

**MINUTES**  
**REGULAR SESSION CITY COUNCIL MINUTES**  
**Tuesday, February 18, 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 February 14, 2014 at 3:30 p.m.

***CALL TO ORDER***

A regular session of the City Council of Nevada, Missouri was held on Tuesday, February 18, 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 7:00 p.m., followed by the Pledge of Allegiance.

***INVOCATION***

Lawrence Wilson 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; Johnna Williams, Planning Manager; Graham Burnley, Chief of Police; William Thornton, Fire Chief; Randy Marti, Administrative Service Director; Dana Redburn, Parks & Recreation Director; Tom Hutchinson, Construction Specialist; Shawn Middendorf, Alliance Water Resources; Julie Lewis, Executive Assistant; Jennie Dick, Finance Department Manager.

***PROCLAMATIONS***

There were none.

***APPROVAL OF MINUTES***

Councilperson Novak moved to accept the February 11, 2014 special 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 Local Law Enforcement Block Grant (LLEBG) – Police Department.

Councilperson Leonard moved to approve the bid for Local Law Enforcement Block Grant including funds in the amount of \$9,000 for equipment and local funding is \$1,289.99.

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 Twin Lakes Sports Complex Chemical Bids – Parks and Recreation.

Councilperson Christie moved to approve the bid from BWI Companies, Inc. for \$4,512.10. 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

The next bid considered was for Twin Lakes Sports Complex Chemical Bids – Parks and Recreation.

Councilperson Leonard moved to approve the bid from Greens Pro, Inc. for \$53,357.60. 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 next bid considered was for Trim mower for Frank E. Peters Golf Course – Parks and Recreation.

Councilperson Novak moved to approve the bid from Irrigation and Turf Equipment for \$4,950. 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 next bid considered was for ZTR Mowers for Parks Maintenance – Parks and Recreation.

Councilperson Christie moved to approve the bid from Crossroad's Sales and Service for \$30,250. 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

#### ***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 2014-007 approving a lease agreement with Young Iron and Metal, Inc. for a 30 foot gooseneck trailer for recycling purposes.

Councilperson Hertzberg moved to place Bill No. 2014-007 on second 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

The Mayor declared Bill No. 2014-007 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7950 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***

Then, Mayor Barrett opened a public hearing regarding annexing a tract of real estate owned by C. E. Fancher and Norma J. Fancher at 7:14 p.m. With no public comment the public hearing was closed at 7:14 p.m.

Next to be considered was Bill No. 2014-008 annexing a tract of real estate owned by C. E. Fancher and Norma J. Fancher.

Councilperson Leonard moved to place Bill No. 2014-008 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 to be considered was Bill No. 2014-009 approving a depository services agreement for governmental entities with US Bank authorizing check signers for the Tour of Nevada Race purse account.

Councilperson Hertzberg moved to place Bill No. 2014-009 on first 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

Next to be considered was Bill No. 2014-010 authorizing the execution of an agreement with the C&C Group of Springfield, Mo. For installation of security systems at the new Police/Court public safety building.

Councilperson Novak moved to place Bill No. 2014-010 on first reading by title only. 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

Next to be considered was Bill No. 2014-011 amending section 2-6 (regular meeting) of the code of the City of Nevada, Missouri

Councilperson Leonard moved to place Bill No. 2014-011 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

Then, Mayor Barrett opened a public hearing approving a final plat and development agreement of Curtis Business Park at 7:19 p.m. With no public comment the public hearing was closed at 7:20 p.m.

Next to be considered was Bill No. 2014-012 approving a final plat and development agreement of Curtis Business Park.

Councilperson Leonard moved to place Bill No. 2014-012 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. 2014-013 to enter into a lease/purchase agreement with Arvest Equipment Finance for the acquisition of two grasshopper mowers.

Councilperson Christie moved to place Bill No. 2014-013 on first reading by title only. 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

Next to be considered was Resolution No. 1391 authorizing the City Council to execute a Missouri Highway Safety Program City Council authorization form for possible funding assistance for traffic enforcement.

Councilperson Novak moved to approve Resolution No. 1391, seconded by Councilperson Leonard. The motion was duly considered and passed unanimously.

Next to be considered was Resolution No. 1392 adopting the non-discrimination/limited English Proficiency (LEP) Plan.

Councilperson Hertzberg moved to approve Resolution No. 1392, seconded by Councilperson Christie. 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 – January
- ii. Fire Department Report – January
- iii. Animal Control Report – January
- iv. Police Department Report – January
- v. Alliance Water Resources Report – January - Annual
- vi. Finance Report - January
  1. Business License Report – January

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

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

- NRMC Board – April 30, 2013
- NRMC Board – May 28, 2013
- NRMC Board - June 25, 2013
- NRMC Board – July 30, 2013
- NRMC Board – August 27, 2013
- NRMC Board – September 24, 2013
- NRMC Board - November 26, 2013
- Planning Commission – November 12, 2013
- Parks Board – December 4, 2013

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

There was none.

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

City Manager, JD Kehrman reported, Community Development Block Grant (CDBG) funds is now closed and the City is now eligible for new CDBG funds.

### **MISCELLANEOUS MATTERS**

There were none.

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

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 7:35 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 Christie. The motion was duly considered and passed by the following vote:

Aye: Leonard; Novak; Barrett; Christie; Hertzberg

Nay: None

Absent: None

Executive session adjourned at 8:45 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: Novak; Barrett; Christie; Hertzberg; Leonard

Nay: None

Absent: None

The meeting adjourned at 8:46 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