

MINUTES
REGULAR SESSION CITY COUNCIL MINUTES
Tuesday, August 19, 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 August 14, 2014 at 10:45 a.m.

CALL TO ORDER

A regular session of the City Council of Nevada, Missouri was held on Tuesday, August 19, 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

Brian Leonard gave the invocation.

ROLL CALL

The following Council members were present for roll call:

Present: Barrett; Christie; Hertzberg; Leonard

Absent: Novak

Councilperson Novak absence was excused.

Staff present: JD Kehrman, City Manager; Wm. G. McCaffree, City Attorney; Bev Baker, City Clerk; Kristie Modlin, Treasurer; 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; 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 August 5, 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

Mayor Barrett presented Bob Beaver for re-appointment to the Board of Adjustment.

Councilperson Christie moved to re-appoint Bob Beaver to the Board of Adjustment. This is Mr. Beaver's 2nd term, expiring April 30, 2018. Councilperson Hertzberg provided the second. The motion was duly considered and unanimously passed.

CONSIDERATION OF BIDS

The bid considered was for UV System Lamps & Components – Waste Water Treatment Plant.

Councilperson Leonard moved to approve the bid from Ray Lindsey Co. for \$14,738.56. Councilperson Hertzberg provided the second. The motion was duly considered and passed by the following vote:

Aye: Barrett; Christie; Hertzberg; Leonard

Nay: None

Absent: Novak

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 2014-052 adopting and reenacting Bill No. 1991-15, Ordinance No. 3665, codified as section 2-121 of the Code of the City of Nevada, Missouri, regarding financial disclosure.

Councilperson Hertzberg moved to place Bill No. 2014-052 on second reading by title only. Councilperson Christie provided the second. The motion was duly considered and passed by the following vote:

Aye: Christie; Hertzberg; Leonard; Barrett

Nay: None

Absent: Novak

The Mayor declared Bill No. 2014-052 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7994 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 2014-053 accepting the option for Troutt, Beeman & Co. P.C. Certified Public Accountants to conduct the annual audit for the fiscal year ending December 31, 2014.

Councilperson Christie moved to place Bill No. 2014-053 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; Barrett; Christie

Nay: None

Absent: Novak

The Mayor declared Bill No. 2014-053 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7995 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 2014-054 releasing and concluding NID assessments as per Ordinance 6259 on Lot 13 of Ashland Estates of Stutesman Realty, Inc.

Councilperson Leonard moved to place Bill No. 2014-054 on second reading by title only. Councilperson Christie provided the second. The motion was duly considered and passed by the following vote:

Aye: Leonard; Barrett; Christie; Hertzberg

Nay: None

Absent: Novak

The Mayor declared Bill No. 2014-054 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7996 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 2014-055 levying General and Special Taxes in the City of Nevada, Missouri, for the Tax year 2014.

Councilperson Hertzberg moved to place Bill No. 2014-055 on second reading by title only. Councilperson Christie provided the second. The motion was duly considered and passed by the following vote:

Aye: Barrett; Christie; Hertzberg; Leonard

Nay: None

Absent: Novak

The Mayor declared Bill No. 2014-055 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7997 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. 2014-056 accepting the drainage easement at 620 S. Olive as granted by Nancy Seeley.

Councilperson Leonard moved to place Bill No. 2014-056 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; Barrett

Nay: None

Absent: Novak

Next to be considered was Bill No. 2014-057 authorizing the execution of an agreement with the Vernon County Commission for 2014 Real Estate and Personal Property Tax Billings and Collection.

Councilperson Christie moved to place Bill No. 2014-057 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; Barrett; Christie

Nay: None

Absent: Novak

Next to be considered was Bill No. 2014-058 accepting a grinder pump easement from Ranza, Inc. for 2505 East Austin Blvd, Nevada, Missouri.

Councilperson Leonard moved to place Bill No. 2014-058 on first reading by title only. Councilperson Hertzberg provided the second. The motion was duly considered and passed by the following vote:

Aye: Leonard; Barrett; Christie; Hertzberg

Nay: None

Absent: Novak

Next to be considered was Resolution No. 1411 authorizing a waiver from the provisions of section 23-26, discharge of firearms and section 5-26 (2), dogs at large of the City of Nevada, Missouri in conjunction with the National Wild Turkey Federation Youth event to be held September 27, 2014 at the Vernon County Fair Grounds.

Councilperson Christie moved to approve Resolution No. 1411, seconded by Councilperson Hertzberg. 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:

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

Mr. Shawn Middendorf discussed the Alliance report.

Boards and Commissions Written Minutes/Reports

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

Park & Recreation – March 26, 2014

Park & Recreation – April 30, 2014

Planning Commission – July 8, 2014

Mayor's Report

Mayor Barrett invited everyone to Chief Burnley's reception in honor of his 40 years of service in law enforcement on Thursday, August 21, 2014 at the Healthy Nevada Innovative Center from 4:30 p.m. – 7:00 p.m.

City Manager's Report

City Manager, JD Kehrman reported, he had several items to discuss in executive session.

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, (2) Leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefor, and (3) Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded .

Councilperson Christie 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, (2) Leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefor and (3) Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded 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

Nay: None

Absent: Novak

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 7:30 p.m.

Present: Barrett; Christie; Hertzberg; Leonard

Absent: Novak

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, (2) Leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefor and (3) Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded .

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; Barrett

Absent: Novak

Executive session adjourned at 9:34 p.m.

Mayor Barrett asked for a Special Executive Session on Monday, August 25, 2014 a 7:00 a.m.

ADJOURNMENT

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

Councilperson Christie 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; Barrett; Christie

Nay: None

Absent: Novak

The meeting adjourned at 9:34 p.m.

Respectfully submitted,

Bev Baker, City Clerk

(seal)
ATTEST:

Seth Barrett, Mayor

Bev Baker, City Clerk