

MINUTES
GENERAL SESSION CITY COUNCIL MINUTES
120 S. Ash
City Council Chambers
Tuesday September 6, 2022
7:00 p.m.

NOTICE OF MEETING

A general 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, September 2, 2022.

CALL TO ORDER

A General Session of the City Council of Nevada, Missouri was held on Tuesday, September 6, 2022, 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 7:01 pm followed by the Pledge of Allegiance.

INVOCATION: - Jeff Robinson

ROLL CALL

The following Council members were present for roll call:

Mayor Knox
Mr. Vickers
Mr. Eberhard
Dr. Gallagher

Absent: Councilman Bill Miles

Staff present: Mark Mitchell, City Manager, Bill Denman, City Treasurer, William McCaffrey, City Attorney, Sharon Baker, HR Director, Sgt. Daniel Hayes

PUBLIC PARTICIPATION FROM THOSE REGISTERED WITH THE CITY CLERK

- Robert Smith – addressed the council concerning different Ordinances
- Michelle Brown – questioned if better communication can be given to residents prior to street repair projects begin. Perhaps a flyer or pamphlet with details.

PROCLAMATIONS: NONE

APPROVAL OF MINUTES

Councilperson Eberhard moved to accept August 23, 2022, 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: NONE

CONSIDERATION OF BIDS:

- a) Consideration of Resolution No. 1655 – A Resolution of the City of Nevada, Missouri accepting the bid and authorizing the City Manager to make a payment to C&M Truck and Tractor LLC Nevada, Missouri for repair to the Public Works Department Small International Truck.

Councilperson Vickers moved to accept Resolution No. 1655, Councilperson Gallagher provided the second. The motion was duly considered and passes unanimously.

- b) Consideration of Bids: Consideration of Resolution No. 1656 - – A Resolution accepting the bid and authorizing the City Manager to execute an agreement with AST Directional Drilling Nevada, Missouri for costs and installation of 65' 14" of Steel Pipe.

Councilperson Gallagher moved to accept Resolution No. 1656, Councilperson Vickers provided the second. The motion was duly considered and passes unanimously.

- c) Consideration of Resolution No. 1657 – A Resolution of the City of Nevada, Missouri approving a revision to Resolution No.1635 passed on April 26, 2022, from Midland Enterprises, Joplin, Missouri, and authorizing the City Manager to enter into an agreement for (4) each 12 x 22 beams to support specified loads to the Public Works Department PEMB structure.

Councilperson Eberhard moved to accept Resolution No. 1657, Councilperson Vickers provided the second. The motion was duly considered and passes unanimously.

COMMUNICATIONS AND PETITIONS:

- a) Kelly Ast – Transportation Audit

UNFINISHED BUSINESS:

- a) Consideration of Bill No. 2022-067 – A Special Ordinance of the City of Nevada, Missouri repealing Ordinance No. 8521 appropriating from the American Rescue Plan Act (ARPA) expenditures for the purpose that fulfill the intent of the American Rescue Plan Act for Public Health.

Councilperson Eberhard moved to place Bill No. 2022-067 on second reading by title only. Councilperson Gallagher provided the second. The motion was duly considered to move forward with the second reading and **FAILED** by the following vote:

Mr. Vickers
Mr. Eberhard
Dr. Gallagher
Mayor Knox

Aye: 0

Nay: Vickers, Eberhard, Gallagher, Knox

Absent: Bill Miles

OLD BUSINESS:

- a) Second reading of Bill No. 2022-065 – 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 Eberhard moved to place Bill No. 2022-065 on second reading by title only. Councilperson Gallagher provided the second. The motion was duly considered to move forward with the second reading and passed by the following vote:

Mr. Eberhard
Dr. Gallagher
Mayor Knox
Mr. Vickers

Aye: Eberhard, Gallagher, Knox, Vickers

Nay: 0

Absent: Bill Miles

NEW BUSINESS:

PUBLIC HEARING

Mayor opened the public hearing at 7:42 pm

Public Hearing was closed at 7:43 pm

- a) The application for Federal Financial Assistance under Section 5311 of Chapter 53, Title 49 United States Code.

- b) Consideration of Bill No. 2022-069 – A General Ordinance of the City of Nevada, Missouri, amending Section 2-106 of the Code of the City of Nevada, Missouri.

