

MINUTES
REGULAR CITY COUNCIL MINUTES
Tuesday, July 23, 2013
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 July 19, 2013 at 9:15 a.m.

CALL TO ORDER

A regular session of the City Council of Nevada, Missouri was held on Tuesday, July 23, 2013 pursuant to Section 2-6 and 2-7 of the City Code and Section 3.11 of the City Charter.

Mayor Barrett called the meeting to order at 7:03 p.m., followed by the Pledge of Allegiance.

INVOCATION

Chris Deines gave the invocation.

ROLL CALL

The following Council members were present for roll call:

Present: Barrett; Christie; Hertzberg; Leonard; Novak

Absent: None

Staff present: JD Kehrman, City Manager; Wm. G. McCaffree, City Attorney; Bev Baker, City Clerk; Johnna Williams, Planning Manager; Graham Burnley, Chief of Police; Sharon Kegler, Human Resources Director; Dana Redburn, Parks & Recreation Director; Randy Marti, Administrative Service Director; Tom Hutchison, Construction Specialist; Shawn Middendorf, Alliance Water Resources; William Thornton, Fire Chief; Mark Mitchell, CIO; Kristie Modlin, Finance Manager; Julie Lewis, Executive Assistant.

Mayor Barrett announced Kristie Modlin as the new Treasurer effective August 1, 2013.

PROCLAMATIONS

There were none.

APPROVAL OF MINUTES

Councilperson Christie moved to accept the July 9, 2013 regular session City Council minutes as written. Councilperson Hertzberg provided the second. The motion was duly considered and passed unanimously.

Councilperson Leonard moved to accept the July 11, 2013 special session City Council minutes as written. Councilperson Christie provided the second. The motion was duly considered and passed unanimously.

APPOINTMENTS TO BOARDS AND COMMISSIONS

There were none.

CONSIDERATION OF BIDS

The bid considered was the Public Safety Buildings Geotechnical Testing Bids for the Administration Department.

Councilperson Novak moved to approve the bid from Palmerton & Parrish for \$4,575.00. Councilperson Hertzberg provided the second. The motion was duly considered and passed by the following vote:

Aye: Barrett; Christie; Hertzberg; Leonard; Novak

Nay: None

Absent: None

PUBLIC PARTICIPATION FROM THOSE REGISTERED WITH THE CITY CLERK

There was none.

COMMUNICATIONS AND PETITIONS

There were none.

OLD BUSINESS

First item to be considered was Bill No. 2013-031 authorizing and approving execution of an agreement providing for professional services between the City of Nevada, Missouri and Allgeier, Martin & Associates, Inc. of Joplin, Missouri for sidewalk improvements.

Councilperson Christie moved to place Bill No. 2013-031 on second reading by title only. Councilperson Novak provided the second. The motion was duly considered and passed by the following vote:

Aye: Christie; Hertzberg; Leonard; Novak; Barrett

Nay: None

Absent: None

The Mayor declared Bill No. 2013-031 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7900 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

Then, Mayor Barrett opened a public hearing regarding vacating the alley running north and south the entire block of 8 in Robinson-Martin addition of the City of Nevada, Missouri at 7:10 p.m. With no public comment the public hearing was closed at 7:10 p.m.

Next to be considered was Bill No. 2013-032 vacating the alley running north and south the entire block of 8 in Robinson-Martin addition of the City of Nevada, Missouri.

Councilperson Hertzberg moved to place Bill No. 2013-032 on first reading by title only. Councilperson Leonard provided the second. The motion was duly considered and passed by the following vote:

Aye: Hertzberg; Leonard; Novak; Barrett; Christie

Nay: None

Absent: None

Then to be considered was Bill No. 2013-033 accepting the bid and authorizing the execution of an agreement with Miller Construction Company for construction of a Clubhouse building.

Councilperson Leonard moved to place Bill No. 2013-033 on first reading by title only. Councilperson Christie provided the second. The motion was duly considered and passed by the following vote:

Aye: Leonard; Barrett; Christie; Hertzberg

Nay: Novak

Absent: None

Next to be considered was Bill No. 2013-034 approving a contract between the Nevada Housing Authority and the City of Nevada, Missouri for additional policing services.

