

**MINUTES  
CITY COUNCIL MEETING  
Tuesday, January 3, 2012  
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 2-7 of the City Code and RSMo., Chapter 610.021 with a tentative agenda on December 29, 2011 at 2:30 p.m.

***CALL TO ORDER***

A regular session of the City Council of Nevada, Missouri was held Tuesday, January 3, 2012 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***

Mayor Brian 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; Wm. G. McCaffree, City Attorney; Annette Crews, City Clerk; Graham Burnley, Police Chief; Robert Benn, Fire Chief; Sharon Kegler, HR Director; Mark Mitchell, CIO; Roger Beach, Field Operations Director; Dana Redburn, Parks & Recreation Director; Randy Marti, Administrative Services Director; Shawn Middendorf, Alliance Water Resources; Julie Lewis, Executive Assistant.

***PROCLAMATIONS***

There were none.

### **APPROVAL OF MINUTES**

Councilperson Novak moved to accept the December 20, 2011 Special City Council minutes as written. Councilperson Steward provided the second. The motion was duly considered and passed unanimously.

Then, Councilperson McKenzie moved to accept the December 20, 2011, regular City Council minutes as written. Councilperson Barrett provided the second. The motion was duly considered and passed unanimously.

### **APPOINTMENTS TO BOARDS AND COMMISSIONS**

There were none.

### **CONSIDERATION OF BIDS**

The annual bid for the purchase of concrete by the Field Operations Department was considered.

Councilperson Steward moved to accept the low bid for concrete from Vernon County Ready Mix for a "not-to-exceed" amount of \$130,000, annually. Councilperson Barrett provided the second. The motion was duly considered and passed by the following vote:

Aye: Leonard; McKenzie; Novak; Steward; Barrett

Nay: None

Absent: None

Next was consideration of the annual bid for rock purchases for the Field Operations Department.

Councilperson Novak moved to accept the bid from Jasper Stone, LLC for a "not-to-exceed" amount of \$130,000, annually for the City's rock needs for 2012. Councilperson McKenzie provided the second. The motion was duly considered and passed by the following vote:

Aye: McKenzie; Novak; Steward; Barrett; Leonard

Nay: None

Absent: None

Then the annual fuel bid for all City vehicles and equipment was considered.

Councilperson Steward moved to accept the bid from MFA Oil for the City's fuel needs for 2012. Councilperson McKenzie provided the second. The motion was duly considered and passed by the following vote:

Aye: Novak; Steward; Barrett; Leonard; McKenzie

Nay: None

Absent: None

***PUBLIC PARTICIPATION FROM THOSE REGISTERED WITH THE CITY CLERK***

Mayor Leonard called upon Ms. Jeanne Board, 20626 S. 1600 Road, Nevada, Missouri. Ms. Board stated she was addressing City Council as a representative of the Arts Council, regarding the Osage Archer Mural.

Ms. Board stated that the Arts Council had signed an agreement regarding transfer of ownership of the mural and display of the mural. She also stated the Arts Council did have some questions and concerns regarding the mural.

Mayor Leonard deferred the questions to Mr. Kehrman. Mr. Kehrman stated that Parks & Recreation Director, Dana Redburn would investigate and discuss the issue with Ms. Board.

Mr. Kehrman stated that the City wants the Arts Council to be comfortable with any agreement regarding the mural.

***COMMUNICATIONS AND PETITIONS***

There were none.

***OLD BUSINESS***

First item for consideration was Bill No. 2011-087 amending the 2011 fiscal year budget as approved by Ordinance No. 7697 and amended by Ordinance No. 7707 (Airport Transfer Funds).

Councilperson Novak moved to place Bill No. 2011-087 on second reading by title only. The motion was seconded by Councilperson Barrett, duly considered and passed by the following vote:

Aye: Steward; Barrett; Leonard; McKenzie; Novak

Nay: None

Absent: None

The Mayor declared Bill No. 2011-087 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7783 and was signed by the Mayor and attested by the City Clerk. The Mayor directed said Ordinance engrossed upon the corporate records.

