

**MINUTES**  
**REGULAR SESSION CITY COUNCIL MINUTES**  
**120 S. Ash**  
**City Council Chambers**  
**Tuesday, August 2, 2016**  
**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 Friday, July 29, 2016 at 3:35 p.m.

***CALL TO ORDER***

A regular session of the City Council of Nevada, Missouri was held on Tuesday, August 2, 2016 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 7:03 p.m., followed by the Pledge of Allegiance.

***INVOCATION***

Gary Almquist gave the invocation.

***ROLL CALL***

The following Council members were present for roll call:

Present: Blake Hertzberg; Brian Leonard; Jayne Novak; Ryan Watts

Absent: Lance Christie

Mayor Leonard stated that Councilperson Christie was excused due to work obligations.

Staff present: JD Kehrman, City Manager; Wm. G. McCaffree, City Attorney; Kristie Modlin, Treasurer; Johnna Williams, Deputy City Clerk; Mark Mitchell, CIO; Casey Crain, Chief of Police; Randy Marti, Administrative Service Director; Sharon Kegler, Human Resources Director; Dana Redburn, Parks & Recreation Director; Tom Hutchinson, Field Operations Manager; Eric McPeak, Alliance Water Resources.

***PROCLAMATIONS***

There were none.

**APPROVAL OF MINUTES**

Councilperson Hertzberg moved to accept the July 19, 2016 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**

There were none.

**COMMUNICATIONS AND PETITIONS**

There were none.

**OLD BUSINESS**

Next to be considered was Bill No. 2016-017 accepting the right-of-way easements for the Clay Street phase II sewer project.

Councilperson Novak moved to place Bill No. 2016-017 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; Watts

Nay: None

Absent: Christie

The Mayor declared Bill No. 2016-017 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 8104 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. 2016-018 authorizing the execution of Change Order No. 3 to an agreement with Rosetta Construction, LLC, of Springfield, Missouri.

Councilperson Hertzberg moved to place Bill No. 2016-018 on second reading by title only. Councilperson Watts provided the second. The motion was duly considered and passed by the following vote:

Aye: Leonard; Novak; Watts; Hertzberg

Nay: None

Absent: Christie

The Mayor declared Bill No. 2016-018 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 8105 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. 2016-019 approving a contract between the Nevada Housing Authority and the City of Nevada, Missouri for additional policing services.

Councilperson Novak moved to place Bill No. 2016-019 on first reading by title only. Councilperson Watts provided the second. The motion was duly considered and passed by the following vote:

Aye: Novak; Watts; Hertzberg; Leonard

Nay: None

Absent: Christie

Next to be considered was Bill No. 2016-020 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. 2016-020 on first reading by title only. Councilperson Novak provided the second. The motion was duly considered and passed by the following vote:

Aye: Watts; Hertzberg; Leonard; Novak

Nay: None

Absent: Christie

Next to be considered was Bill No. 2016-021 authorizing the execution of a contract between the City of Nevada and the Missouri Highway and Transportation Commission providing STP-Urban funds for Project STP-4800(704).

Councilperson Watts moved to place Bill No. 2016-021 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

Nay: None

Absent: Christie

Next to be considered was Bill No. 2016-022 accepting the option for Troutt, Beeman & Co. P.C., Certified Public Accountants to conduct the annual audit for the fiscal year ending December 31, 2016.

Councilperson Hertzberg moved to place Bill No. 2016-022 on first reading by title only. Councilperson Watts provided the second. The motion was duly considered and passed by the following vote:

Aye: Leonard; Watts; Hertzberg

Nay: Novak

Absent: Christie

Then, Mayor Leonard opened a public hearing regarding the 2016 Property Tax Levy at 7:15 p.m. With no public comment the public hearing was closed at 7:16 p.m.

Next to be considered was Bill No. 2016-023 levying general and special taxes in the City of Nevada, Missouri for the fiscal year 2016.

