

MINUTES
GENERAL SESSION CITY COUNCIL MINUTES
120 S. Ash
City Council Chambers
Tuesday, October 18, 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, October 14, 2022.

CALL TO ORDER

A General Session of the City Council of Nevada, Missouri was held on Tuesday, October 18, 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 p.m. followed by the Pledge of Allegiance.

INVOCATION: Jeff Robinson

ROLL CALL

The following Council members were present for roll call:

Mr. Eberhard, Dr. Gallagher, Mayor Knox, Mr. Miles, Mr. Vickers

Absent: 0

Staff present: Mark Mitchell, City Manager; Bill Denman, City Treasurer; Cynthia Dye, Interim City Clerk; William McCaffree, City Attorney; Richard Brockman, Parks and Recreation Director

PROCLAMATIONS: None

APPROVAL OF MINUTES

Councilperson Lyndon Eberhard moved to accept October 4, 2022, Regular Session City Council Minutes as written. Councilperson Carol 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.1670 – A Resolution of the City of Nevada, Missouri accepting the bid and authorizing the City Manager to execute payment to Subsurface Solutions of Omaha, Nebraska for a RD8000 Locator

Councilperson Lyndon Eberhard moved to accept Resolution No. 1670
Councilperson Bill Miles provided the second. The motion was duly considered and passes unanimously.

- b) Consideration of Resolution No.1671 – A Resolution of the City of Nevada, Missouri accepting the bid and authorizing the City Manager to execute payment to Layne Christensen Company, Kansas City, Kansas, for Deep Well #3 and #4 rehabilitation

Councilperson Carol Gallagher moved to accept Resolution No. 1671
Councilperson Bill Miles provided the second. The motion was duly considered and passes unanimously.

- c) Consideration of Resolution No.1672 – A Resolution of the City of Nevada, Missouri accepting the bid and authorizing the City Manager to execute payment to Tri-State Chip Seal Paving, Joplin, Missouri for street improvements

Councilperson Kendall Vickers moved to accept Resolution No. 1672
Councilperson Carol Gallagher provided the second. The motion was duly considered and passes unanimously.

- d) Consideration of Resolution No.1673 –A Resolution of the City of Nevada, Missouri accepting the bid and authorizing the City Manager to execute an agreement with Water's Edge Aquatic Design of Lenexa, KS for the assessment of the physical condition of Walton Aquatic Center Pool.

Councilperson Lyndon Eberhard moved to accept Resolution No. 1673
Councilperson Carol Gallagher provided the second. The motion was duly considered and passes unanimously.

PUBLIC PARTICIPATION FROM THOSE REGISTERED WITH THE CITY CLERK:

Sam McGill, General Manager of Fidelity Communications talked about their Charitable Giving program that runs through October 31st.

Wayne Blunt expressed concerns about sidewalks from Centennial to Walmart, the Golf cart pilot program, and lawnmowers on city streets after dark.

COMMUNICATIONS AND PETITIONS: None

UNFINISHED BUSINESS: None

OLD BUSINESS:

- a) Second Reading of Bill No. 2022-074 – A General Ordinance of the City of Nevada, MO approving a non-federal aviation administration (FAA) and the City of Nevada, MO for the commissioning flight inspection of the precision approach path indicator and runway end identifier and runway end identifier lights on runway 02/20 at the Nevada Municipal Airport

Councilperson Carol Gallagher moved to place Bill No. 2022-074 on second reading by title only. Councilperson Kendall Vickers provided the second. The motion was duly considered to move forward with the second reading and passed by the following vote:

Mr. Vickers, Mr. Eberhard, Dr. Gallagher, Mayor Knox, Mr. Miles

Aye: Vickers, Eberhard, Gallagher, Knox, Miles

Nay: 0

Absent: 0

- b) Second Reading of Bill No. 2022-075 – A Special Ordinance of the City Council of the City of Nevada, MO authorizing the execution of a supplemental agreement No. 1 with H.W. Lochner, Inc., of Kansas City, MO for construction services for the Tree Clearing project at the Nevada Municipal Airport

Councilperson Lyndon Eberhard moved to place Bill No. 2022-075 on second reading by title only. Councilperson Bill Miles provided the second. The motion was duly considered to move forward with the second reading and passed by the following vote:

Mr. Miles, Mr. Vickers, Mr. Eberhard, Dr. Gallagher, Mayor Knox

Aye: Miles, Vickers, Eberhard, Gallagher, Knox

Nay: 0

Absent: 0

- c) Second Reading of Bill No. 2022-076 – A Special Ordinance of the City of Nevada, Missouri accepting the bid and authorizing the execution of an agreement with Jeff Asbell Excavating and Trucking, Inc. Carl Junction, Missouri for Tree Removal at the Nevada Municipal Airport

Councilperson Carol Gallagher moved to place Bill No. 2022-076 on second reading by title only. Councilperson Bill Miles provided the second. The motion was duly considered to move forward with the second reading and passed by the following vote:

Mayor Knox, Mr. Miles, Mr. Vickers, Mr. Eberhard, Dr. Gallagher

Aye: Knox, Miles, Vickers, Eberhard, Gallagher

Nay: 0

Absent: 0

NEW BUSINESS:

PUBLIC HEARING: Request to vacate 417.04' of Memorial Street lying between Lot 1-4 in Block 2 and Lots 1-4 of Block 3 of Lakewood Addition

Public Hearing opened at 7:22 p.m.

