

MINUTES
REGULAR CITY COUNCIL MINUTES
Tuesday, September 3, 2013
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 August 30, 2013 at 9:30 a.m.

CALL TO ORDER

A regular session of the City Council of Nevada, Missouri was held on Tuesday, September 3, 2013 pursuant to Section 2-6 and 2-7 of the City Code and Section 3.11 of the City Charter.

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

INVOCATION

Tom Pyle gave the invocation.

ROLL CALL

The following Council members were present for roll call:

Present: Barrett; Christie; Hertzberg; Leonard; Novak

Absent: None

Staff present: JD Kehrman, City Manager; Wm. G. McCaffree, City Attorney; Bev Baker, City Clerk; Johnna Williams, Planning Manager; Casey Crain, Police Captain; Dana Redburn, Parks & Recreation Director; Roger Beach, Field Operations Manager; Shawn Middendorf, Alliance Water Resources; William Thornton, Fire Chief; Mark Mitchell, CIO; Kristie Modlin, Treasurer; Randy Marti, Administrative Service Director; Julie Lewis, Executive Assistant.

PROCLAMATIONS

There were none.

APPROVAL OF MINUTES

Councilperson Novak moved to accept the August 19, 2013 regular session City Council minutes as written. Councilperson Christie provided the second. The motion was duly considered and passed unanimously.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Mayor Barrett presented Mike Brown for appointment, replacing Blake Hertzberg, to the Planning Commission.

Councilperson Hertzberg moved to appoint Mike Brown to the Planning Commission for the 1st term, expiring March 2017. Councilperson Novak provided the second. The motion was duly considered and unanimously passed.

CONSIDERATION OF BIDS

There were none.

PUBLIC PARTICIPATION FROM THOSE REGISTERED WITH THE CITY CLERK

There were none.

COMMUNICATIONS AND PETITIONS

There were none.

OLD BUSINESS

First item to be considered was Bill No.2013-042 amending section 20-23 of the City Code of the City of Nevada, Missouri.

Councilperson Christie moved to place Bill No. 2013-042 on second reading by title only. Councilperson Hertzberg provided the second. After discussion the motion was amended by Councilperson Leonard to read as Section 20-23 of the code (5) changed from; there **shall** be assessed and collected a surcharge of three dollars in all civil action filed in the Municipal court and in any “criminal cases including violation of any county ordinance or any violation of the criminal or traffic laws of the state, including infractions”. To read; There **may** be assessed and collected a surcharge of three dollars in all civil actions filed in the Municipal court and in any “criminal cases including violation of any county ordinance or any violation of the criminal or traffic laws of the state, including infractions. Councilperson Christie provided the second. The motion was duly considered and passed by the following vote:

Aye: Barrett; Christie; Hertzberg; Leonard; Novak

Nay: None

Absent: None

Next to be considered was Amended Bill No. 2013-042 amending section 20-23 of the City Code of the City of Nevada, Missouri.

Councilperson Leonard moved to place Amended Bill No. 2013-042 on first reading by title only. Councilperson Novak provided the second. The motion was duly considered and passed by the following vote:

Aye: Christie; Hertzberg; Leonard; Novak; Barrett

Nay: None

Absent: None

Next item to be considered was Bill No. 2013-043 authorizing the execution of an agreement with the County Commission, Vernon County for 2013 Real Estate and Personal Property Tax billings and collection for the 2013 Tax year.

Councilperson Leonard moved to place Bill No. 2013-043 on second reading by title only. Councilperson Novak provided the second. The motion was duly considered and passed by the following vote:

Aye: Hertzberg; Leonard; Novak; Barrett; Christie

Nay: None

Absent: None

The Mayor declared Bill No. 2013-043 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7912 and was signed by the Mayor and attested by the City Clerk. The Mayor directed said Ordinance be engrossed upon the corporate records.

Next item to be considered was Bill No. 2013-044 authorizing an amendment to the current service agreement with Allgeier, Martin & Associates of Joplin, Missouri.

Councilperson Hertzberg moved to place Bill No. 2013-044 on second reading by title only. Councilperson Christie provided the second. The motion was duly considered and passed by the following vote:

Aye: Leonard; Novak; Barrett; Christie; Hertzberg

Nay: None

Absent: None

The Mayor declared Bill No. 2013-044 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7913 and was signed by the Mayor and attested by the City Clerk. The Mayor directed said Ordinance be engrossed upon the corporate records.

Next item to be considered was Bill No. 2013-045 authorizing the City of Nevada, Missouri, to enter into a lease/purchase agreement with U.S. Bancorp Equipment Finance, Inc. for the acquisition of a vac-con v390/1000 LHA combination sewer cleaner for the sewer collection department.

Councilperson Christie moved to place Bill No. 2013-045 on second reading by title only. Councilperson Novak provided the second. The motion was duly considered and passed by the following vote:

Aye: Novak; Barrett; Christie; Hertzberg; Leonard

Nay: None

Absent: None

The Mayor declared Bill No. 2013-045 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7914 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 to be considered was Bill No. 2013-046 providing for the holding of a Primary and General Election within the City of Nevada, Missouri and fixing the polling place, appointing judges of said election, and providing for other matters incidental to said election.

Councilperson Christie moved to place Bill No. 2013-046 on first reading by title only. Councilperson Novak provided the second. The motion was duly considered and passed by the following vote:

Aye: Barrett; Christie; Hertzberg; Leonard; Novak

Nay: None

Absent: None

Then to be considered was Bill No. 2013-047 approving a cooperative agreement by and between the Missouri Department of Conservation and City of Nevada Parks and Recreation.

Councilperson Novak moved to place Bill No. 2013-047 on first reading by title only. Councilperson Christie provided the second. The motion was duly considered and passed by the following vote:

Aye: Christie; Hertzberg; Leonard; Novak; Barrett

Nay: None

Absent: None

REPORTS

Monthly Department Reports

There were none.

Boards and Commissions Written Minutes/Reports

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

- i. Park Board – May 29, 2013
- ii. Park Board – June 26, 2013
- iii. Library Board – July 25, 2013

Mayor's Report

There was none.

City Manager's Report

City Manager, J D Kehrman reported, on sewer projects on Clay Street and SRF sewer improvements.

MISCELLANEOUS MATTERS

Councilperson Novak discussed the term limits for Boards and Commissions. Council requested requirements for members and made recommendation for Mr. McCaffree to complete an Ordinance with the following information provided. Term limits set at two terms, one year allowed before becoming a member again,

and attendance requirements. The ordinance will apply to Parks and Recreation, Street and Infrastructure, and Planning Commission.

Upon recommendation from Mr. McCaffree, City Attorney, Councilperson Novak made a motion to execute the transaction with Allgeier, Martin & Associates of Joplin, Missouri, after the Clean Water Commission meets and allocates the funds to the City of Nevada. Once the allocations are completed the City Manager is authorized to execute the agreement between Allgeier, Martin & Associates and the City of Nevada. Councilperson Hertzberg provided the second. The motion was duly considered and passed by the following vote:

Aye: Hertzberg; Leonard; Novak; Barrett; Christie

Nay: None

Absent: None

ADJOURNMENT

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

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

Aye: Leonard; Novak; Barrett; Christie; Hertzberg

Nay: None

Absent: None

The meeting adjourned at 7:58 p.m.

Respectfully submitted,

Bev Baker, City Clerk

(seal)
ATTEST:

Seth Barrett, Mayor

Bev Baker, City Clerk