

MINUTES
CITY COUNCIL MEETING
May 18, 2010
7:00 p.m.

NOTICE OF MEETING AND AGENDA

A regular session of the City Council of Nevada, Missouri, was held May 18, 2010 in conformity with section 2-6 of the Municipal Code. This meeting was posted pursuant to RSMo Chapter 610.020, with a tentative agenda on the 14th day of May, 2010 at 2:00 p.m.

CALL TO ORDER

A regular session of the City Council of the City of Nevada, Missouri, was held Tuesday, May 18, 2010 pursuant to Sections 2-6, 2-7, & 2-8 of the City Code of the City of Nevada, and Section 3.11 of the City Charter.

Mayor Novak called the meeting to order at 7:00 p.m.

INVOCATION

Councilperson Leonard gave the invocation.

ROLL CALL

The following Council Members were present for roll call:

Present: Barrett; Leonard; McKenzie; Novak; Steward
Absent: None

Staff present: JD Kehrman, City Manager; Julie Lewis, City Clerk; William McCaffree, City Attorney; Kristie Modlin, Finance Department Manager; Joe Charles, Public Works Director; Robin McHugh, Parks and Recreation Director; Bob Benn, Fire Chief; Casey Crain, Police Chief; Sharon Kegler, Human Resources Director; Annette Crews, City Manager's office.

PROCLAMATIONS

Mayor Novak presented a proclamation to the Ladies Auxiliary of the American Legion for Poppy Days.

Mayor Novak presented a proclamation to the Emergency Medical Services providers for Emergency Medical Service Week.

APPROVAL OF MINUTES

The May 4, 2010 special session City Council minutes were approved as written in conformity with Section 3.11 of the City Charter.

Councilperson Leonard moved to accept the minutes, seconded by Councilperson Steward. The motion was duly considered and passed unanimously.

The May 4, 2010 regular session City Council minutes were approved as written in conformity with Section 3.11 of the City Charter.

Councilperson McKenzie moved to accept the minutes, seconded by Councilperson Steward. The motion was duly considered and passed unanimously.

APPOINTMENTS TO BOARDS AND COMMISSIONS

There were none.

CONSIDERATION OF BIDS

There were none

PUBLIC PARTICIPATION FROM THOSE REGISTERED WITH THE CITY CLERK

Richard Boss miscellaneous city concerns
Judy Bryson – Daylight Donuts

COMMUNICATIONS & PETITIONS

There was none.

UNFINISHED BUSINESS

There was none.

OLD BUSINESS

There upon Bill No. 2010-022 A Special Ordinance of the City of Nevada authorizing the execution of a cooperative agreement between the City of Nevada, Missouri and the Nevada Public Library for support services was considered.

Councilperson Leonard moved to place Bill No. 2010-022 on second reading, by title only, Councilperson Barrett provided the second. The motion was placed on second reading, read by title only, duly considered, and passed by the following vote:

Aye: Leonard; McKenzie; Novak; Steward; Barrett

Nay: None
Absent: None

The Mayor declared Bill No. 2010-022 read a second time and passed, approved and adopted. The Bill was numbered Ordinance No. 7645 and was signed by the Mayor and attested and signed by the City Clerk. The Mayor directed said Ordinance be engrossed upon the corporate records.

Thereupon Bill No. 2010-023 A General Ordinance of the City of Nevada, Missouri amending Section 16-132(e)(8) of the City Code to provide for use of high visibility garments or vests by persons granted solicitation permits was considered.

Councilperson Leonard moved to place Bill No. 2010-023 on second reading, by title only, Councilperson Steward provided the second. The motion was placed on second reading, read by title only, duly considered, and passed by the following vote:

Aye: McKenzie; Novak; Steward; Barrett; Leonard
Nay: None
Absent: None

The Mayor declared Bill No. 2010-023 read a second time and passed, approved and adopted. The Bill was numbered Ordinance No. 7646 and was signed by the Mayor and attested and signed by the City Clerk. The Mayor directed said Ordinance be engrossed upon the corporate records.

Thereupon Bill No. 2010-024 A Special Ordinance of the City of Nevada, Missouri authorizing the City Manager to execute a Collective Bargaining agreement between the City of Nevada, Missouri and Local 3031 International Association of Fire Fighters was considered.

Councilperson Leonard moved to place Bill No. 2010-024 on second reading, by title only, Councilperson Steward provided the second. The motion was placed on second reading, read by title only, duly considered, and passed by the following vote:

Aye: Novak; Steward; Barrett; Leonard; McKenzie
Nay: None
Absent: None

The Mayor declared Bill No. 2010-024 read a second time and passed, approved and adopted. The Bill was numbered Ordinance No. 7647 and was signed by the Mayor and attested and signed by the City Clerk. The Mayor directed said Ordinance be engrossed upon the corporate records.

Thereupon Bill No. 2010-025 A Special Ordinance of the City of Nevada, Missouri, providing for the submission to a vote of the people the question of renewing a one-half of one-cent (\$.005) transportation tax was considered.

Councilperson Steward moved to place Bill No. 2010-025 on second reading, by title only, Councilperson McKenzie provided the second.

Council discussion:

Concern about the sunset clause stopping the tax from passing.

The motion was placed on second reading, read by title only, duly considered, and failed by the following vote:

Aye:	None
Nay:	Steward; Barrett; Leonard; McKenzie; Novak
Absent:	None

Mayor Novak asked for a motion to accept an emergency ordinance with a term of five years. Councilperson Barrett motion to accept the emergency ordinance, Councilperson Steward provided the second.

