

**MINUTES**  
**CITY COUNCIL MEETING**  
**Tuesday, March 20, 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 March 15, 2012 at 4:45 p.m.

***CALL TO ORDER***

A regular session of the Nevada City Council was held Tuesday, March 20, 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 7:01 p.m., followed by the Pledge of Allegiance.

***INVOCATION***

Pastor Tom Pyle 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; Johnna Williams, Planning Director; Mike Wade, Treasurer; Graham Burnley, Police Chief; Sharon Kegler, HR Director; Bill Thornton, Interim Fire Chief; Mark Mitchell, CIO; Dana Redburn, Parks & Recreation Director; Randy Marti, Administrative Services Director; Tom Hutchison, Construction Specialist; Richard Brockman, Code Enforcement Officer; Kristie Modlin, Finance Manager; Julie Lewis, Executive Assistant; Shawn Middendorf, Alliance Water Resources.

***PROCLAMATIONS***

There were none.

***APPROVAL OF MINUTES***

Councilperson Steward moved to accept the March 5, 2012 Regular Session City Council minutes as written. Councilperson Barrett provided the second. The motion was duly considered and unanimously passed.

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

There were none.

### ***CONSIDERATION OF BIDS***

First bid to be considered was for emergency backup generators for the Community Center and the Neal Senior Center.

Councilperson Novak moved to accept the bid from Cummins Central Power in the amount of \$92,586.46 for the purchase of two emergency backup generators. 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

Next bid considered was for the installation of the emergency backup generators for the Community Center and the Neal Senior Center.

Councilperson Steward moved to accept the bid from Joplin Industrial Electric in the amount of \$80,043.35 for the installation of the two emergency back generators. The second was provided by Councilperson Barrett. The motion was duly considered and passed by the following vote:

Aye: McKenzie; Novak; Steward; Barrett; Leonard

Nay: None

Absent: None

Then, the bid for a server replacement for the Finance Department was considered.

Councilperson Barrett moved to accept the bid for an IBM X3500 M3 for the Accounting Software Server Replacement at a cost of \$10,677.91, seconded by Councilperson Steward. 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***

JoAnn Cash – Street Market; Garage Sales; Business License and Sales Tax License.

***COMMUNICATIONS AND PETITIONS***

There were none.

***OLD BUSINESS***

First item for consideration was Bill No. 2012-018 approving a sewer service billing agreement with the Nevada Housing Authority.

Councilperson Barrett moved to place Bill No. 2012-018 on second reading by title only, seconded by Councilperson Novak. 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. 2012-018 read a second time, passed, approved and adopted. The Bill was numbered 7808 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. 2012-019 approving the bid and authorizing the execution of a storm siren maintenance services agreement with Washington Electronics was considered.

Councilperson Novak moved to place Bill No. 2012-019 on second reading by title only. 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

The Mayor declared Bill No. 2012-019 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7809 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. 2012-020 amending Chapter 28 of the Nevada City Code pertaining to sewers and sewage disposal was considered.

Councilperson Steward moved to place Bill No. 2012-020 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. 2012-020 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7810 and was signed by the Mayor and attested by the City Clerk. The Mayor declared said Ordinance be engrossed upon the corporate records.

Consideration of Bill No. 2012-021 amending Chapter 40 of the Nevada City Code pertaining to water service was next on the agenda.

Councilperson Novak moved to place Bill No. 2012-021 on second reading by title only. 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

The Mayor declared Bill No. 2012-021 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7811 and was signed by the Mayor and attested by the City Clerk. The Mayor declared said Ordinance be engrossed upon the corporate records.

Next to be considered was Bill No. 2012-022 approving and authorizing the execution of a Memorandum of Understanding with Lodge 564 of the Fraternal Order of the Elks to promote the conversion of Davis Park into a Veteran's Memorial Park.

Councilperson Steward moved to place Bill No. 2012-022 on second read 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. 2012-022 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7812 and signed by the Mayor and attested by the City Clerk. The Mayor directed said Ordinance be engrossed upon the corporate records.

Bill No. 2012-023 amending Section 31-38 and Section 31-46 of the Code of the City of Nevada, Missouri was considered next.

Councilperson Barrett moved to place Bill No. 2012-023 on second reading by title only. Councilperson Steward 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. 2012-023 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7813 and signed by the Mayor and attested by the City Clerk. The Mayor directed said Ordinance be engrossed upon the corporate records.

### ***NEW BUSINESS***

First item under New Business was the consideration of Bill No. 2012-024 authorizing the execution of an agreement with Joplin Industrial Electric for the installation of two emergency backup generators.

