

**MINUTES  
REGULAR SESSION CITY COUNCIL MINUTES  
120 S. Ash  
City Council Chambers  
Tuesday, November 21, 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, November 17, 2017 at 4:45 p.m.

***CALL TO ORDER***

A regular session of the City Council of Nevada, Missouri was held on Tuesday, November 21, 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 7:02 p.m., followed by the Pledge of Allegiance.

***INVOCATION***

Mayor Leonard 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; Sharon Kegler, Human Resources Director; Kevin Crump, Park & Recreation Director; Tom Hutchinson, Field Operations Manager; Eric McPeak, Alliance Water Resources; Jennie Payne, Finance Manager.

***PROCLAMATIONS***

There were none.

**APPROVAL OF MINUTES**

Councilperson Clyde-Gallagher moved to accept the November 7, 2017 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**

Then, consideration of Bid No. 2017-60 High Service Pump #4 Motor, Water Treatment Plant – Alliance.

Councilperson Hertzberg moved to approve the bid from by Independent Electric in the amount of \$5,451.00 for a new 75 HP electric motor. Councilperson Watts 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 was consideration of Bid No. 2017-61 Computer Replacement – Finance.

Councilperson Watts moved to approve the purchase of replacement computers for a not to exceed amount of \$8,050.00. Councilperson Novak 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.

**OLD BUSINESS**

Next to be considered was Bill No. 2017-057 authorizing the execution of an agreement with the Vernon County Commission for the 2017 Real Estate and Personal Property tax billings and collection.

Councilperson Novak moved to place Bill No. 2017-057 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; Clyde-Gallagher; Hertzberg

Nay: None

Absent: None

The Mayor declared Bill No. 2017-057 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 8185 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. 2017-058 accepting the bid and authorizing the execution of an agreement with CDL Electric of Pittsburg, KS for Community Center HVAC unit installation.

Councilperson Hertzberg moved to place Bill No. 2017-058 on second reading by title only. Councilperson Clyde-Gallagher provided the second. The motion was duly considered and passed by the following vote:

Aye: Novak; Clyde-Gallagher; Hertzberg; Leonard

Nay: Watts

Absent: None

The Mayor declared Bill No. 2017-058 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 8186 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. 2017-059 accepting the bid and authorizing the execution of an agreement with Mark Rives of Nevada, Missouri for City Hall exterior repairs.

Councilperson Hertzberg moved to place Bill No. 2017-059 on second reading by title only. Councilperson Novak 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

The Mayor declared Bill No. 2017-059 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 8187 and was signed by the Mayor and attested by the City Clerk. The Mayor directed said Ordinance be engrossed upon the corporate records.

Councilperson Hertzberg left Council Chambers as he has a financial interest and must abstain from Bill No. 2017-060.

Next to be considered was Bill No. 2017-060 accepting the bid and authorizing the execution of an agreement with Hertzberg Furniture of Nevada, Missouri for City Hall carpet and flooring replacement.

Councilperson Watts moved to place Bill No. 2017-060 on second reading by title only. Councilperson Novak provided the second. The motion was duly considered and passed by the following vote:

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

The Mayor declared Bill No. 2017-060 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 8188 and was signed by the Mayor and attested by the City Clerk. The Mayor directed said Ordinance be engrossed upon the corporate records.

Councilperson Hertzberg returned to Council Chambers.

Next to be considered was Bill No. 2017-061 accepting the bid and authorizing the execution of an agreement with Santa Paula Awning of El Dorado Springs, Missouri for City Hall entry door replacement.

Councilperson Watts moved to place Bill No. 2017-061 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; Clyde-Gallagher

Nay: None

Absent: None

The Mayor declared Bill No. 2017-061 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 8189 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. 2017-062 amending Chapter 2-12 of the Code of the City of Nevada, Missouri.

Councilperson Novak moved to place Bill No. 2017-062 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; Clyde-Gallagher; Hertzberg

Nay: None

Absent: None

The Mayor declared Bill No. 2017-062 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 8190 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. 2017-063 accepting additional right-of-way easements for the Clay Street Phase II Sewer Project.

Councilperson Clyde-Gallagher left Council Chambers as she has an interest in Bill No. 2017-063.

Councilperson Watts moved to place Bill No. 2017-063 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

Abstain: Clyde-Gallagher

Absent: None

Councilperson Clyde-Gallagher returned to Council Chambers.

Next to be considered was Bill No. 2017-064 authorizing the execution of an agreement with Timberworks Lumberjack Show for a special event scheduled on October 6, 2018.

Councilperson Novak moved to place Bill No. 2017-064 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. 2017-065 authorizing the City of Nevada, Missouri to issue its Taxable Industrial Revenue Bonds (Mareth Enterprises, LLC Project), in a principal amount not to exceed \$960,000, for the purpose of providing funds to pay the costs of acquiring and improving an Industrial Development Project; approving a plan for the Project; and authorizing the City to enter into certain agreements and take certain other actions in connection with the issuance of the bonds.

Councilperson Hertzberg moved to place Bill No. 2017-065 on first reading by title only. Councilperson Clyde-Gallagher provided the second. Representatives from Mareth Enterprises gave an overview of the project. 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 Resolution No. 1505 approving Midas Operations LLC liquor license application to sell intoxicating liquor in the original package.

Councilperson Novak moved to approve Resolution No. 1505, seconded by Councilperson Watts. 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 – October

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

***Boards and Commissions Written Minutes/Reports***

There were none.

***Mayor's Report***

There was none.

***City Manager's Report***

There was none.

***MISCELLANEOUS MATTERS***

Mayor Leonard reminded everyone about Mayor's Christmas tree lighting, lights at the lake, Christmas Parade and Miss Merry Christmas.

***EXECUTIVE SESSION***

The City Manager requested an executive session in accordance with Section 610.021 RSMo., Subparagraph (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 Hertzberg moved to go into executive session for reasons in accordance with Section 610.021 RSMo., Subparagraph (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 Watts.

The motion was duly considered and passed by the following vote:

Aye: Hertzberg; Leonard; Novak; Watts; Clyde-Gallagher  
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 7:31 p.m.

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

Absent: None

Staff present: JD Kehrman, City Manager; Kristie Modlin, Treasurer; Johnna Williams, Deputy City Clerk; Sharon Kegler, Human Resources Director

Discussion was limited to Section 610.021 RSMo., Subparagraph (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 adjourn the executive session and move back into regular session. The second was provided by Councilperson Novak. The motion was duly considered and passed by the following vote:

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

Absent: None

Executive session adjourned at 8:18 p.m.

### **ADJOURNMENT**

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

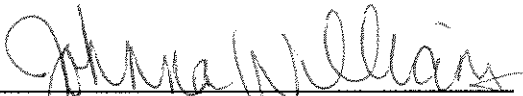
Councilperson Novak moved to adjourn the regular session of City Council. Councilperson Watts provided the second. The motion was duly considered and passed by the following vote:

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

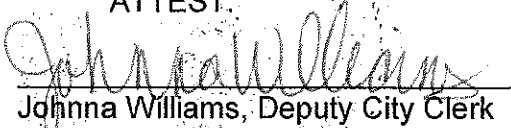
Nay: None

Absent: None

The meeting adjourned 8:19 p.m.

  
Johnna Williams, Deputy City Clerk



(seal)  
ATTEST:  
  
Johnna Williams, Deputy City Clerk

  
Brian L. Leonard, Mayor