

**MINUTES
CITY COUNCIL MEETING
January 6, 2010
7:00 p.m.**

NOTICE OF MEETING AND AGENDA

A Special Session of the City Council of Nevada, Missouri, was held January 6, 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 30th day of December, 2009 at 4:55 p.m.

CALL TO ORDER

A Special session of the City Council of the City of Nevada, Missouri, was held Wednesday, December 30, 2009 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 Hutchens called the meeting to order at 7:00 p.m.

INVOCATION

Mayor Hutchens gave the invocation.

ROLL CALL

The following Council Members were present for roll call:

Present: Barrett; Hutchens; Leonard; Novak; Steward

Absent: None

Staff present: Harlan Moore, Interim City Manager; Julie Lewis, City Clerk; Kristie Modlin, Finance Department Manager; Randy Marti, Administrative Services; Gary Herstein, Public Safety Director; Joe Charles, Director of Public Works; Robin McHugh, Parks and Recreation Director; Bob Benn, Fire Chief; Ron Clow, Community Development; Sharon Kegler, Human Resources Director; Annette Crews, City Manager's office.

PROCLAMATIONS

There were none.

APPROVAL OF MINUTES

The November 24, 2009 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 Barrett. The motion was duly considered and passed unanimously.

The December 1, 2009 regular session City Council minutes were approved as written in conformity with Section 3.11 of the City Charter.

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

The December 14, 2009 special session City Council minutes were approved as written in conformity with Section 3.11 of the City Charter.

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

The December 15, 2009 regular session City Council minutes were approved as written in conformity with Section 3.11 of the City Charter.

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

APPOINTMENTS TO BOARDS AND COMMISSIONS

Mayor Hutchens recommended appointing Pat Arnold to the IMPACT Tourism Board, Ms. Arnold would be serving an unexpired term ending April, 2010.

Councilperson Leonard moved to appoint Pat Arnold to the IMPACT Tourism Board, the motion was seconded by Councilperson Novak. The motion was duly considered and passed unanimously.

CONSIDERATION OF BIDS

There was none.

PUBLIC PARTICIPATION FROM THOSE REGISTERED WITH THE CITY CLERK

John McKinley, 400 N. Prewitt, deferred to golf course fee ordinance

COMMUNICATIONS & PETITIONS

There were none.

UNFINISHED BUSINESS

There was none.

OLD BUSINESS

Thereupon Bill No. 2009-116 A Special Ordinance of the City council of the City of Nevada, Missouri, amending the 2009 Fiscal Year Budget to increase the Library Fund Expenditures was considered.

Councilperson Leonard moved to place Bill No. 2009-116 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:	Barrett; Hutchens; Leonard; Novak; Steward
Nay:	None
Absent:	None

The Mayor declared Bill No. 2009-116 read a second time and passed, approved and adopted. The Bill was numbered Ordinance No. 7616 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. 2009-117 A Special Ordinance of the City of Nevada, Missouri authorizing the execution of a HVAC Maintenance agreement with Jeffries of Lamar, Missouri was considered.

Councilperson Barrett moved to place Bill No. 2009-117 on second reading, by title only, Councilperson Novak provided the second. The motion was placed on second reading, read by title only, duly considered, and passed by the following vote:

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

The Mayor declared Bill No. 2009-117 read a second time and passed, approved and adopted. The Bill was numbered Ordinance No. 7617 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. 2009-119 A Special Ordinance of the City of Nevada, Missouri authorizing the execution of an agreement with Shafer, Kline & Warren for Consulting Services for the update to the Comprehensive Plan was considered.

Councilperson Novak moved to place Bill No. 2009-119 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; Novak; Steward; Barrett; Hutchens
Nay:	None
Absent:	None

The Mayor declared Bill No. 2009-119 read a second time and passed, approved and adopted. The Bill was numbered Ordinance No. 7618 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. 2009-120 A Special Ordinance of the City of Nevada, Missouri, establishing fee structure use of the Twin Lakes Ball Fields was considered.

Councilperson Barrett moved to place Bill No. 2009-120 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; Hutchens; Leonard
Nay:	None
Absent:	None

The Mayor declared Bill No. 2009-120 read a second time and passed, approved and adopted. The Bill was numbered Ordinance No. 7619 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. 2009-121 A Special Ordinance of the City of Nevada, Missouri establishing fee structure for use of the Community Center was considered.

