

**MINUTES**  
**REGULAR CITY COUNCIL MINUTES**  
**Tuesday, January 21, 2014**  
**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 January 17, 2014 at 9:00 a.m.

***CALL TO ORDER***

A regular session of the City Council of Nevada, Missouri was held on Tuesday, January 21, 2014 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 7:01 p.m., followed by the Pledge of Allegiance.

***INVOCATION***

Mark Mitchell 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; Kristie Modlin, Treasurer; Mark Mitchell, CIO; Graham Burnley, Chief of Police; William Thornton, Fire Chief; Randy Marti, Administrative Service Director; Dana Redburn, Parks & Recreation Director; Tom Hutchinson, Construction Specialists; Shawn Middendorf, Alliance Water Resources; Julie Lewis, Executive Assistant.

***PROCLAMATIONS***

There were none.

***APPROVAL OF MINUTES***

Councilperson Novak moved to accept the January 7, 2014 regular session City Council minutes as written. Councilperson Hertzberg provided the second. The motion was duly considered and passed unanimously.

**APPOINTMENTS TO BOARDS AND COMMISSION**

There were none.

**CONSIDERATION OF BIDS**

The bid considered was for patrol cars – Police Department.

Councilperson Leonard moved to approve the bid from Missouri State Highway Patrol Fleet Sales Division for purchase of three patrol cars totaling \$46,350. 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

The next bid to be considered was for fuel – Public Works Department.

Councilperson Christie moved to approve the bid from MFA Oil Co. for bulk fuel at 5 cents off posted price and automotive fuel at 35 cents off posted price. Councilperson Hertzberg provided the second. The motion was duly considered and passed by the following vote:

Aye: Christie; Hertzberg; Leonard; Novak; Barrett

Nay: None

Absent: None

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

There were none.

**COMMUNICATIONS AND PETITIONS**

There were none.

**OLD BUSINESS**

Next to be considered was Bill No 2014-001 accepting the award of the Stop VAWA Grant and authorizing the City Manager to execute the Grant Award.

Councilperson Leonard moved to place Bill No. 2014-001 on second reading by title only. Councilperson Christie 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. 2014-001 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7943 and was signed by the Mayor and attested by the City Clerk. The Mayor directed said Ordinance be engrossed upon the corporate records.

Next to be considered was Bill No 2014-002 amending section 23-24 (b) Fences of the Nevada City Code modifying the prohibition of electric fences to exempt agricultural education programs.

Councilperson Leonard moved to place Bill No. 2014-002 on second reading by title only. Councilperson Novak provided the second. The motion was duly considered and passed by the following vote:

Aye: Leonard; Novak; Barrett; Christie

Nay: Hertzberg

Absent: None

The Mayor declared Bill No. 2014-002 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7944 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. 2014-003 confirming Nevada Fire Department Rural Fire Response/Procedures policy.

Councilperson Novak moved to place Bill No. 2014-003 on first reading by title only. Councilperson Hertzberg provided the second. The motion was duly considered and passed by the following vote:

Aye: Novak; Barrett; Christie; Hertzberg; Leonard

Nay: None

Absent: None

Next to be considered was Bill No. 2014-004 establishing Rural Fire Membership fees from January 1, 2014 – June 30, 2015

Councilperson Leonard moved to place Bill No. 2014-004 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

Next to be considered was Bill No. 2014-005 approving an agreement between the City and M-NOD Taxi and Shuttle for subsidized public transportation services for 2014.

Councilperson Leonard moved to place Bill No. 2014-005 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

Next to be considered was Bill No. 2014-006 budgeting funds for the promotion of Tourism by partnering with Quantum Racing LLC.

Councilperson Christie moved to place Bill No. 2014-006 on first reading by title only. Councilperson Hertzberg provided the second. After discussion, the motions were retracted by Mr. Christie and Mr. Hertzberg. Councilperson Christie moved to place the Amended Bill No. 2014-006 with adding section 4. "Excess reimbursements, if any, will be restored to the Tourism Fund", on first reading by title only. 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

Next to be considered was Resolution No. 1386 acknowledging the filing of a verified petition requesting annexation of property signed by the owners of all fee interests of

record within the areas proposed to be annexed, calling a public hearing, and providing for notice of hearing by publication in a newspaper.

Councilperson Novak moved to approve Resolution No. 1386, seconded by Councilperson Christie. The motion was duly considered and passed unanimously.

Next to be considered was Resolution No. 1387 approving a liquor license for Casey's General Store, 500 E Austin, to sell liquor in the original package not for consumption on the premises.

Councilperson Novak moved to approve Resolution No. 1387, seconded by Councilperson Christie. The motion was duly considered and passed unanimously.

Next to be considered was Resolution No. 1388 approving a liquor license for Casey's General Store, 401 N Osage, to sell liquor in the original package not for consumption on the premises.

Councilperson Christie moved to approve Resolution No. 1388, seconded by Councilperson Novak. The motion was duly considered and passed unanimously.

## **REPORTS**

### ***Monthly Department Reports***

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

- i. Municipal Court Report – December
- ii. Fire Department Report – December – Annual Report
- iii. Animal Control Report – December
- iv. Police Department Report – December
- v. Alliance Water Resources Report – December
- vi. Finance Report - December
  1. Business License Report – December

Mr. Middendorf, Alliance Manager, discussed a recent break in a water line on East Highland Street.

### ***Boards and Commissions Written Minutes/Reports***

There were none.

### ***Mayor's Report***

There was none.

### ***City Manager's Report***

There was none.

### **MISCELLANEOUS MATTERS**

Councilperson Novak inquired about the Community Center parking lot on Saturday. Ms. Redburn, Parks and Recreation Director, said buses were asked to move after unloading students, to allow for more parking.

Councilperson Novak mentioned the trees limbs down in parks and leaf pickup. Mr. Kehrman, City Manager, responded that the crews are in process of cleaning up the areas.

Councilperson Leonard inquired about the construction of the fire and police station. He was concerned about interruption to the departments. Plans are being made for safety and protection of everyone.

### **EXECUTIVE SESSION**

Mayor Barrett requested an executive session 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.

Councilperson Leonard moved to go into 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, after a five-minute recess. The second was provided by Councilperson Novak. The motion was duly considered and passed by the following vote:

Aye: Leonard; Novak; Barrett; Christie; Hertzberg

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 7:56 p.m.

Present: Barrett; Christie; Hertzberg; Leonard; Novak

Absent: None

Staff present: JD Kehrman, City Manager; Wm. G. McCaffree, City Attorney; Bev Baker, City Clerk

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

Aye: Novak; Barrett; Christie; Hertzberg; Leonard

Nay: None

Absent: None

Executive session adjourned at 9:22 p.m.

### ***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: Barrett; Christie; Hertzberg; Leonard; Novak

Nay: None

Absent: None

The meeting adjourned at 9:22 p.m.

Respectfully submitted,

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Bev Baker, City Clerk

(seal)  
ATTEST:

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Seth Barrett, Mayor

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Bev Baker, City Clerk