

MINUTES
CITY COUNCIL MEETING
July 20, 2010
7:00 p.m.

NOTICE OF MEETING AND AGENDA

A regular session of the City Council of the City of Nevada, Missouri was posted pursuant to RSMo. Chapter 610.020, with a tentative agenda on the 15th day of July, 2010 at 4:40 p.m.

CALL TO ORDER

A regular session of the City Council of the City of Nevada, Missouri was held Tuesday, July 20, 2010 pursuant to Sections 2-6, 2-7 & 2-8 of the City Code of the City of Nevada, Missouri and Section 3.11 of the City Charter.

Mayor Novak called the meeting to order at 7:00 p.m., followed by the Pledge of Allegiance.

INVOCATION

Councilmember Brian Leonard gave the invocation.

ROLL CALL

The following Councilmembers were present at roll call:

Present: Barrett; Leonard; McKenzie; Novak; Steward

Absent: None

Staff present: J.D. Kehrman, City Manager; Wm. G. McCaffree, City Attorney; Annette Crews, City Clerk; Kristie Modlin, Finance Department Manager; Randy Marti, Administrative Services Director; Casey Crain, Acting Police Chief; Joe Charles, Public Works Director; Robin McHugh, Parks & Recreation Director; Robert Benn, Fire Chief; Sharon Kegler, HR Director; Jennifer Page, HR Assistant; Julie Lewis, Executive Assistant.

PROCLAMATIONS

There were none.

APPROVAL OF MINUTES

The July 6, 2010 regular session City Council minutes were approved in conformity with Section 3.11 of the City Charter.

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

APPOINTMENTS TO BOARDS AND COMMISSIONS

There were none.

CONSIDERATION OF BIDS

A bid for caustic soda bid for the Water Treatment Plant was considered.

Councilperson Steward moved to accept the bid from Univar of Springfield, Missouri for 48,000 pounds of caustic soda for a not-to-exceed amount of \$5,500. Councilperson Barrett provided the second. The motion was duly considered and passed by the following vote:

Aye: McKenzie; Novak; Steward; Barrett; Leonard

Nay: None

Absent: None

PUBLIC PARTICIPATION FROM THOSE REGISTERED WITH THE CITY CLERK

Mayor Novak recognized Carol Branham, Executive Director of the Nevada Housing Authority. Mrs. Branham reported that the Point In Time Count of the Vernon County homeless population would take place on Wednesday, July 28, beginning at 7:00 p.m. at the Crawford House, 1117 N. West.

OLD BUSINESS

Thereupon, Bill No. 2010-035 A General Ordinance Enacting and Ratifying Provisions Relating to Weeds and Trash Amending Article II, Chapter 27 of the Code of the City of Nevada was considered.

Councilperson Barrett moved to place Bill No. 2010-035 on second reading by title only, Councilperson McKenzie provided the second. The Bill 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. 2010-035 read a second time, passed, approved, and adopted. The Bill was numbered Ordinance No. 7656 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.

Next, Bill No. 2010-036 A General Ordinance Amending Article XIII, Library Board, Section 2-57 of the Code of the City of Nevada, Missouri was considered.

Councilperson Leonard moved to place Bill No. 2010-036 on second reading by title only. The second was provided by Councilperson Steward. The Bill was placed on second reading, read by title only, duly considered and passed by the following vote:

Aye: Steward; Barrett; Leonard; McKenzie; Novak

Nay: None

Absent: None

The declared Bill No. 2010-036 read a second time, passed, approved, and adopted. The Bill was numbered Ordinance No. 7657 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.

Then, Bill No. 2010-037 A Special Ordinance Rescinding Ordinance No. 7633 Due to an Incorrect Expiration Date Within the Contract was under consideration.

Councilperson Barrett moved to place Bill No. 2010-037 on second reading by title only. The motion was seconded by Councilperson Leonard. The Bill was placed on second reading, read by title only, duly considered and passed by the following vote:

Aye: Barrett; Leonard; McKenzie; Novak; Steward

Nay: None

Absent: None

The Mayor declared Bill No. 2010-037 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7658 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.

Then, Bill No. 2010-038 A Special Ordinance Rescinding Ordinance No. 7627 Regarding Transfer of Global Software License was considered.

Councilperson Steward moved to place Bill No. 2010-038 on second reading by title only. Councilperson McKenzie provided the second. The Bill 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. 2010-038 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7659 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.

Next, Bill No. 2010-039 A General Ordinance Amending Chapter 29, Section 29-10 (f) of the Code of the City of Nevada, Missouri – Regarding Garage Sale Signs

Councilperson Barrett moved to place Bill No. 2010-039 on second reading by title only. The motion was provided a second by Councilperson Leonard. There was some Council discussion.

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

Aye: Novak; Steward; Barrett; Leonard

Nay: McKenzie

Absent: None

The Mayor declared Bill No. 2010-039 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7660 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

A public hearing for a Zoning Change at the Northwest Corner of Commercial and Lee from R-1 to R-2 was opened at 7:18 p.m.

With no public comment, the public hearing was closed at 7:19 p.m.

Thereupon, Bill No. 2010-040 A Special Ordinance Amending the Zoning District Map at the Northwest Corner of Commercial and Lee by Changing the Zoning from R-1 Single Family Dwelling District to R-2 Two Family Dwelling District was considered.