Councilperson Novak moved to place Bill No. 2009-121 on second reading, by title only, Councilperson Leonard provided the second. The motion was placed on second reading, read by title only, duly considered, and passed by the following vote:

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

The Mayor declared Bill No. 2009-121 read a second time and passed, approved and adopted. The Bill was numbered Ordinance No. 7620 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. 2009-122 A Special Ordinance of the City of Nevada, Missouri establishing fee structure for use of the Frank E. Peters Golf Course was considered.

Councilperson Leonard made a motion to amend the fee structure of golf cart trail fee to \$400.00 a year, Councilperson Steward provided the second.

Public Participation:

John McKinley	Doug Campbell
John Klingamen	Lawrence Tally
David Grubb	Ron Berryhill

Council Discussion

Councilperson Leonard called for the question of the motion to raise the fee to \$400.00. The motion was duly considered and failed by the following vote:

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

Mayor Hutchens made a motion to make the golf cart trail fee \$354.00, Councilperson Leonard provided the second. The motion was duly considered and passed by the following vote:

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

Thereupon Bill No. 2009-122 A Special Ordinance of the City of Nevada, Missouri establishing fee structure for use of the Frank E. Peters Golf Course was amended and considered.

Councilperson Leonard moved to place Bill No. 2009-122 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: Steward; Hutchens; Leonard
Nay: Barrett; Novak
Absent: None

Thereupon Bill No. 2009-123 A Special Ordinance of the City of Nevada, Missouri establishing fee structure for the use of Walton Park Family Aquatics Center was considered.

Councilperson Leonard moved to place Bill No. 2009-123 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; Hutchens; Leonard
Nay: None
Absent: None

The Mayor declared Bill No. 2009-123 read a second time and passed, approved and adopted. The Bill was numbered Ordinance No. 7621 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. 2009-124 A Special Ordinance approving the 2010 Fiscal Budget of the City of Nevada, Missouri, appropriating from the revenue of the City requisite funds therefor, providing for the adjustments thereof, providing for the salaries of the city officers and employees, approving the Five-Year Capital Improvement program update, updating the City of Nevada organizational chart, and approving the Public Records fees schedule for the City of Nevada was considered.

Councilperson Novak moved to place Bill No. 2009-124 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: Steward; Barrett; Hutchens; Leonard; Novak
Nay: None
Absent: None

The Mayor declared Bill No. 2009-124 read a second time and passed, approved and adopted. The Bill was numbered Ordinance No. 7622 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

Thereupon Resolution No. 1274 Confirming the streets to be improved in 2010 with Sales Tax Improvements Funds was considered.

Councilperson Barrett made a motion to approve Resolution 1274, Councilperson Novak provided the second. The motion was duly considered, and passed by the following vote:

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

Consideration of Resolution No. 1275 Supporting the Vernon County School Districts Designation of "Graduation Matters" Month.

Councilperson Leonard made a motion to approve Resolution 1275, Councilperson Barrett provided the second. The motion was duly considered, and passed by the following vote:

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

REPORTS

Reports are provided on the second meeting of the month.

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

There was none.

MISCELLANEOUS MATTERS

Councilperson Steward asked about the status of the completion of the 2009 street project.

Councilperson Novak wanted to know if there was a deadline for the 2010 street to be completed.

Councilperson Barrett would like to have the Chamber of Commerce and Tourism agreement re-evaluated.

Mayor Hutchens 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) Hiring, firing, disciplining or promoting of particular employees.

Councilperson Leonard moved to go into executive session after a 5 minute break, Councilperson Novak seconded the motion. The motion was duly considered and passed by the following vote:

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

EXECUTIVE SESSION

An executive session of the City Council of the City of Nevada, Missouri was held in the Council Chambers, 120 S. Ash, on January 6, 2010, beginning at 8:30 p.m.

Councilmembers present: Barrett; Hutchens; Leonard; Novak; Steward

Councilmembers absent: None

Staff present: Harlan Moore, Interim City Manager; Julie Lewis, City Clerk; Sharon Kegler, Human Resources Director; William McCaffree, City Attorney.

Matters discussed at meeting were limited to those included in the motion to hold an executive session.

At 9:30 Council dismissed all staff.

Thereupon, at 10:23 p.m. Councilperson Leonard motioned to move out of executive session and back into special session, seconded by Councilperson Steward. The motion was duly considered and passed by the following vote:

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

ADJOURNMENT

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

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

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

The Mayor adjourned the meeting. The meeting adjourned at 10:25 p.m.

(seal)



Mike Hutchens, Mayor

ATTEST:



Julie Lewis, City Clerk