

MINUTES
REGULAR SESSION CITY COUNCIL MINUTES
120 S. Ash
City Council Chambers
Tuesday, April 18, 2017
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, April 14, 2017 at 2:00 p.m.

CALL TO ORDER

A regular session of the City Council of Nevada, Missouri was held on Tuesday, April 18, 2017 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: Carol Clyde-Gallagher; Blake Hertzberg; Brian Leonard; Jayne Novak; Ryan Watts

Absent: None

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; Tom Hutchinson, Field Operations Manager; Eric McPeak, Alliance Water Resources.

PROCLAMATIONS

There was none.

APPROVAL OF MINUTES

Councilperson Watts moved to accept the April 4, 2017 regular session City Council minutes as written. Councilperson Hertzberg provided the second. The motion was duly considered and passed unanimously.

Councilperson Novak moved to accept the April 10, 2017 special session City Council minutes as written. Councilperson Watts provided the second. The motion was duly considered and passed unanimously

APPOINTMENTS TO BOARDS AND COMMISSION

Mayor Leonard presented Mike Brown for re-appointment to the Planning Commission.

Councilperson Novak moved to re-appoint Mike Brown to the Planning Commission, this will be Mr. Brown's second term, expiring March, 2021. Councilperson Hertzberg provided the second. The motion was duly considered and unanimously passed.

CONSIDERATION OF BIDS

Then, the bid considered was Bid No. 2017-28 Zero Turn Mower – Alliance.

Councilperson Watts moved to approve the purchase from Legacy Farm & Lawn in the amount of \$8,227.00 for the purchase of the John Deere Z950M Commercial Ztrak Mower. Councilperson Novak provided the second. The motion was duly considered and passed by the following vote:

Aye: Clyde-Gallagher; Hertzberg; Leonard; Novak; Watts

Nay: None

Absent: None

Next, the bid considered was Bid No. 2017-32 Emergency Backup Generator – Administration.

Councilperson Novak moved to approve the purchase from CK Power in the amount of \$44,850.00 for the purchase the emergency backup generator. Councilperson Hertzberg provided the second. The motion was duly considered and passed by the following vote:

Aye: Hertzberg; Leonard; Novak; Watts; Clyde-Gallagher

Nay: None

Absent: None

PUBLIC PARTICIPATION FROM THOSE REGISTERED WITH THE CITY CLERK

There were none.

COMMUNICATIONS AND PETITIONS

There were none.

UNFINISHED BUSINESS

Then, consideration of Resolution No. 1483 approving an application submitted by Delaney Vineyard and Winery LLC for a temporary liquor by the drink permit.

Councilperson Watts moved to approve Resolution No. 1483, seconded by Councilperson Hertzberg.

Erica Skouby, representing Bushwhacker Committee spoke in opposition of allowing the liquor license during Bushwhacker Days. Would like to have a planning session in August or September to go over plans for future Bushwhacker Days. Larry Delaney discussed what his plan was and that he would be following all requirements set forth by the license. Peach Schmidt spoke in opposition to the liquor license.

The motion was duly considered and failed by the following:

Aye: None
Nay: Clyde-Gallagher; Hertzberg; Leonard; Novak; Watts
Absent: None

OLD BUSINESS

Next to be considered was Bill No. 2017-020 accepting the bid and authorizing the execution of an agreement with Guarantee Roofing of Joplin, Missouri for City Hall roof repairs.

Councilperson Hertzberg moved to place Bill No. 2017-020 on second reading by title only. Councilperson Novak provided the second. The motion was duly considered and passed by the following vote:

Aye: Leonard; Novak; Watts; Clyde-Gallagher; Hertzberg
Nay: None
Absent: None

The Mayor declared Bill No. 2017-020 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 8153 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. 2017-021 accepting the bid and authorizing the execution of an agreement with Clear Way Environmental of Kansas City, Missouri for abatement of hazardous materials.

Councilperson Watts moved to place Bill No. 2017-021 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; Clyde-Gallagher; Hertzberg; Leonard

Nay: None

Absent: None

The Mayor declared Bill No. 2017-021 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 8154 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. 2017-022 accepting the right-of-way easement and dedication of a sewer main for the Dollar General property located at 1600 W. Austin.

Councilperson Novak moved to place Bill No. 2017-022 on first reading by title only. Councilperson Watts provided the second. The motion was duly considered and passed by the following vote:

Aye: Watts; Clyde-Gallagher; Hertzberg; Leonard; Novak

Nay: None

Absent: None

Next to be considered was Bill No. 2017-023 approving and authorizing the execution of a Memorandum of Understanding with the Missouri National Guard for military planning and coordination.

Councilperson Novak moved to place Bill No. 2017-023 on first reading by title only. Councilperson Hertzberg provided the second. Tyson Smith, Planner, presented

information concerning the need and participants of the Memorandum of Understanding. The motion was duly considered and passed by the following vote:

Aye: Clyde-Gallagher; Hertzberg; Leonard; Novak; Watts

Nay: None

Absent: None

Next to be considered was Bill No. 2017-024 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 4, 5, and 6, 2017.

Councilperson Watts moved to place Bill No. 2017-024 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: Hertzberg; Leonard; Novak; Watts; Clyde-Gallagher

Absent: None

Next to be considered was Bill No. 2017-025 accepting the bid and authorizing the execution of an agreement with Bill's Electric, Inc., of Webb City, Missouri for installation of an emergency generator for the Police Station and City Hall.

Councilperson Hertzberg moved to place Bill No. 2017-025 on first reading by title only. Councilperson Watts provided the second. The motion was duly considered and passed by the following vote:

Aye: Leonard; Novak; Watts; Clyde-Gallagher; Hertzberg

Nay: None

Absent: None

Next to be considered was Resolution No. 1486 authorizing a waiver of Municipal Code Chapter 3 Section 3-27 sale of intoxicating liquor or beer for consumption on premises at any location on the public square or Streets leading from the public square for a distance of one block during the Bushwhacker Days Celebration.

Councilperson Hertzberg moved to approve Resolution No. 1486, seconded by Councilperson Novak. The motion was duly considered and failed by the following:

Aye: None

Nay: Clyde-Gallagher; Hertzberg; Leonard; Novak; Watts

Absent: None

REPORTS

Monthly Department Reports

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

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

Boards and Commissions Written Minutes/Reports

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

- i. Electrical Board – July 13, 2011
- ii. Planning Commission– February 14, 2017

Mayor's Report

Mayor Leonard is attending a Community Meeting with the Cottey Board on Friday.

City Manager's Report

City Manager, JD Kehrman reported, that once the RFQ's have been submitted for the Water Plant we will need some Council volunteer's to review them. Also, will need to schedule an Executive Session in the next couple of weeks for an update on some litigation.

MISCELLANEOUS MATTERS

Councilperson Novak discussed interest in the old Baptist Church.

ADJOURNMENT

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

Councilperson Hertzberg 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: Novak; Watts; Clyde-Gallagher; Hertzberg; Leonard

Nay: None

Absent: None

The meeting adjourned 8:05 p.m.

Johnna Williams, Deputy City Clerk

(seal)
ATTEST:

Brian L. Leonard, Mayor

Johnna Williams, Deputy City Clerk