Councilperson McKenzie moved to place Bill No. 2010-040 on first reading by title only, the motion was seconded by Councilperson Steward. The Bill 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

Next, Bill No. 2010-041 A General Ordinance Amending the City Code of the City of Nevada, Missouri by Adding Section 29-15 – No Smoking Signs – Chapter 29 was considered.

Councilperson Leonard moved to place Bill No. 2010-041 on first reading by title only. Councilperson McKenzie provided the second. The Bill 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

Next, Bill No. 2010-042 A General Ordinance Amending Chapter 3, Section 3-7 – Limitation on Number of Licenses for Package Sale of Intoxicating Liquor – of the City Code of the City of Nevada, Missouri was considered.

Councilperson McKenzie moved to place Bill No. 2010-042 on first reading by title only. The second was provided by Councilperson Leonard. The Bill was placed on first reading, read by title only, duly considered and passed by the following vote:

Aye: Barrett; Leonard; McKenzie; Steward

Nay: Novak

Absent: None

Thereupon, Bill No. 2010-043 A Special Ordinance Authorizing Execution of an Agreement with the Nevada Housing Authority for Additional Policing Services was considered.

Councilperson Barrett moved to place Bill No. 2010-043 on first reading by title only. Councilperson Leonard provided the second. The Bill was placed on first reading, read by title only, duly considered and passed by the following vote:

Aye: Leonard; McKenzie; Novak; Steward; Barrett

Nay: None

Absent: None

REPORTS

Monthly Department Reports

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

Fire, Municipal Court, Animal Control, Police Department, Business License and Finance. All reports are for the month of June, 2010.

Boards and Commissions Written Minutes/Reports

The following Board minutes were reviewed and are on file in the City Clerk's office: Planning Commission – June 8, 2010 and June 29, 2010.

Mayor's Report

Mayor Novak reported that she attended the Moss House's 25th Anniversary. She announced that she would not be able to attend the August 3rd City Council meeting.

City Manager's Report

Discussed June Sales Tax receipts. No written report.

MISCELLANEOUS MATTERS

Mayor Novak recognized Fire Chief Robert Benn. Chief Benn invited City Council members, the City Manager and City Staff to the Disaster Drill to be held on July 28th at Radio Springs Park, in the lower section. He requested those wanting to watch the drill should be in place by 9:00 a.m. at the park.

Councilperson Barrett opened a discussion regarding garage sales. It was suggested that perhaps an organized "city-wide" garage sale to take place once or twice a month could be considered. The Chamber of Commerce and Tourism will be contacted regarding this issue.

There was discussion regarding enforcing the current City Code allowing only two garage sales per year. There was discussion regarding garage sale permits to help track the number of sales held and where they are being held.

EXECUTIVE SESSION

The City Manager requested an executive session for reasons in accordance with Section 610.021 RSMo., subparagraphs (2) Leasing, Purchase, or Sale of Real Estate by a Public Governmental Body and (3) Hiring, Firing, Disciplining of Particular Employees.

Councilperson Steward made a motion to move into Executive Session for reasons in accordance with Section 610.021 RSMo., subparagraphs (2) Leasing, Purchase, or Sale of Real Estate by a Public Governmental Body and (3) Hiring, Firing, Disciplining of Particular Employees. The second was provided by Councilperson McKenzie. The motion was duly considered and passed by the following vote:

Aye: McKenzie; Novak; Steward; Barrett; Leonard

Nay: None

Absent: None

City Council moved into Executive Session at 7:50 p.m. Staff present: J. D. Kehrman, City Manager; Wm. G. McCaffree, City Attorney; Annette Crews, City Clerk; Sharon Kegler, HR Director; Jennifer Page, HR Assistant.

Discussion was limited to Section 610.021 RSMo., Subparagraphs (2) leasing, purchase or sale of real estate by a public governmental body and (3) hiring, firing, disciplining of particular employees. Minutes of the executive session will be released in accordance with Section 610.021 RSMo., Subparagraph (2) leasing, purchase or sale of real estate by a public governmental body.

Staff members Sharon Kegler and Jennifer Page were excused at 8:15 p.m.

Councilperson Steward made a motion to move out of executive session and back into regular session. The second was provided by Councilperson McKenzie. The motion was duly considered and passed by the following vote:

Aye: Novak; Steward; Barrett; Leonard; McKenzie

Nay: None

Absent: None

Executive session ended at 9:05 p.m.

Councilperson Steward moved to consider approval of Resolution 1297 Appointing Johnna Williams as Deputy City Clerk. The second was provided by Councilperson Leonard. The motion was duly considered and passed by the following vote:

Aye: Steward; Barrett; Leonard; McKenzie; Novak

Nay: None

Absent: None

Councilperson Leonard made a motion to move the August 17, 2010 Regular City Council meeting to August 16, 2010 due to scheduling conflicts. Councilperson McKenzie provided the second. The motion was duly considered and passed by the following vote:

Aye: Barrett; Leonard; McKenzie; Novak; Steward

Nay: None

Absent: None

With no further business to come before City Council, Councilperson Steward moved to adjourn the regular session City Council meeting. Councilperson Leonard provided the second. The motion was duly considered and passed by the following vote:

Aye: Leonard; McKenzie; Novak; Steward; Barrett

Nay: None

Absent: None

The meeting adjourned at 9:10 p.m.

Respectfully Submitted,
Annette Crews,
City Clerk

(seal)
ATTEST:

Jayne Novak, Mayor

Annette Crews, City Clerk