

**MINUTES**  
**REGULAR SESSION CITY COUNCIL MINUTES**  
**Tuesday, June 3, 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 May 30, 2014 at 10:30 p.m.

***CALL TO ORDER***

A regular session of the City Council of Nevada, Missouri was held on Tuesday, June 3, 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***

Brian Leonard 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; Sharon Kegler, Human Resources Director; Dana Redburn, Parks & Recreation Director; Roger Beach, Field Operations Manager; Shawn Middendorf, Alliance Water Resources; Julie Lewis, Executive Assistant.

***PROCLAMATIONS***

Mayor Barrett announced a proclamation would be read at Max Motors event for Military Appreciation on June 7<sup>th</sup> 11:00 a.m. – 1:00 p.m., declaring the City of Nevada a Purple Heart City in recognition of our communities Purple Heart Medal recipients.

***APPROVAL OF MINUTES***

Councilperson Christie moved to accept the May 20, 2014 regular session City Council minutes as written. Councilperson Novak provided the second. The motion was duly considered and passed unanimously.

***APPOINTMENTS TO BOARDS AND COMMISSION***

There were none.

***CONSIDERATION OF BIDS***

There were none.

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

Carol Branham invited everyone to the HUD Father's Day Initiative sponsored by Nevada Housing Authority in partnership with Nevada Parks & Recreation Department. The event will be held on Sunday, June 15, 2014 at Lyons Stadium at 4:00 p.m. and the Nevada Griffons game begins at 6:00 p.m.; admission is free.

***COMMUNICATIONS AND PETITIONS***

There were none.

***OLD BUSINESS***

Next to be considered was Bill No 2014-041 accepting a water line easement for the Cottey College waterline replacement project.

Councilperson Leonard moved to place Bill No. 2014-041 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. 2014-041 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7983 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 2014-043 accepting the bid and enter into a Lease/Purchase agreement with U.S. Bancorp Government Leasing and Finance, Inc. and increase the budget for the acquisition of a skid steer, backhoe and phone system upgrade.

Councilperson Christie moved to place Bill No. 2014-043 on second 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

The Mayor declared Bill No. 2014-043 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7984 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 2014-044 amending the 2014 water and Sewer Fund Budget.

Councilperson Hertzberg moved to place Bill No. 2014-044 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. 2014-044 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7985 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, City Manager, JD Kehrman discussed the postponement of the public hearing and Bill No. 2014-042, due to the applicants request to delay while the Engineer for the applicant had again requested more time to finalize changes that he initiated to the storm water calculations. No action is required at this time. The city will post the public hearing after all revisions have been received and the final plat has been reviewed and approved by our engineer at Allgeier-Martin & Associates.

Next to be considered was Bill No. 2014-045 authorizing the execution of change order #3 to the agreement with Miller Construction, Inc., of El Dorado Springs, Missouri.

Councilperson Christie moved to place Bill No. 2014-045 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

Next to be considered was Resolution No. 1399 approving Diana's Club for a City Picnic temporary liquor by the drink license to sell malt liquor in excess of 3.2% of alcohol by weight, but not in excess of 5% of alcohol by weight and light wines containing not in excess of 14% alcohol by weight for consumption on the premises where sold.

Councilperson Novak moved to approve Resolution No. 1399, seconded by Councilperson Hertzberg. The motion was duly considered and passed unanimously.

## **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. NRMCM – April 29, 2014
- ii. Housing Authority – February 12, 2014
- iii. Housing Authority – March 27, 2014
- iv. Housing Authority – April 24, 2014
- v. Housing Authority – May 8, 2014

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

Mayor Barrett reminded everyone that June 11 -14 is Bushwhacker Days. Councilperson Novak will attend the opening ceremony and read the Bushwhacker Days Declaration.

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

City Manager, JD Kehrman reported, street preparation will be completed tomorrow then the street crews will go to the clubhouse to do the parking lot. Landscaping around the clubhouse will also begin. He invited everyone to the ribbon cutting for the Pulse playground equipment that will be held on June 11, 2014 at 9:00 a.m. He also noted the audit presentation will be at the next Council meeting on June 17, 2014.

**MISCELLANEOUS MATTERS**

Councilperson Leonard discussed the fireworks display is coming up in the near future. He made a motion to donate \$500 from the tourism fund to help cover the cost. Councilperson Christie provided the second. After discussion, the motion passed with the following vote:

Aye: Barrett; Christie; Hertzberg; Leonard; Novak  
Nay: None  
  
Absent: None

Councilperson Novak mentioned clean-up was needed of brush piles at the YMCA, and weeds on Austin Street in front of China One. The City Manager said the YMCA had already been notified. She also inquired about the kitchen equipment that the City was taking ownership. The City Manager explained the equipment would go to different organizations such as Healthy Nevada, Farmers Market, Community Outreach, and etc. and would not be in the possession of the City.

**EXECUTIVE SESSION**

The 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.

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

Aye: Barrett; Christie; Hertzberg; Leonard; Novak  
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 7:33 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 Christie moved to adjourn the executive session and move back into regular session. The second was provided by Councilperson Hertzberg. The motion was duly considered and passed by the following vote:

Aye: Christie; Hertzberg; Leonard; Novak; Barrett

Nay: None

Absent: None

Executive session adjourned at 8:10 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: Hertzberg; Leonard; Novak; Barrett; Christie

Nay: None

Absent: None

The meeting adjourned at 8:11 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