

MINUTES
REGULAR SESSION CITY COUNCIL MINUTES
120 S. Ash
City Council Chambers
Tuesday, January 2, 2018
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 Thursday, December 21, 2017 at 3:00 p.m.

CALL TO ORDER

A regular session of the City Council of Nevada, Missouri was held on Tuesday, January 2, 2018 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

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

PROCLAMATIONS

There were none.

APPROVAL OF MINUTES

Councilperson Watts moved to accept the December 19, 2017 regular session City Council minutes as written. Councilperson Clyde-Gallagher 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 Bid No. 2018-01 Water System Emergency Repair Deep Well #3 Submersible Pump – Alliance.

Councilperson Hertzberg moved to approve the emergency repair on deep well #3 in the amount of \$42,275.75. 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

PUBLIC PARTICIPATION FROM THOSE REGISTERED WITH THE CITY CLERK

There was none.

COMMUNICATIONS AND PETITIONS

There were none.

OLD BUSINESS

Councilperson Hertzberg left Council Chambers as he has an interest in Bill No. 2017-078.

Next to be considered was Bill No. 2017-078 Accepting the right-of-way easement for the Garfield Avenue Sewer Line Extension.

Councilperson Novak moved to place Bill No. 2017-078 on second reading by title only. Councilperson Clyde-Gallagher provided the second. The motion was duly considered and passed by the following vote:

Aye: Leonard; Novak; Watts; Clyde-Gallagher

Nay: None
Abstain: Hertzberg
Absent: None

The Mayor declared Bill No. 2017-078 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 8206 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. 2017-079 Accepting the right-of-way easements for the South Spring Street Sewer Project.

Councilperson Watts moved to place Bill No. 2017-079 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. 2017-079 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 8207 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. 2017-080 Authorizing the execution of an agreement with Kansas City Power & Light Company.

Councilperson Clyde-Gallagher moved to place Bill No. 2017-080 on second reading by title only. 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 Mayor declared Bill No. 2017-080 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 8208 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. 2018-001 Approving the bid and authorizing the execution of a lease agreement for crop land located at 16370 E. Lady Road between the City of Nevada, Missouri and Dan Mosher.

Councilperson Novak moved to place Bill No. 2018-001 on first reading by title only. Councilperson Hertzberg 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. 2018-002 Approving the bid and authorizing the execution of a lease agreement for hay land located at 16370 E. Lady Road between the City of Nevada, Missouri and Gary Ashby.

Councilperson Novak moved to place Bill No. 2018-002 on first reading by title only. Councilperson Clyde-Gallagher 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 to be considered was Bill No. 2018-003 Authorizing the execution of an agreement with the Missouri Highways and Transportation Commission for Street Improvements.

Councilperson Hertzberg moved to place Bill No. 2018-003 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; Clyde-Gallagher
Nay: None
Absent: None

Next to be considered was Bill No. 2018-004 Authorizing the execution of an agreement with Inetvisions LLC for IT support Services.

Councilperson Watts moved to place Bill No. 2018-004 on first 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

Next to be considered was Bill No. 2018-005 Declaring assets of the City of Nevada, Missouri as surplus property and authorizing their sale.

Councilperson Novak moved to place Bill No. 2018-005 on first reading by title only. Councilperson Clyde-Gallagher 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

Next to be considered was Bill No. 2018-006 Amending Chapter 2 Sections 106 and 108 of the Code of the City of Nevada, Missouri.

Councilperson Clyde-Gallagher moved to place Bill No. 2018-006 on first reading by title only. Councilperson Novak provided the second. Discussion followed. Mayor Leonard made a motion to amend the bill with the following -3 city residents, 2 non-city residents, any member can hold office, four 3 year term limits, start out with staggering terms 2 for 3 years, 2 for 2 years, 1 for 1 year, ex officio Administrator or appointee. The second was provided by Councilperson Novak. The motion was duly considered and passed by the following vote:

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

Nay: None

Absent: None

Councilperson Novak moved to place amended Bill No. 2018-006 Amending Chapter 2 of the Code of the City of Nevada, Missouri on first reading by title only. Councilperson

Hertzberg 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

REPORTS

Monthly Department Reports

There were none.

Boards and Commissions Written Minutes/Reports

There were none.

Mayor's Report

There was none.

City Manager's Report

City Manager, JD Kehrman reported, that Auditors will be in City Hall this Friday.

MISCELLANEOUS MATTERS

There were none.

EXECUTIVE SESSION

The Mayor 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 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 7:45 p.m.

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

Absent: None

Staff present: JD Kehrman, City Manager; Wm. G. McCaffree, City Attorney; Johnna Williams, Deputy City Clerk; Mark Mitchell, CIO

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

Absent: None

Executive session adjourned at 8:10 p.m.

Then, consideration of Bill No. 2018-006 Authorizing the condemnation of an easement in the Shearer and Vogt Subdivision of the City of Nevada, Missouri, for installation of a collector line for the City of Nevada, Wastewater System.

Councilperson Novak moved to place Bill No. 2018-006 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; Clyde-Gallagher; Hertzberg; Leonard

Nay: None

Absent: None

ADJOURNMENT

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

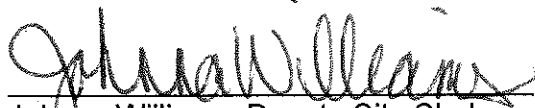
Councilperson Watts moved to adjourn the regular session of City Council. Councilperson Novak provided the second. The motion was duly considered and passed by the following vote:

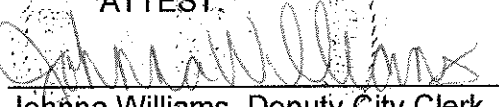
Aye: Watts; Clyde-Gallagher; Hertzberg; Leonard; Novak

Nay: None

Absent: None

The meeting adjourned 8:12 p.m.


Johnna Williams, Deputy City Clerk

(seal)
ATTEST:

Johnna Williams, Deputy City Clerk


Brian L. Leonard, Mayor