

**MINUTES
CITY COUNCIL MEETING
Tuesday, February 21, 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 Section 2-7 of the City Code and RSMo., Chapter 610.021 with a tentative agenda on February 16, 2012 at 3:00 p.m.

CALL TO ORDER

A regular session of the Nevada City Council was held Tuesday, February 21, 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

Pastor Robert Chastain 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; Mike Wade, Treasurer; Graham Burnley, Police Chief; Sharon Kegler, HR Director; Mark Mitchell, CIO; Dana Redburn, Parks & Recreation Director; Randy Marti, Administrative Services Director; Julie Lewis, Executive Assistant; Tom Hutchison, Construction Specialist; Shawn Middendorf, Alliance Water Resources; William Thornton, Interim Fire Chief.

PROCLAMATIONS

There were none.

APPROVAL OF MINUTES

Councilperson Steward moved to accept the February 7, 2012 Regular Session City Council Minutes as written. Councilperson McKenzie provided the second. The motion was duly considered and unanimously passed.

APPOINTMENTS TO BOARDS AND COMMISSIONS

There were none.

CONSIDERATION OF BIDS

A bid for the 2012 Walton Aquatic Center chemicals was considered.

Councilperson Steward moved to accept the bid from Blue Water Pools in the amount of \$5,142.50 for the 2012 Walton Aquatic Center chemicals. 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

There was none.

COMMUNICATIONS AND PETITIONS

Mayor Leonard introduced Councilperson McKenzie, as the Vernon County Ambulance District Director.

Mr. McKenzie stated the Vernon County Ambulance District had in the past presented the Nevada Police Department with portable AED's and would like to re-introduce the program to the Police Department.

Mr. McKenzie, VCAD Director, Mark Humphrey, VCAD Board member, and Nancy Jeffries, VCAD Board member and several VCAD staff members presented two portable AED units to the Nevada Police Department to be placed in patrol cars.

Then, Mayor Leonard reminded everyone that the Revitalization Award would be presented at a Council meeting in the near future. The Award was on display. Mayor Leonard thanked Brian Holland, Missouri Welding Institute for donating this year's award.

Next, Mr. Kehrman introduced Mark Mitchell, CIO. Mr. Mitchell updated City Council on the SeeClickFix mobile app.

UNFINISHED BUSINESS

First item was consideration of the Twin Lakes Sports Complex Tractor Bid that was postponed from the February 7, 2012 City Council meeting.

Councilperson Novak moved to accept the bid from Deems Farm Equipment for a commercial grade utility tractor at a cost of \$23,000. Councilperson Steward provided the second. The motion was duly considered and passed by the following vote:

Aye: Novak; Steward; Barrett; Leonard; McKenzie

Nay: None

Absent: None

Next to be considered was Bill No. 2012-003 authorizing the City of Nevada to enter into a Municipal/Governmental Lease Purchase for acquisition of a utility tractor for the Parks and Recreation Department, that had been postponed from the February 7th City Council meeting.

Councilperson Barrett excused himself from the discussion and vote on this item due to his affiliation with the lender. Councilperson Barrett left the room.

Councilperson Novak moved to place Bill No. 2012-003 on first reading by title only. Councilperson Steward provided the second. The motion was duly considered and passed by the following vote:

Aye: Steward; Leonard; McKenzie; Novak

Abstain: Barrett

Nay: None

Absent: None

Councilperson Barrett returned to the City Council Chambers.

OLD BUSINESS

First to be considered was Bill No. 2012-004 approving a lease agreement with Young Iron and Metal, Inc. for a 30 foot gooseneck trailer for recycling purposes.

Councilperson Novak moved to place Bill No. 2012-004 on second reading by title only. The motion was provided by Councilperson Barrett. 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. 2012-004 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7793 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. 2012-005 authorizing the Treasurer as an additional signatory for all City checking, investment and bond accounts was considered.

Councilperson Barrett moved to place Bill No. 2012-005 on second reading by title only. Councilperson Steward provided the second. The motion was duly considered and passed by the following vote:

Aye: Leonard; McKenzie; Novak; Steward; Barrett

Nay: None

Absent: None

Mayor Leonard declared Bill No. 2012-005 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7794 and was signed by the Mayor and attested by the City Clerk. The Mayor directed said Ordinance be engrossed upon the corporate records.