Thereupon Bill No. 2010-030 A Special Ordinance of the City of Nevada, Missouri, providing for the submission to a vote of the people the question of renewing a one-half of one-cent (\$.005) transportation sales tax for five years and to be considered an emergency due to time constraints was considered.

Councilperson Barrett moved to place Bill No. 2010-030 on first reading, by title only, Councilperson Steward provided the second. The motion was placed on first reading, read by title only, duly considered, and passed by the following vote:

Aye:	Barrett; Leonard; McKenzie; Novak; Steward
Nay:	None
Absent:	None

Thereupon Bill No. 2010-030 A Special Ordinance of the City of Nevada, Missouri, providing for the submission to a vote of the people the question of renewing a one-half of one-cent (\$.005) transportation sales tax for five years and to be considered an emergency due to time constraints was considered.

Councilperson Leonard moved to place Bill No. 2010-030 on second reading, by title only, Councilperson McKenzie provided the second. The motion was placed on second reading, read by title only, duly considered, and passed by the following vote:

Aye:	Leonard; McKenzie; Novak; Steward; Barrett
Nay:	None
Absent:	None

The Mayor declared Bill No. 2010-030 read a second time and passed, approved and adopted. The Bill was numbered Ordinance No. 7648 and was signed by the Mayor

and attested and signed by the City Clerk. The Mayor directed said Ordinance be engrossed upon the corporate records.

NEW BUSINESS

Mayor Novak asked for a motion to approve the liquor license for Iguana Azul. Councilperson Barrett made a motion to approve the license, Councilperson Leonard provided the second. The motion was duly considered, and passed by the following vote:

Aye: McKenzie; Novak; Steward; Barrett; Leonard
Nay: None
Absent: None

Thereupon Bill No. 2010-027 A Special Ordinance of the City of Nevada, Missouri authorizing the execution of a lease/purchase agreement with IKON Office Solutions Inc. for a Ricoh Aficio MP5000 for City Hall was considered.

Councilperson Barrett moved to place Bill No. 2010-27 on first reading, by title only, Councilperson Steward provided the second. The motion was placed on first reading, read by title only, duly considered, and passed by the following vote:

Aye: Novak; Steward; Barrett; Leonard; McKenzie
Nay: None
Absent: None

Consideration of Bill No. 2010-028 A Special Ordinance of the City of Nevada, Missouri authorizing the execution of a lease/purchase agreement with IKON Office Solutions Inc. for a Ricoh Aficio MP5000 for the Finance Department.

Councilperson Leonard moved to place Bill No. 2010-28 on first reading, by title only, Councilperson McKenzie provided the second. The motion was placed on first reading, read by title only, duly considered, and passed by the following vote:

Aye: Steward; Barrett; Leonard; McKenzie; Novak
Nay: None
Absent: None

Consideration of Bill No. 2010-029 A Special Ordinance of the City of Nevada, Missouri authorizing the execution of a lease/purchase agreement with IKON Office Solutions Inc. for a Ricoh Aficio MP3350 for the Public Safety Department.

Councilperson Barrett moved to place Bill No. 2010-29 on first reading, by title only, Councilperson McKenzie provided the second. The motion was placed on first reading, read by title only, duly considered, and passed by the following vote:

Aye: Barrett; Leonard; McKenzie; Novak; Steward
Nay: None
Absent: None

REPORTS

The following written reports were reviewed and are filed in the City Clerk's office:

Fire
Business License
Police/ ACO
Municipal Court
Request for Records
Finance Report

WRITTEN MINUTES/REPORTS FROM BOARDS AND COMMISSIONS

There were none.

REPORTS FROM COUNCIL MEMBERS

There were none.

MAYOR'S REPORT

There was none.

CITY MANAGER'S REPORT

City Manager Kehrman updated Council on various projects.

MISCELLANEOUS MATTERS

Mayor Novak asked City Manager Kehrman to check into the possibilities of making all city facilities non smoking.

Mayor Novak asked for a motion to move into executive session for matters regarding legal actions, causes of action or litigation in conjunction with Chapter 610.021 (3) RSMo; discussion of personnel issues.

Councilperson Leonard moved to go into executive session, Councilperson McKenzie seconded the motion. The motion was duly considered and passed by the following vote:

Aye: Leonard; McKenzie; Novak; Steward; Barrett

Nay: None
Absent: None

An Executive Session of the City Council of the City of Nevada, Missouri was held in the Council Chambers, 120 S. Ash, on May 18, 2010, beginning at 8:06 p.m.

Present: Barrett; Leonard; McKenzie; Novak; Steward
Absent: None

Staff present: JD Kehrman, City Manager; Julie Lewis, City Clerk; William McCaffree, City Attorney; Sharon Kegler, Human Resources Director

Thereupon, at 8:22 p.m. Councilperson Leonard motioned to move out of executive session and back into regular session, seconded by Councilperson McKenzie. The motion was duly considered and passed by the following vote:

Aye: McKenzie; Novak; Steward; Barrett; Leonard
Nay: None
Absent: None

ADJOURNMENT

Mayor Novak asked if there was any further business to come before Council and asked for a motion to adjourn the regular session of the Nevada City Council.

Councilperson Steward moved to adjourn the regular session of the Nevada City Council, Councilperson Barrett seconded the motion. The motion was duly considered and passed by the following vote:

Aye: Novak; Barrett; Steward; Leonard; McKenzie
Nay: None
Absent: None

The Mayor adjourned the meeting 8:25 p.m.

(seal)
ATTEST:

Julie Lewis, City Clerk

Jayne Novak, Mayor