

**MINUTES**  
**REGULAR SESSION CITY COUNCIL MINUTES**  
**Tuesday, June 17, 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 June 12, 2014 at 3:15 p.m.

***CALL TO ORDER***

A regular session of the City Council of Nevada, Missouri was held on Tuesday, June 17, 2014 pursuant to Section 2-6 and 2-7 of the City Code and Section 3.11 of the City Charter.

Mayor Pro-Tem Novak called the meeting to order at 7:00 p.m., followed by the Pledge of Allegiance.

***INVOCATION***

David Rorabaugh gave the invocation.

***ROLL CALL***

The following Council members were present for roll call:

Present: Christie; Hertzberg; Leonard; Novak

Absent: Barrett

Mayor Barrett's absence was excused.

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; Kevin Scott, Fire Department; Randy Marti, Administrative Service Director; Sharon Kegler, Human Resources Director; Dana Redburn, Parks & Recreation Director; Tom Hutchinson, Construction Specialist; Shawn Middendorf, Alliance Water Resources; Julie Lewis, Executive Assistant.

***PROCLAMATIONS***

There were none.

***APPROVAL OF MINUTES***

Councilperson Leonard moved to accept the June 3, 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 slurry oil for 2014 Slurry Project – Public Works.

Councilperson Christie moved to approve the bid from Costal Energy services for slurry oil at \$2.35 per gallon delivered. Councilperson Hertzberg provided the second. The motion was duly considered and passed by the following vote:

Aye: Christie; Hertzberg; Leonard; Novak

Nay: None

Absent: Barrett

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

There were none.

***COMMUNICATIONS AND PETITIONS***

Butch Beeman from Troutt, Beeman & Co., P.C. presented the December 31, 2013 audit. The City of Nevada received a clean audit. Mr. Beeman noted the staff was very component and easy to work with.

***OLD BUSINESS***

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 second reading by title only. Councilperson Hertzberg provided the second. The motion was duly considered and passed by the following vote:

Aye: Hertzberg; Leonard; Novak; Christie

Nay: None

Absent: Barrett

The Mayor Pro-Tem declared Bill No. 2014-045 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7986 and was signed by the Mayor Pro-Tem and attested by the City Clerk. The Mayor Pro-Tem directed said Ordinance be engrossed upon the corporate records.

### ***NEW BUSINESS***

Next to be considered was Bill No. 2014-046 amending the City personnel code sections 25-2 Conditions of Employment, 25-3 Job Classification and Pay Plan, and 25-4 Fringe Benefits.

Councilperson Hertzberg moved to place Bill No. 2014-046 on first reading by title only. Councilperson Leonard provided the second. The motion was duly considered and passed by the following vote:

Aye: Leonard; Novak; Christie; Hertzberg

Nay: None

Absent: Barrett

Next to be considered was Resolution No. 1400 authorizing a waiver from the provisions of section 23-26, discharge of firearms and section 2-23, closing hours of the parks of the City of Nevada, Missouri in conjunction with the Missouri Osage Territory Muzzleloaders Black Powder Competition to be held September 11, 12, 13, and 14, 2014 at Marmaduke Park.

Councilperson Hertzberg moved to approve Resolution No. 1400, seconded by Councilperson Leonard. The motion was duly considered and passed unanimously.

### ***REPORTS***

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

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

Municipal Court Report – May  
Fire Department Report – May  
Animal Control Report – May  
Police Department Report – May  
Alliance Water Resources Report – May  
Finance Report - May  
Business License Report – May

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

Library – January 23, 2014  
Library – February 28, 2014  
Library – March 27, 2014  
Library – April 24, 2014

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

Mayor Pro-Tem Novak stated Bushwhacker days was a huge success.

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

City Manager, JD Kehrman reported, he only heard positive things about the quality of entertainment at Bushwhacker Days. He congratulated the Bushwhacker Days committee and City staff that participated and were behind the scenes, in making the event a success. Road closing has been minimal with the Cottey water line project. The railroad plans to close the road at Maple east of Pine Street beginning June 20<sup>th</sup>. Beginning June 18<sup>th</sup> MoDot will be overlaying BB HWY (ASH ST) from Austin Blvd. south, then shortly after they will start from Austin and go north on Ash street. Some delays, inconvenience and detours are necessary.

### ***MISCELLANEOUS MATTERS***

There were none.

### ***EXECUTIVE SESSION***

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

Aye: Novak; Christie; Hertzberg; Leonard

Nay: None

Absent: Barrett

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 7:34 p.m.

Present: Christie; Hertzberg; Leonard; Novak

Absent: Barrett

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

Aye: Christie; Hertzberg; Leonard; Novak

Absent: Barrett

Executive session adjourned at 7:40 p.m.

### ***ADJOURNMENT***

With no further business to come before City Council, Mayor Pro-Tem Novak asked for a motion to adjourn.

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

Aye: Hertzberg; Leonard; Novak; Christie

Nay: None

Absent: Barrett

The meeting adjourned at 7:41 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