Then, Bill No. 2011-088 amending the 2011 fiscal year budget as approved by Ordinance No. 7697 and amended by Ordinance No. 7707 (Various Funds) was considered.

Councilperson McKenzie moved to place Bill No. 2011-088 on second reading by title only. Councilperson Barrett provided the second. The motion was duly considered and passed by the following vote:

Aye: Barrett; Leonard; McKenzie; Novak; Steward

Nay: None

Absent: None

The Mayor declared Bill No. 2011-088 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7784 and was signed by the Mayor and attested by the City Clerk. The Mayor directed said Ordinance be engrossed upon the corporate records.

Next, Bill No. 2011-089 amending the 2011 fiscal year budget as approved by Ordinance No. 7697 and amended by Ordinance No. 7707 (Water/Sewer Funds PILOT Tax) was considered.

Councilperson Novak moved to place Bill No. 2011-089 on second reading by title only. Councilperson Barrett 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 Mayor declared Bill No. 2011-089 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7785 and was signed by the Mayor and attested by the City Clerk. The Mayor directed said Ordinance be engrossed upon the corporate records.

Bill No. 2011-090 authorizing retirement of the inter-fund loan between the Water and Sewer Fund and the General Fund was next being considered.

Councilperson Barrett moved to place Bill No. 2011-090 on second reading by title only. Councilperson Novak provided the second. The motion was duly considered and passed by the following vote:

Aye: McKenzie; Novak; Steward; Barrett; Leonard

Nay: None

Absent: None

The Mayor declared Bill No. 2011-090 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7786 and was signed by the Mayor and attested by the City Clerk. The Mayor directed said Ordinance be engrossed upon the corporate records.

Thereupon, Bill No. 2011-092 approving and authorizing a lease agreement for hay land at the old Landfill between the City of Nevada and Wayne C. Cline was considered.

Councilperson Steward moved to place Bill No. 2011-092 on second reading by title only. The second was provided by Councilperson Barrett. The motion was duly considered and passed by the following vote:

Aye: Novak; Steward; Barrett; Leonard; McKenzie

Nay: None

Absent: None

The Mayor declared Bill No. 2011-092 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7787 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. 2011-093 approving and authorizing a lease agreement for hay land located at Marmaduke Park between the City of Nevada and Gary C. Ashby.

Councilperson Novak moved to place Bill No. 2011-093 on second reading by title only. Councilperson Barrett provided the second. The motion was duly considered and passed by the following vote:

Aye: Steward; Barrett; Leonard; McKenzie; Novak

Nay: None

Absent: None

The Mayor declared Bill No. 2011-093 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7788 and signed by the Mayor and attested by the City Clerk. The Mayor directed said Ordinance be engrossed upon the corporate records.

Then, Bill No. 2011-094 approving and authorizing a lease agreement for pasture land at the Wastewater Treatment Plant between the City of Nevada and Wayne C. Cline was considered.

Councilperson Barrett moved to place Bill No. 2011-094 on second reading by title only. Councilperson Novak seconded the motion, which was duly considered and passed by the following vote:

Aye: Barrett; Leonard; McKenzie; Novak; Steward

Nay: None

Absent: None

The Mayor declared Bill No. 2011-094 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7789 and was signed by the Mayor; attested by the City Clerk. The Mayor directed said Ordinance be engrossed upon the corporate records.

The last item under Old Business to be considered was Bill No. 2011-095 approving and authorizing the execution of a memorandum agreement with the University of Missouri to georeference, mosaic and digitize parcel maps for the City of Nevada.

Councilperson Steward moved to place Bill No. 2011-095 on second reading by title only. Councilperson Novak 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 Mayor declared Bill No. 2011-095 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7790 and was signed by the Mayor; attested by the City Clerk. The Mayor directed said Ordinance be engrossed upon the corporate records.

## **NEW BUSINESS**

First item to be considered was Bill No. 2012-001 authorizing the execution of Amendment No. 1 to an agreement between the City of Nevada and the Missouri Highways and Transportation Commission providing for design and construction of the Apron reconstruction project at the Nevada Municipal Airport.

