordinance establishing a fee schedule for the use of the Frank E. Peters Municipal Golf Course for 2022

Councilperson Gallagher moved to place Bill No. 2021-075 on first reading by title only. Councilperson Vickers provided the second. The motion was duly considered to move forward for first reading and passed by the following vote:

**Mr. Eberhard**  
**Mayor Knox**  
**Dr. Gallagher**  
**Mr. Vickers**

Aye: Eberhard, Knox, Gallagher, Vickers  
Nay: 0  
Absent: 0

- b. Consideration of Bill No. 2021-076 – A Special Ordinance establishing a fee schedule for the use of the Walton Aquatic Center 2022

Councilperson Gallagher moved to place Bill No. 2021-076 on first reading by title only. Councilperson Vickers provided the second. The motion was duly considered to move forward for first reading and passed by the following vote:

**Mayor Knox**  
**Dr. Gallagher**  
**Mr. Vickers**  
**Mr. Eberhard**

Aye: Knox, Gallagher, Vickers, Eberhard  
Nay: 0  
Absent: 0

- c. Consideration of Bill No. 2021-077 – A Special Ordinance establishing a fee schedule for the use of the Franklin P. Norman Community Center 2022

Councilperson Eberhard moved to place Bill No. 2021-076 on first reading by title only. Councilperson Gallagher provided the second. The motion was duly considered to move forward for first reading and passed by the following vote:

**Dr. Gallagher**  
**Mr. Vickers**

**Mr. Eberhard**  
**Mayor Knox**

Aye: Gallagher, Vickers, Eberhard, Knox  
Nay: 0  
Absent: 0

- d. Consideration of Bill No. 2021-078 – A Special Ordinance approving the Fiscal 2022 Budget of the City of Nevada appropriating from the revenue of the city requisite funds therefore, providing for the adjustments thereof, providing for the salaries of the city employees, updating the organization chart, and approving the public records and abatement fee schedules.

Councilperson Eberhard moved to place Bill No. 2021-078 on first reading by title only. Councilperson Vickers provided the second. The motion was duly considered to move forward for first reading and passed by the following vote:

**Mr. Vickers**  
**Mr. Eberhard**  
**Mayor Knox**  
**Dr. Gallagher**

Aye: Vickers, Eberhard, Knox, Gallagher,  
Nay: 0  
Absent: 0

- e. Consideration of Bill No. 2021-079 – A Special Ordinance establishing a fee schedule for the use of the Park Shelter Houses, Colonel John Marmaduke Community Building and Twin Lakes Sports Complex ball fields.

Councilperson Gallagher moved to place Bill No. 2021-079 on first reading by title only. Councilperson Eberhard provided the second. The motion was duly considered to move forward for first reading and passed by the following vote:

**Mr. Eberhard**  
**Mayor Knox**  
**Dr. Gallagher**  
**Mr. Vickers**

Aye: Eberhard, Knox, Gallagher, Vickers  
Nay: 0  
Absent: 0

- f. Consideration of Bill No. 2021-080 – A Special Ordinance authorizing an employment contract with Mark A. Mitchell as City Manager

Councilperson Vickers moved to place Bill No. 2021-080 on first reading by title only. Councilperson Eberhard provided the second. The motion was duly considered to move forward for first reading and passed by the following vote: **Motion was TABLED.**

**Mayor Knox**  
**Dr. Gallagher**  
**Mr. Vickers**  
**Mr. Eberhard**

Aye: Knox, Gallagher, Vickers, Eberhard

Nay: 0

Absent: 0

- g. Consideration of Bill No. 2021-081 – A Special Ordinance approving a lease agreement with Clear Creek Golf Car of Springfield, Missouri.

Councilperson Eberhard moved to place Bill No. 2021-081 on first reading by title only. Councilperson Vickers provided the second. The motion was duly considered to move forward for first reading and passed by the following vote:

**Dr. Gallagher**  
**Mr. Vickers**  
**Mr. Eberhard**  
**Mayor Knox**

Aye: Gallagher, Vickers, Eberhard, Knox,

Nay: 0

Absent: 0

Consideration of Bill No. 2021-082 – A Special Ordinance amending the Fiscal 2021 Budget to include a premium pay program for eligible workers from the American Rescue Plan Act.

Councilperson Gallagher moved to place Bill No. 2021-082 on first reading by title only. Councilperson Eberhard provided the second. The motion was duly considered to move forward for first reading and passed by the following vote:

**Mr. Vickers**  
**Mr. Eberhard**  
**Mayor Knox**  
**Dr. Gallagher**

Aye: Vickers, Eberhard, Knox, Gallagher  
Nay: 0  
Absent: 0

***Treasurer's Report - None***

***MISCELLANEOUS MATTERS: None***

**EXECUTIVE SESSION**

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, (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 after a 5 minute recess for the City Mayor Requests 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.(3) Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded

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

Mayor Knox  
Dr. Gallagher  
Mr. Vickers  
Mr. Eberhard

Aye: Knox, Gallagher, Vickers, Eberhard  
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 9:18 p.m.



Present: Eberhard, Gallagher, Knox, Vickers  
Absent: None

Staff present: Mark Mitchell, City Manager, Stephanie Martin, City Clerk, William McCaffree, City Attorney, William Denman, City Treasurer, Sharon Baker, HR 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.

Councilperson Vickers 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:

**Mr. Eberhard**  
**Dr. Gallagher**  
**Mayor Knox**  
**Mr. Vickers**

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

Executive session adjourned at 9:45 p.m.

### ***ADJOURNMENT***

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

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

**Mr. Eberhard**  
**Mayor Knox**  
**Dr. Gallagher**  
**Mr. Vickers**

Aye: Eberhard, Knox, Gallagher, Vickers,  
Nay: 0  
Absent: 0

The meeting adjourned at 9:47 p.m.

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George Knox, Mayor

(seal)  
ATTEST:

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Stephanie M. Martin, City Clerk