Then, Bill No. 2012-006 authorizing retirement of the inter-fund loan between the Neighborhood Improvement District Fund and the General Fund was considered.

Councilperson Steward moved to place Bill No. 2012-005 on second reading by title only, 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

Mayor Leonard declared Bill No. 2012-006 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7795 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. 2012-007 approving and adopting a tax-exempt financing compliance policy and procedure was considered.

Councilperson Novak moved to place Bill No. 2012-007 on second reading by title only. 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

Then Mayor Leonard declared Bill No. 2012-007 read a second time, passed, approved, and adopted. The Bill was numbered Ordinance No. 7796 and was signed by the Mayor and attested by the City Clerk. The Mayor directed said Ordinance be engrossed upon the corporate records.

Next item for consideration was Bill No. 2012-008 authorizing the execution of Change Order No. 2 to the CDL Electric Contract for 71 Highway and K Hwy lighting improvements.

Councilperson Barrett moved to place Bill No. 2012-008 on second reading by title only. The second was provided by Councilperson Steward. The motion was duly considered and passed by the following vote:

Aye: Steward; Barrett; Leonard; McKenzie; Novak

Nay: None

Absent: None

The Mayor thereby declared Bill No. 2012-008 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7797 and was signed by the Mayor and attested by the City Clerk. The Mayor directed said Ordinance be engrossed upon the corporate records.

Then, Bill No. 2012-009 a General Ordinance amending Chapter 12, of the City Code by adding Section 12-2 (h) (excluding key boxes) was considered.

Councilperson Steward moved to place Bill No. 2012-009 on second reading by title only. Councilperson Novak provided the second. The motion was duly considered and passed by the following vote:

Aye: Barrett; Leonard; McKenzie; Novak; Steward

Nay: None

Absent: None

Mayor Leonard declared Bill No. 2012-009 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7798 and was signed by the Mayor and attested by the City Clerk. The Mayor directed said Ordinance be engrossed on the corporate records.

Next, Bill No. 2012-010 authorizing and approving the execution of a design-build agreement between the City of Nevada and Erwin Construction, Inc. for the design and construction of a concession stand/restroom facility at the Twin Lakes Sports Complex was considered.

Councilperson Barrett moved to place Bill No. 2012-010 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. 2012-010 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7799 and was signed by the Mayor and attested by the City Clerk. Mayor Leonard directed said Ordinance be engrossed upon the corporate records.

Thereupon, Bill No. 2012-011 authorizing the City of Nevada to enter into a lease/purchase agreement with Heritage State Bank for the acquisition of a John Deere 310J Backhoe loader for the Public Works Department.

Councilperson Steward moved to place Bill No. 2012-011 on second reading by title only. Councilperson McKenzie provided the second. The motion was duly considered and passed by the following vote:

Councilperson Barrett excused himself from the discussion and vote on this item due to his affiliation with the lender. Councilperson Barrett left the room.

Aye: McKenzie; Novak; Steward; Leonard

Abstain: Barrett

Nay: None

Absent: None

Councilperson Barrett returned to the City Council Chambers.

Mayor Leonard declared Bill No. 2012-011 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7800 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

First to be considered under New Business was Bill No. 2012-013 accepting the option for Troutt Beeman & Co. P.C. Certified Public Accountants to conduct the annual audit for the fiscal year ending December 31, 2011.

Councilperson Barrett moved to place Bill No. 2012-013 on first reading by title only. Councilperson McKenzie provided the second. The motion was duly considered and passed by the following vote:

Aye: Steward; Barrett; Leonard; McKenzie; Novak

Nay: None

Absent: None

Then Bill No. 2012-014 approving an agreement between the City and MNOD Taxi & Shuttle for subsidized public transportation services for 2012 was considered.

Councilperson Steward moved to place Bill No. 2012-014 on first reading by title only. The second was provided by Councilperson Barrett. The motion was duly considered and passed by the following vote:

Aye: Barrett; Leonard; McKenzie; Novak; Steward

Nay: None

Absent: None

Next to be considered was Bill No. 2012-015 approving the bid and authorizing the execution of an agreement with Kenny Singer Construction for the Meadow Lane Sewer Extension Project.