Councilperson Barrett moved to place Bill No. 2012-001 on first reading by title only. The motion was seconded by Councilperson Steward. The motion was duly considered and passed by the following vote:

Aye: McKenzie; Novak; Steward; Barrett; Leonard

Nay: None

Absent: None

Then, Bill No. 2012-002 approving the bid submitted by Waste Corporation of America and Authorizing the City Manager to execute an agreement with Waste Corporation of America (WCA) for 2012 City of Nevada trash service.

Councilperson Barrett moved to place Bill No. 2012-002 on first reading by title only. Councilperson Novak provided the second. The motion was duly considered and passed by the following vote:

Aye: Novak; Steward; Barrett; Leonard; McKenzie

Nay: None

Absent: None

## **REPORTS**

### ***Monthly Department Reports***

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

Finance Report

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

There were none.

### ***Mayor's Report***

There was none given.

### ***City Manager's Report***

Mr. Kehrman introduced Peggy Tedlock, Director of the Red Cross, Nevada, Missouri Chapter.

Mr. Kehrman reviewed various disasters that the community suffered in 2011. He stated the cooperation between the Red Cross and the City when working with displaced citizens during storms, fires or other sort of emergencies.

Mr. Kehrman then announced that a grant had been applied for to the Finis M. Moss Trust for two emergency generators, Mr. Kehrman informed City Council that the City had been awarded the grant and received a check in the amount of \$150,000 for the purchase of two emergency, stand alone generators, one at the Community Center and one at the Senior Center for emergency shelter when the need arises.

### ***MISCELLANEOUS MATTERS***

Mayor Leonard asked if there were any miscellaneous matters to come before the City Council.

Mayor Leonard recognized Councilperson Novak.

Councilperson Novak stated she had received a citizen's complaint regarding the report of a street light not working and the type of customer service received at City Hall when the outage was reported.

Mayor Leonard directed the City Clerk to email Boards and Commission member lists and terms to the City Council members, in preparation to review term limits for all Boards and Commissions.

### ***EXECUTIVE SESSION***

Mr. Kehrman requested an 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.

Councilperson Steward motioned to move 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. Councilperson Barrett provided the second. The motion was duly considered and passed by the following vote:



Aye: Steward; Barrett; Leonard; McKenzie; Novak

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, on December 20, 2011 beginning at 7:47 p.m.

Present: Barrett; Leonard; McKenzie; Novak; Steward

Absent: None

Staff present: JD Kehrman, City Manager; Wm. G. McCaffree, City Attorney; Annette Crews, City Clerk; Sharon Kegler, HR Director.

Discussion was limited to Section 610.021 RSMo., Subparagraph (3) hiring, firing, disciplining or promoting of particular employees by a public governmental body. No decisions were made or voted on.

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

Aye: Leonard; McKenzie; Novak; Steward; Barrett

Nay: None

Absent: None

Executive session adjourned at 8:07 p.m.

### ***ADJOURNMENT***

Mayor Leonard asked if there was any further business to come before the City Council.

Councilperson McKenzie moved to direct Mayor Leonard to make a conditional job offer to Michael Wade for the position as part-time Treasurer. Councilperson Steward provided the second. The motion was duly considered and passed by the following vote:

Aye: McKenzie; Novak; Steward; Barrett; Leonard

Nay: None

Absent: None

Councilperson McKenzie thanked Mr. Kehrman for applying for and being awarded the Finis M. Moss Trust grant to purchase the two emergency generators.

Councilperson Novak moved to adjourn the City Council meeting. The second was provided by Councilperson Barrett. The motion was duly considered and passed by the following vote:

Aye: Novak; Steward; Barrett; Leonard; McKenzie

Nay: None

Absent: None

Mayor Leonard adjourned the meeting at 8:10 p.m.

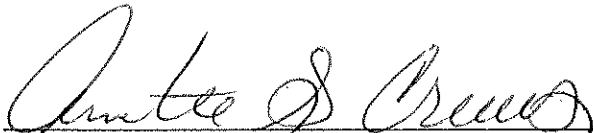
Respectfully submitted,



Annette S. Crews, City Clerk

  
Brian L. Leonard, Mayor

(seal)  
ATTEST:



Annette S. Crews, City Clerk