

**MINUTES**  
**REGULAR SESSION CITY COUNCIL MINUTES**  
**Tuesday, May 5, 2015**  
**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 1, 2015 at 9:15 a.m.

***CALL TO ORDER***

A regular session of the City Council of Nevada, Missouri was held on Tuesday, May 5, 2015 pursuant to Section 2-6 and 2-7 of the City Code and Section 3.11 of the City Charter.

Mayor Leonard 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; Watts

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; Tom Hutchinson, Field Operations Manager; Shawn Middendorf, Alliance Water Resources; Julie Lewis, Executive Assistant.

***PROCLAMATIONS***

Mayor Leonard presented a proclamation for Police Week May 10 – 16, 2015 to the Nevada Police Officers represented by Sergeant Jimmie Dye and Officer Brian Hanson.

***APPROVAL OF MINUTES***

Councilperson Christie moved to accept the April 21, 2015 Special Session City Council minutes as written. Councilperson Novak provided the second. The motion was duly considered and passed unanimously.

Councilperson Hertzberg moved to accept the April 21, 2015 Regular Session City Council minutes as written. Councilperson Watts 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 purchase of HVAC units for the Community Center for the Parks and Recreation Department.

Councilperson Novak moved to approve the bid from Earnsbarger's Heating and Cooling in the amount of \$23,769. Councilperson Hertzberg provided the second. The motion was duly considered and passed by the following vote:

Aye: Christie; Hertzberg; Leonard; Novak; Watts

Nay: None

Absent: None

The next bid considered was for west aeration basin, RAS pump #2 for the Wastewater Treatment Plant.

Councilperson Christie moved to approve the bid from FTC Equipment in the amount of \$5,622.93. Councilperson Hertzberg provided the second. The motion was duly considered and passed by the following vote:

Aye: Hertzberg; Leonard; Novak; Watts; Christie

Nay: None

Absent: None

The next bid considered was for replacing a damaged manhole for the Wastewater Collection.

Councilperson Novak moved to approve the bid from McInroy Contractors LLC in the amount of \$27,240. Councilperson Christie provided the second. The motion was duly considered and passed by the following vote:

Aye: Leonard; Novak; Watts; Christie; Hertzberg

Nay: None

Absent: None

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

There were none.

***COMMUNICATIONS AND PETITIONS***

Carol Branham, Housing Authority Director presented the annual report and audit.

***OLD BUSINESS***

Next to be considered was Bill No 2015-019 authorizing the execution of changes to an agreement change order no. one with C & C Group of Springfield, MO.

Councilperson Christie moved to place Bill No. 2015-019 on second reading by title only. Councilperson Novak provided the second. The motion was duly considered and passed by the following vote:

Aye: Novak; Watts; Christie; Hertzberg; Leonard

Nay: None

Absent: None

The Mayor declared Bill No. 2015-019 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 8042 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 2015-020 authorizing the execution of agreement between the City of Nevada and Quantum Racing LLC for a criterium race to be held July 11<sup>th</sup> & 12<sup>th</sup>, 2015.

Councilperson Hertzberg moved to place Bill No. 2015-020 on second reading by title only. Councilperson Christie provided the second. The motion was duly considered and passed by the following vote:

Aye: Watts; Christie; Hertzberg; Leonard; Novak

Nay: None

Absent: None

The Mayor declared Bill No. 2015-020 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 8043 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. 2015-021 budgeting funds for the promotion of Tourism through the Bushwhacker Committee for Bushwhacker celebration 2015 main event and approving an agreement with the Bushwhacker Committee therefore.

Councilperson Novak moved to place Bill No. 2015-021 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; Watts  
Nay: None  
Absent: None

Next to be considered was Bill No. 2015-022 budgeting funds for the promotion of Tourism through the Bushwhacker Committee for Bushwhacker celebration 2015 gospel event and approving an agreement with the Bushwhacker Committee therefore.

Councilperson Christie moved to place Bill No. 2015-022 on first reading by title only. Councilperson Novak provided the second. The motion was duly considered and passed by the following vote:

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

Next to be considered was Bill No. 2015-023 prohibiting the provisions of Section 144.049 RSMo, from exempting sales tax of certain items that occur within the boundaries of the City of Nevada, Missouri during August 7<sup>th</sup>, 8<sup>th</sup>, and 9<sup>th</sup>, 2015.

Councilperson Watts moved to place Bill No. 2015-023 on first reading by title only. Councilperson Novak provided the second. The motion was duly considered and failed by the following vote:

Aye: None  
Nay: Leonard; Novak; Watts; Christie; Hertzberg

Absent: None

## **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. Parks – March 25, 2015
- ii. Library – March 26, 2015
- iii. Housing Authority – March 26, 2015

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

Mayor Leonard mentioned the fire house dedication held last Tuesday and thanked the staff and fire department. He also reminded everyone of the open house for the Police Department to be held on Friday, May 8<sup>th</sup> at 2:00 p.m. and Saturday, May 9<sup>th</sup> at 9:00 a.m. with the flag ceremony. Chief Burnley encouraged everyone to come out for the building opening.

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

City Manager, JD Kehrman reported, the SRF project for the sewer improvements was delayed from closing by the bond council and has now been closed as of today. Newly elected House of Representative Patricia Pike invited Carol Braham and City Manager to Jefferson City. He discussed the closure of American Standard Plant. Some months ago Councilperson Novak was approached by a Citizen and asked about signs supporting the Police Department. An anonymous donor has donated placard to place in windows. There were approximately 150 participants at the Fire Station open house.

## **MISCELLANEOUS MATTERS**

There were none.

## **EXECUTIVE SESSION**

Then Mayor Leonard requested an executive session for 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 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 Watts 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 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 Christie. The motion was duly considered and passed by the following vote:

Aye: Novak; Watts; Christie; Hertzberg; Leonard

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 7:53 p.m.

Present: Christie; Hertzberg; Leonard; Novak; Watts

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 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 Novak 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: Watts; Christie; Hertzberg; Leonard; Novak

Absent: None

Executive session adjourned at 8:51 p.m.

**ADJOURNMENT**

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

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

Aye: Christie; Hertzberg; Leonard; Novak; Watts

Nay: None

Absent: None

The meeting adjourned at 8:52 p.m.

Respectfully submitted,

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Bev Baker, City Clerk

(seal)  
ATTEST:

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Brian L. Leonard, Mayor

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Bev Baker, City Clerk