Councilperson Watts moved to place Bill No. 2016-023 on first reading by title only. Councilperson Novak provided the second. The motion was duly considered and passed by the following vote:

Aye: Novak; Watts; Hertzberg; Leonard

Nay: None

Absent: Christie

Next to be considered was Bill No. 2016-024 authorizing the execution of an agreement with the Vernon County Commission for the 2016 real estate and personal property tax billings and collection.

Councilperson Watts moved to place Bill No. 2016-024 on first reading by title only. Councilperson Hertzberg provided the second. The motion was duly considered and passed by the following vote:

Aye: Watts; Hertzberg; Leonard; Novak

Nay: None

Absent: Christie

Mayor Leonard made a motion to table item h. and i. Consideration and Second Reading of Bill No. 2016-25 until after miscellaneous matters, seconded by Councilperson Novak. The motion was duly considered and passed by the following vote:

Aye: Hertzberg; Leonard; Novak; Watts

Nay: None

Absent: Christie

Next to be considered was Resolution No. 1467 approving liquor license applications to sell intoxicating liquor in the original package from August 3, 2016 through July 31, 2017.

Councilperson Hertzberg moved to approve Resolution No. 1467, seconded by Councilperson Novak. The motion was duly considered and passed unanimously.

Next to be considered was Resolution No. 1468 approving NPC International, Inc. application to sell malt liquor by the drink for consumption on premises where sold from August 3, 2016 through July 31, 2017.

Councilperson Watts moved to approve Resolution No. 1468, seconded by Councilperson Novak. 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. Airport Board – September 24, 2014
- ii. Housing Authority – April 28, 2016
- iii. Housing Authority – June 23, 2016

***Mayor's Report***

There was none.

***City Manager's Report***

City Manager, JD Kehrman reported, that the bids for the Smelter Hill water line replacement project should be on the next Council Agenda. The scope of the project and the timeline were also discussed.

***MISCELLANEOUS MATTERS***

Mayor Leonard reminded everyone that the next City Council meeting was moved to Monday, August 15, 2016 due to some scheduling conflicts.

Councilperson Novak discussed a complaint she had received concerning storage of tires.

***NEW BUSINESS***

Mayor Leonard made a motion to go into recess while the City Attorney and staff conducted further research regarding Bill No. 2016-25. Councilperson Novak seconded the motion. The motion was duly considered and passed by the following vote:

Aye: Leonard; Novak; Watts; Hertzberg

Nay: None

Absent: Christie

Mayor Leonard called the meeting back to order at 7:50 p.m.

Next to be considered was Bill No. 2016-025 approving sewer surcharges and fines imposed on NF Protein, LLC, 3000 Industrial Parkway, Nevada, MO 64772.

Councilperson Novak moved to place Bill No. 2016-025 on first reading by title only. Councilperson Hertzberg provided the second. The motion was duly considered and passed by the following vote:

Aye: Novak; Watts; Hertzberg; Leonard;

Nay: None

Absent: Christie

Next to be considered was Bill No. 2016-025 approving sewer surcharges and fines imposed on NF Protein, LLC, 3000 Industrial Parkway, Nevada, MO 64772.

Councilperson Hertzberg moved to place Bill No. 2016-025 on second reading by title only. Councilperson Watts provided the second. The motion was duly considered and passed by the following vote:

Aye: Watts; Hertzberg; Leonard; Novak

Nay: None

Absent: Christie

The Mayor declared Bill No. 2016-025 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 8106 and was signed by the Mayor and attested by the City Clerk. The Mayor directed said Ordinance be engrossed upon the corporate records.

### ***ADJOURNMENT***

With no further business to come before City Council, Mayor Leonard 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; Watts

Nay: None

Absent: Christie

The meeting adjourned 8:06 p.m.

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Johnna Williams, Deputy City Clerk

(seal)  
ATTEST:

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Brian L. Leonard, Mayor

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Johnna Williams, Deputy City Clerk