Councilperson Novak moved to place Bill No. 2013-034 on first reading by title only. Councilperson Leonard provided the second. The motion was duly considered and passed by the following vote:

Aye: Novak; Barrett; Christie; Hertzberg; Leonard
Nay: None
Absent: None

Next to be considered was Bill No. 2013-035 authorizing an employment agreement for personnel training with Michael Wade.

Councilperson Hertzberg moved to place Bill No. 2013-035 on first reading by title only. Councilperson Novak provided the second. The motion was duly considered and passed by the following vote:

Aye: Barrett; Christie; Hertzberg; Leonard; Novak
Nay: None
Absent: None

Next to be considered was Resolution No. 1376 authorizing the filing of an application with the Missouri Department of Natural Resources, State revolving fund program for loans under the Missouri clean water law (Section 644, RSMo).

Councilperson Leonard moved to approve Resolution No. 1376, seconded by Councilperson Christie. The motion was duly considered and passed unanimously.

Next to be considered was Resolution No. 1377 approving annual liquor license to sell malt liquor in excess of 3.2 percent alcohol by weight and not in excess of five percent by weight or light wines containing not in excess of 14 percent alcohol by weight, by the drink for consumption on premises where sold from August 1, 2013 through July 31, 2014.

Councilperson Novak moved to approve Resolution No. 1377, seconded by Councilperson Hertzberg. 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 Report – June
- ii. Fire Department Report – June
- iii. Animal Control Report – June
- iv. Police Department Report – June
- v. Alliance Water Resources Report – June
- vi. Finance Report - June
 1. Business License Report – June

Boards and Commissions Written Minutes/Reports

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

- i. Planning Commission Minutes – June 11, 2013

Mayor's Report

There was none.

City Manager's Report

City Manager, J D Kehrman recognized the City Staff with the support of the Council, on the success of the cycling race held in Nevada. He received great feedback and excitement from the community. Councilperson Christie thought the event was tremendous and heard positive feedback from the racers as well as the community. He encouraged the Council to support the event next year. Mr. Kehrman reported there would be a financial report of the event at the next council meeting. Mr. Kehrman also discussed the information provided to Council from MML on the leash laws in other communities.

MISCELLANEOUS MATTERS

Councilperson Leonard asked if all the banners were up on the city streets. Staff is checking and will get back with Council.

Councilperson Leonard said he had received many calls after last Council meeting about the leash law. Many said it was long overdue. The City Attorney will provide information at the next meeting for changing the ordinance.

Councilperson Hertzberg Thanked the Police Department for being very helpful with dogs running at large in his neighborhood.

Also discussed, the Animal Control officer is working with the Veterinarians, Chief of Police and City Manager producing the details of licensing the dogs at the time of vaccination, and will bring the information to the Council.

EXECUTIVE SESSION

Mayor Barrett 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 Leonard 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 Novak. The motion was duly considered and passed by the following vote:

Aye: Christie; Hertzberg; Leonard; Novak; Barrett

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 8:10 p.m.

Present: Barrett; Christie; Hertzberg; Leonard; Novak

Absent: None

Staff present: JD Kehrman, City Manager; Wm. G. McCaffree, City Attorney; Bev Baker, 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 Leonard 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: Hertzberg; Leonard; Novak; Barrett; Christie

Nay: None

Absent: None

Executive session adjourned at 8:28 p.m.

Mayor Barrett moved to set Ms. Modlin's initial salary as Treasurer, at pay grade 25A, for her probationary period. If Council concludes the promotion is not made permanent, the City Manager will file an agreement for return to her former position of Finance Manager, at pay grade 18B. The second was provided by Councilperson Leonard. The motion was duly considered and passed by the following vote:

Aye: Leonard; Novak; Barrett; Christie; Hertzberg

Nay: None

Absent: None

ADJOURNMENT

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

Councilperson Leonard 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; Barrett; Christie; Hertzberg; Leonard

Nay: None

Absent: None

The meeting adjourned at 8:36 p.m.

Respectfully submitted,

Bev Baker, City Clerk

(seal)
ATTEST:

Seth Barrett, Mayor

Bev Baker, City Clerk