Councilperson Novak moved to place Bill No. 2012-015 on first reading by title only. Councilperson McKenzie provided the second. The motion was duly considered and passed by the following vote:

Aye: Leonard; McKenzie; Novak; Steward; Barrett

Nay: None

Absent: None

Thereupon, Bill No. 2012-016 approving the bid and authorizing the execution of an agreement with Emery Sapp & Sons, Inc. for the reconstruction of the Nevada Municipal Airport Parking Apron and connecting taxiway was considered.

Councilperson Stewart moved to place Bill No. 2012-016 on first reading by title only, seconded by Councilperson Barrett. The motion was duly considered and passed by the following vote:

Aye: McKenzie; Novak; Stewart; Barrett; Leonard

Nay: None

Absent: None

Next to be considered was Bill No. 2012-017 amending the 2011 fiscal year City of Nevada budget as approved by Ordinance No. 7697 and amended by Ordinance No. 7707, 7783, 7784, 7785 and 7786.

Councilperson Barrett moved to place Bill No. 2012-017 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

Then, Resolution No. 1336 confirming the streets to be improved in 2012 with Transportation Sales Tax Funds was considered.

Councilperson Stewart moved to consider Resolution No. 1336 for approval. Councilperson Novak provided the second. The motion was duly considered and passed unanimously.

Resolution No. 1337 approving the Fraternal Order of the Eagles Aerie 3770 to apply for a Temporary Caterers Liquor License with the State of Missouri for an event at the 3-M Clubhouse on March 3, 2012 was considered.

Councilperson Novak moved to consider Resolution No. 1337 for approval. Councilperson McKenzie provided the second. The motion was duly considered and passed unanimously.

REPORTS

Monthly Department Reports

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

Alliance Water Resources; Animal Control; Business License; Fire Report; Municipal Court; Police Department.

Boards and Commissions Written Minutes/Reports

The following Boards and Commissions Written Minutes/Reports were reviewed and are on file in the City Clerk's Office:

NRMC Board of Director Minutes

Mayor's Report

Mayor Leonard announced that City Council was in the process of going paperless. He explained a work session had been held prior to the regular Council meeting to learn the paperless process using I-Pads and another work session would be scheduled soon to review various apps that would be used on the I-Pads.

Mayor Leonard announced that Mr. Kehrman had been nominated for the Vernon County Chamber of Commerce Pacesetter Award for Volunteering at Head Start.

City Manager's Report

Mr. Kehrman stated that the City is starting 2012 off with a very aggressive and professional posture. He reported there are several exciting projects coming this year and all City Departments are showing excitement and a positive momentum to get the project off the ground.

MISCELLANEOUS MATTERS

Councilperson Novak asked for an update on the Safe Sidewalk Project.

Mr. Kehrman reported this project is moving forward, but slowly. So much of the project depends on MoDOT and they have been going through a lot of personnel transition, slowing the project even more.

Councilperson Novak reported that a "DIP" sign was missing on Central Street and needs replacing.

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 Novak 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. Councilperson Steward provided the second. 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 City Council Chambers, 120 S. Ash, on February 21, 2012 beginning at 8:08 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 Novak 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: McKenzie; Novak; Steward; Barrett; Leonard

Nay: None

Absent: None

Executive session adjourned at 8:28 p.m.

ADJOURNMENT

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

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

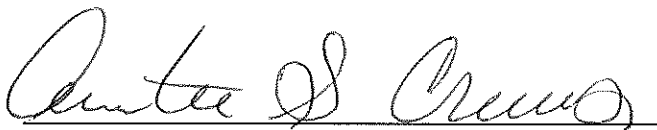
Aye: Novak; Steward; Barrett; Leonard; McKenzie

Nay: None

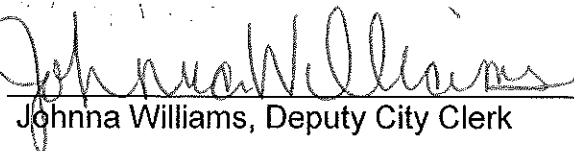
Absent: None

Mayor Leonard adjourned the meeting at 8:30 p.m.

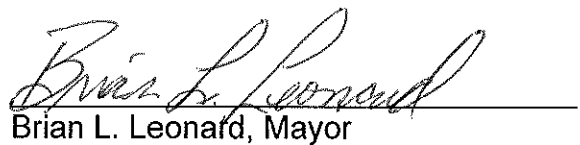
Respectfully submitted,



Annette S. Crews, City Clerk



Johnna Williams, Deputy City Clerk



Brian L. Leonard, Mayor