

**MINUTES**  
**REGULAR SESSION CITY COUNCIL MINUTES**  
**120 S. Ash**  
**City Council Chambers**  
**Tuesday, September 6, 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, September 2, 2016 at 11:15 a.m.

***CALL TO ORDER***

A regular session of the City Council of Nevada, Missouri was held on Tuesday, September 6, 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 7:00 p.m., followed by the Pledge of Allegiance.

***INVOCATION***

Sharon Freeman gave the invocation.

***ROLL CALL***

The following Council members were present for roll call:

Present: Lance Christie; Blake Hertzberg; Brian Leonard; Jayne Novak

Absent: Ryan Watts

Mayor Leonard excused Councilperson Watts 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; William Thornton, Fire Chief; 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 Novak moved to accept the August 15, 2016 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 Bid No. 2016-38 Trencher attachment for skid steer – Public Works.

Councilperson Christie moved to approve the bid from Victor L. Phillips in the amount of \$5,625.00 for the trencher attachment for the skid steer. Councilperson Novak provided the second. The motion was duly considered and passed by the following vote:

Aye: Christie; Hertzberg; Leonard; Novak

Nay: None

Absent: Watts

**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. 2016-026 amending chapter 28 of the code of the City of Nevada, Missouri by adding section 28-7.2 addressing service for industrial wastewater produced outside the corporate limits of the City.

Councilperson Hertzberg moved to place Bill No. 2016-026 on second reading by title only. Councilperson Christie provided the second. The motion was duly considered and passed by the following vote:

Aye: Hertzberg; Leonard; Novak; Christie

Nay: None

Absent: Watts

The Mayor declared Bill No. 2016-026 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 8113 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. 2016-027 authorizing the City Manager to execute an agreement on behalf of the City of Nevada, Missouri with the Missouri Highways and Transportation Commission for outdoor advertising.

Councilperson Novak moved to place Bill No. 2016-027 on second reading by title only. Councilperson Christie provided the second. The motion was duly considered and passed by the following vote:

Aye: Leonard; Novak; Christie; Hertzberg

Nay: None

Absent: Watts

The Mayor declared Bill No. 2016-027 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 8114 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. 2016-028 accepting the bid and authorizing the execution of an agreement with Guaranteed Roofing Inc., of Joplin, Missouri for roof repairs at the Neal Center.

Councilperson Hertzberg moved to place Bill No. 2016-028 on second reading by title only. Councilperson Christie provided the second. The motion was duly considered and passed by the following vote:

Aye: Novak; Christie; Hertzberg; Leonard

Nay: None

Absent: Watts

The Mayor declared Bill No. 2016-028 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 8115 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. 2016-029 authorizing the execution of an agreement with KimHEC, of St. Louis, Missouri for engineering services.

Councilperson Christie moved to place Bill No. 2016-029 on first reading by title only. Councilperson Novak provided the second. The motion was duly considered and passed by the following vote:

Aye: Christie; Hertzberg; Leonard; Novak

Nay: None

Absent: Watts

Next to be considered was Bill No. 2016-030 amending section 3-26(a) of the code of the City of Nevada, Missouri to conform to section 311.080.1 of the Missouri statutes.

Councilperson Hertzberg moved to place Bill No. 2016-030 on first reading by title only. Councilperson Christie provided the second. The motion was duly considered and passed by the following vote:

Aye: Hertzberg; Leonard; Novak; Christie

Nay: None

Absent: Watts

Next to be considered was Bill No. 2016-031 providing for the holding of a primary and general election within the City of Nevada, Missouri and fixing the polling place, appointing judges of said election, and providing for other matters incidental to said election.

Councilperson Novak moved to place Bill No. 2016-031 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; Christie; Hertzberg

Nay: None

Absent: Watts

Next to be considered was Resolution No. 1471 approving the addition of six street lights within the City of Nevada, Missouri.

Councilperson Christie moved to approve Resolution No. 1471, seconded by Councilperson Hertzberg. The motion was duly considered and failed by the following:

Aye: Hertzberg

Nay: Christie; Leonard; Novak

Absent: Watts

Next to be considered was Resolution No. 1472 approving JJC Restaurants LLC DBA I Don't Care Burrito and Taco Shack to sell intoxicating liquor by the drink for consumption on the premises where sold.

Councilperson Novak moved to approve Resolution No. 1472, seconded by Councilperson Christie. 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. Park Board – June 29, 2016
- ii. NRMC Board – May 24, 2016
- iii. NRMC Board – June 21, 2016
- iv. NRMC Board – July 26, 2016
- v. Housing Authority – July 28, 2016
- vi. Library Board – July 28, 2016

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

Respect Day on Thursday, September 8, 2016 and the Muzzleloaders outdoor classroom is Friday, September 9, 2016.

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

There was no report.

## **MISCELLANEOUS MATTERS**

Discussion concerning the status of the speed limit signs. Councilperson Novak complimented the skate park and stated that it was a great asset to the Community. Mayor Leonard wanted to express his appreciation to the Rotary for the Flags as you're driving into the Community.

## **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 Novak 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 Christie. The motion was duly considered and passed by the following vote:

Aye: Novak; Christie; Hertzberg; Leonard

Nay: None

Absent: Watts

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 7:29 p.m.

Present: Christie; Hertzberg; Leonard; Novak

Absent: Watts

Staff present: JD Kehrman, City Manager; Wm. G. McCaffree, City Attorney; Johnna Williams, Deputy 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 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: Christie; Hertzberg; Leonard; Novak

Absent: Watts

Executive session adjourned at 7:39 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: Hertzberg; Leonard; Novak; Christie

Nay: None

Absent: Watts

The meeting adjourned 7:42 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