Councilperson Steward moved to place Bill No. 2012-024 on first reading by title only. The second was provided by Councilperson Novak. The motion was duly considered and passed by the following vote:

Aye: Barrett; Leonard; McKenzie; Novak; Steward

Nay: None

Absent: None

Mayor Leonard opened a public hearing regarding a zoning change at the property described as the South 106.1 feet of Block 1, all of Block 6, 7, 12 and the South 97 feet of Indiana lying West of Block 12 in Morris Place Addition by changing the zoning from R-1 Single Family Dwelling District to M-1 Light Industrial at 7:27 p.m.

There was no public discussion.

Mayor Leonard closed the public hearing at 7:28 p.m.

Then, Bill No. 2012-025 amending the zoning district map at the property described as the South 106.1 feet of Block 1, all of Block 6, 7, 12 and the South 97 feet of Indiana lying West of Block 12 in Morris Place Addition by changing the zoning from R-1 Single Family Dwelling District to M-1 Light Industrial was considered.

Councilperson Barrett moved to place Bill No. 2012-025 on first 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; McKenzie

Nay: None

Absent: None

Next on the agenda for consideration was Bill No. 2012-026 approving an agreement between the City of Nevada and the Vernon County Commission for the transfer of equipment associated with the City/County Recycling Center.

Councilperson Barrett moved to place Bill No. 2012-026 on first reading by title only, providing the second was Councilperson McKenzie. The motion was duly considered and passed by the following vote:

Aye: McKenzie; Novak; Steward; Barrett; Leonard

Nay: None

Absent: None

Then a General Ordinance amending Chapter 2 of the Municipal Code numbered Bill No. 2012-027 was considered.

Councilperson Barrett moved to place Bill No. 2012-027 on first reading by title only, providing the second was Councilperson McKenzie. 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***

Mike Wade, Treasurer, gave a brief overview of the January, 2012 Finance Report. Mr. Wade informed Councilmember's he would be re-formatting the Finance Report, making it shorter, but still providing detailed information to City Council.

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

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

### ***Board 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:

Park Board Minutes; Planning Commission Minutes; Housing Authority Minutes.

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

Mayor Leonard reported he attended a 100<sup>th</sup> Birthday celebration at Moore-Few Nursing Home, honoring Maxine Johnson.

He stated he would be attending the groundbreaking at Cottey College for the Vanek Memorial Softball Field on March 30, 2012 and would also be present for the opening of Founders Day at Cottey College that same evening.

Mayor Leonard reminded everyone of the world record Head Start would be trying to break on March 29<sup>th</sup>, by having the most people present to sing the ABC song. He encouraged everyone to try to attend and help out.

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

Mr. Kehrman presented City Council with a written report that is attached. There was discussion regarding the engineer/architect master pre-qualifying process. Council stated they would like to have some involvement.

### **MISCELLANEOUS MATTERS**

Councilperson Barrett asked the status of the Rolling Meadows sewer district issue. Mr. Kehrman reported that he attended a meeting with the residents of the district and the trustees, and more discussion would follow with the trustees and residents.

Councilperson Novak asked if once the emergency backup generator was installed in the Community Center if it would be considered a storm shelter during tornado warnings.

Mr. Kehrman stated that it would be designated as a post disaster shelter, that Nevada encourages "shelter in place" during storms, it is safer to stay in one place rather than to be traveling to a shelter.

Councilperson Novak asked when the next City newsletter would be going out.

Mr. Kehrman stated Ms. Lewis, Executive Assistant was working on the newsletter and it would be going out in the very near future.

Councilperson McKenzie thanked the Parks & Recreation Department for the Youth Expo Event. He stated it was well attended. Dana Redburn, Parks & Recreation Director stated there were approximately 328 youth in attendance.

He also "thanked" the Police Department for their quick response on a recent call to his residence.

### **EXECUTIVE SESSION**

Mayor Leonard 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 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 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



An executive session of the City Council of the City of Nevada, Missouri was held in the City Council Chambers, 120 S. Ash, on March 20, 2012 beginning at 8:05 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

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 Steward. The motion was duly considered and passed by the following vote:

Aye: Barrett; Leonard; McKenzie; Novak; Steward

Nay: None

Absent: None

Executive session adjourned at 8:20 p.m.

Mayor Leonard then held a brief training session for Council Members with their I-Pads.

### ***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: Leonard; McKenzie; Novak; Steward; Barrett

Nay: None

Absent: None

Mayor Leonard adjourned the meeting at 8:46 p.m.

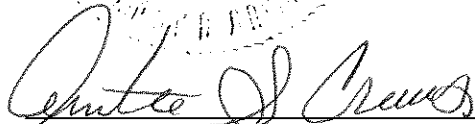
Respectfully submitted,



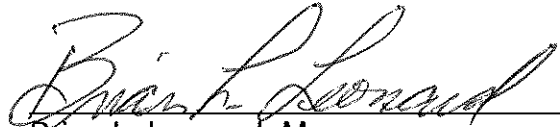
Annette S. Crews, City Clerk



(seal)  
ATTEST:



Annette S. Crews, City Clerk



Brian L. Leonard, Mayor