Councilperson Gallagher moved to place Bill No. 2022-069 on first reading by title only. Councilperson Eberhard provided the second. The motion was duly considered to move forward with the second reading and **FAILED** by the following vote:

Mr. Eberhard
Dr. Gallagher
Mayor Knox
Mr. Vickers

Aye: Gallagher, Knox,
Nay: Eberhard, Vickers
Absent: Bill Miles

- c) Consideration of Bill No. 2022-070 – A Special Ordinance of the City of Nevada, Missouri, amending the Fiscal 2022 Budget to include a retention program for eligible workers from the American Rescue Plan Act (ARPA).

Councilperson Gallagher moved to place Bill No. 2022-070 on first reading by title only. Councilperson Eberhard provided the second. The motion was duly considered to move forward with the second reading and passed by the following vote:

Mr. Eberhard
Dr. Gallagher
Mayor Knox
Mr. Vickers

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

- d) Consideration of Bill No. 2022-071 – A General Ordinance of the City of Nevada, Missouri, amending Chapter 36 of the Code of the City of Nevada, Missouri, by approving and adopting a lead ban for public drinking water.

Councilperson Vickers moved to place Bill No. 2022-071 on first reading by title only. Councilperson Gallagher provided the second. The motion was duly considered to move forward with the second reading and passed by the following vote:

Mr. Eberhard
Dr. Gallagher
Mayor Knox
Mr. Vickers

Aye: Eberhard, Gallagher, Knox, Vickers,

Nay: 0

Absent: Bill Miles

- e) Consideration of Resolution No. 1658 A Resolution of the City of Nevada, Missouri stating intent to seek funding through the Missouri Department of Conservation for a Tree Resource Improvement and Maintenance (TRIM) grant for the management, improvement, and conservation of trees on Park property.

Councilperson Gallagher moved to accept Resolution No. 1658, Councilperson Eberhard provided the second. The motion was duly considered and passes unanimously.

- f) Consideration of Resolution No. 1659 A Resolution of the City of Nevada, Missouri stating intent to seek funding through the Missouri Department of Conservation partnership grant for Outdoor Recreation Infrastructure at Izaak Walton Park.

Councilperson Gallagher moved to accept Resolution No. 1659, Councilperson Eberhard provided the second. The motion was duly considered and passes unanimously.

- g) Consideration of Resolution No. 1660 – A Resolution of the City of Nevada, Missouri, stating intent to seek funding through Gametime playground grant for an assessable playground at Izaak Walton Park.

Councilperson Eberhard moved to accept Resolution No. 1660, Councilperson Gallagher provided the second. The motion was duly considered and passes unanimously.

- h) Consideration of Resolution No. 1661 – A Resolution of the City of Nevada, Missouri, authorizing the City Manager to purchase a utility trailer for the Public Works Department to be used to transport the excavator as needed.

Councilperson Gallagher moved to accept Resolution No. 1661, Councilperson Vickers provided the second. The motion was duly considered and passes unanimously.

REPORTS:

Monthly Department Reports

- i. August Municipal Division Summary

Mayor's Report:

City Manager's Report:

Treasurer's Report:

- a) Financials

MISCELLANEOUS MATTERS:

Councilperson Eberhard asked questions concerning financials for LTC; asked status of locks on South wing Moore-Few; asked City Manager about ADA restroom costs; ETA on road work being done throughout the city.

EXECUTIVE SESSION:

The City Manager 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 particular employees by a public governmental body when personal information about the employee is discussed or recorded.

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

Mr. Eberhard
Dr. Gallagher
Mayor Knox
Mr. Vickers

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

Executive Session began at 8:48 pm

Councilperson Gallagher moved to move out of Executive Session and back into Regular Session. Councilperson Eberhard provided the second. The motion was duly considered to move into Regular Session and passed by the following vote:

Dr. Gallagher
Mayor Knox
Mr. Vickers
Mr. Eberhard

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

Executive session concluded at 10:12 pm

ADJOURNMENT:

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:

Mayor Knox
Mr. Vickers
Mr. Eberhard
Dr. Gallagher

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

The meeting adjourned at 10:15 pm.

Seal
Attest

George Knox, Mayor

Stephanie M. Martin – City Clerk