

MINUTES
REGULAR SESSION CITY COUNCIL MINUTES
120 S. Ash
City Council Chambers
Tuesday, October 18, 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, October 14, 2016 at 11:00 a.m.

CALL TO ORDER

A regular session of the City Council of Nevada, Missouri was held on Tuesday, October 18, 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

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 excused Councilperson Christie from the meeting due to business travel.

Staff present: JD Kehrman, City Manager; Wm. G. McCaffree, City Attorney; Kristie Modlin, Treasurer; Johnna Williams, Deputy City Clerk; Mark Mitchell, CIO; Jimmy Dye, Police Captain; Troy Denny, Fire Captain; Randy Marti, Administrative Service Director; Sharon Kegler, Human Resources Director; Tom Hutchinson, Field Operations Manager; Eric McPeak, Alliance Water Resources.

PROCLAMATIONS

Mayor Leonard presented the VFW-Buddy Poppy Days proclamation.

APPROVAL OF MINUTES

Councilperson Watts moved to accept the October 4, 2016 regular session City Council minutes as written. Councilperson Novak provided the second. The motion was duly considered and passed unanimously.

Councilperson Novak moved to accept the October 12, 2016 special work 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

There were none.

PUBLIC PARTICIPATION FROM THOSE REGISTERED WITH THE CITY CLERK

Carol Branham, 304 S. Washington, spoke concerning October Housing America Month and Housing Legislation.

COMMUNICATIONS AND PETITIONS

There were none.

OLD BUSINESS

Next to be considered was Bill No. 2016-033 providing for a Municipal Election to be held in the City of Nevada, Missouri, on Tuesday, April 4, 2017 to allow qualified voters to consider replacing the existing one half cent (1/2 cent) transportation sales tax upon its expiration by approving a one-half cent (1/2 cent) transportation sales tax, over a five (5) year period, for the purpose of funding transportation.

Councilperson Novak moved to place Bill No. 2016-033 on second reading by title only. Councilperson Watts 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. 2016-033 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 8120 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. 2016-034 accepting the bid and authorizing the execution of an agreement with C & M Restoration, Inc. for repairs at the Water Treatment Plant (Acid Room).

Councilperson Watts moved to place Bill No. 2016-034 on second reading by title only. Councilperson Hertzberg 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. 2016-034 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 8121 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. 2016-035 approving sewer surcharges and fines imposed on NF Protein, LLC, 3000 Industrial Parkway, Nevada, MO 64772.

Councilperson Novak moved to place Bill No. 2016-035 on second 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

The Mayor declared Bill No. 2016-035 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 8122 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

Then, Mayor Leonard opened a public hearing regarding the rezoning of 701 E. Cherry from M-2 Heavy Industrial to C-3 Commercial at 7:13 p.m.

Mike Turnbull, Helms Permit Agency, spoke in opposition to the zoning request due to heavy truck traffic and parking. Joe Carter, property owner, spoke concerning public parking is available across the street.

With no further public comment the public hearing was closed at 7:21 p.m.

Next to be considered was Bill No. 2016-036 amending the zoning district map at 701 E. Cherry, W 47.8' of Lts 1 & 2 & W 47.8' of S 8.1' of Lt 3 in Blk 3 of Dodson's Addition, by changing the zoning from M-2 Heavy Industrial District to C-3 Commercial District.

Councilperson Hertzberg moved to place Bill No. 2016-036 on first reading by title only. Councilperson Novak provided the second. The motion was duly considered and passed by the following vote:

Aye: Watts; Leonard; Novak

Nay: Hertzberg

Absent: Christie

Next, Mayor Leonard opened a public hearing regarding the City's public transportation program for 2017 at 7:28 p.m.

Carol Branham, appreciates and will continue to support the public transportation program.

With no further public comment the public hearing was closed at 7:29 p.m.

Next to be considered was Bill No. 2016-037 approving the application for federal financial assistance under Section 5311 of Chapter 53, Title 49 United States Code.

Councilperson Novak moved to place Bill No. 2016-037 on first reading by title only. Councilperson Watts 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 Resolution No. 1475 approving a travel portion of right-of-way permit for Wind Riders Motorcycle Organization.

Councilperson Hertzberg moved to approve Resolution No. 1475, seconded by Councilperson Novak. 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:

- i. Municipal Court – September
- ii. Fire Department – September
- iii. Animal Control – September
- iv. Police Department – September
- v. Alliance Water Resources – September
- vi. Finance – September
 1. Business License - September

Boards and Commissions Written Minutes/Reports

There were none.

Mayor's Report

Mayor Leonard announced that Wednesday, October 26, 2016 at 11:00 a.m. will be a proclamation reading for Red Ribbon Week and also Saturday, October 22, 2016 there will be an inauguration ceremony for the new president at Cottey College.

City Manager's Report

City Manager, JD Kehrman reported, that the Lions Club planted the tree today in Earp Park and will have a dedication ceremony tomorrow at 1:30 p.m. The Neal Center roof project has begun and should be finished later this week. There was an odor issue this past week and Missouri DNR has been very responsive. They were in the area taking readings and inspected the plant outside of town. Air quality is the issue and DNR is very engaged and involved to resolve this issue, please continue to call DNR with any complaints.

MISCELLANEOUS MATTERS

Reminder that there will be a budget work session on Tuesday, October 25, 2016 at 5:30 p.m.

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 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 meeting adjourned p.m.

Johnna Williams, Deputy City Clerk

(seal)
ATTEST:

Brian L. Leonard, Mayor

Johnna Williams, Deputy City Clerk