Public Comment: Michelle Wigge, Adrienne Lee, Sam Miller, Kevin Fox

Public Hearing closed at 7:39 pm

- a) Consideration of Bill No. 2022-077- A Special Ordinance of the City of Nevada, Missouri following hearing, declining to overrule the recommendation of the Planning Commission that the application vacation of Memorial Street between Blocks 1 and 2 in Lakewood Addition

Councilperson Lyndon Eberhard moved to place Bill No. 2022-077 on the first reading by title only. Councilperson Kendall Vickers provided the second. The motion was duly considered to move forward with the first reading and failed by the following vote:

Dr. Gallagher, Mayor Knox, Mr. Miles, Mr. Vickers, Mr. Eberhard

Aye: Mr. Vickers

Nay: Gallagher, Knox, Miles, Eberhard

Absent: 0

- b) Consideration of Bill No. 2022-078 - A Special Ordinance of the City of Nevada, Missouri authorizing the execution of an agreement with Rural Hospital Group, Gladstone, Missouri for consulting services

Councilperson Carol Gallagher moved to place Bill No. 2022-078 on first reading by title only. Councilperson Bill Miles provided the second. The motion was duly considered to move forward with the first reading and passed by the following vote:

Mr. Eberhard, Dr. Gallagher, Mayor Knox, Mr. Miles, Mr. Vickers

Aye: Eberhard, Gallagher, Knox, Miles, Vickers

Nay: 0

Absent: 0

- c) Consideration of Bill No. 2022-079 -A General Ordinance of the City of Nevada, Missouri amending Chapter 19 of the code, of the City of Nevada, Missouri

Councilperson Lyndon Eberhard moved to place Bill No. 2022-079 on first reading by title only. Councilperson Carol Gallagher provided the second. The motion was duly considered to move forward with the first reading and passed by the following vote:

Mr. Vickers, Mr. Eberhard, Dr. Gallagher, Mayor Knox, Mr. Miles

Aye: Eberhard, Gallagher, Knox, Miles

Nay: Vickers

Absent: 0

Public comments: Bill Gillette, Wayne Blunt, Ryan Renwick, Trey Todd

- d) Consideration of Bill No. 2022-080 -A General Ordinance of the City of Nevada, Missouri amending Chapter 19 of the Code by adding Section 19-203 Definitions, 19-207 Golf carts, and 19-208 registration to the Code of the city of Nevada, Missouri.

Councilperson Lyndon Eberhard moved to place Bill No. 2022-080 on first reading by title only. Councilperson Carol Gallagher provided the second. The motion was duly considered to move forward with the first reading and passed by the following vote:

Mr. Miles, Mr. Vickers, Mr. Eberhard, Dr. Gallagher, Mayor Knox

Aye: Miles, Eberhard, Gallagher, Knox

Nay: Vickers

Absent: 0

- e) Consideration of Resolution No.1668- A Resolution of the City of Nevada, Missouri approving a Travel Portion of Right-Of-Way permit for Jeffery Taylor, DBA Wind Riders Motorcycle Organization.

Councilperson Carol Gallagher moved to accept Resolution No. 1668
Councilperson Lyndon Eberhard provided the second. The motion was duly considered and passes unanimously.

- f) Consideration of Resolution No.1669- A Resolution of the City of Nevada, Missouri declaring the Caboose, located in Earp Park, as surplus property.

Councilperson Carol Gallagher moved to accept Resolution No. 1669
Councilperson Kendall Vickers provided the second. The motion was duly considered and passed.

Mayor Knox, Mr. Miles, Mr. Vickers, Mr. Eberhard, Dr. Gallagher

Aye: Knox, Miles, Vickers, Gallagher

Nay: Eberhard

Absent: 0

REPORTS:

Monthly Department Reports:

Court-September

Police September

Animal Shelter-September

Mayor's Report:

City Manager's Report:

Treasurer's Report: Financials

MISCELLANEOUS MATTERS:

Dr. Gallagher inquired about budget work session dates and communications with the public about the utility companies.

Mr. Eberhard inquired about the date for Leaf pick up, Disc golf tournament Nov. 5th and 6th, and requested an ordinance allowing only city employees to use the city logo on social media.

EXECUTIVE SESSION:

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.

Councilperson Lyndon Eberhard moved to go into executive session after a 5-minute recess Councilperson Bill Miles seconded.

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

Dr. Gallagher, Mayor Knox, Mr. Miles, Mr. Vickers, Mr. Eberhard

Aye: Gallagher, Knox, Miles, Vickers, Eberhard

Nay: 0

Absent: 0

Councilperson Carol Gallagher moved to adjourn the executive session and move back into the regular session. The second was provided by Councilperson Bill Miles. The motion was duly considered and passes by the following vote:

Mr. Eberhard, Dr. Gallagher, Mayor Knox, Mr. Miles, Mr. Vickers

Aye: Eberhard, Gallagher, Knox, Miles, Vickers

Nay: 0

Absent: 0

Executive session adjourned at 9:27 p.m.

ADJOURNMENT:

Councilperson Lyndon Eberhard moved to adjourn the Regular Session of the City Council. Councilperson Bill Miles provided the second. The motion was duly considered and passed by the following vote:

Mr. Vickers, Mr. Eberhard, Dr. Gallagher, Mayor Knox, Mr. Miles

Aye: Vickers, Eberhard, Gallagher, Knox, Miles

Nay: 0

Absent: 0

The meeting adjourned at 9:27 p.m.

Submitted by:

Cynthia Dye, Interim City Clerk

GEORGE C. KNOX, MAYOR

(seal)

ATTEST

CYNTHIA DYE, INTERIM CITY CLERK