

**MINUTES  
CITY COUNCIL MEETING  
Tuesday, April 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 Section 2-7 of the City Code and RSMo., Chapter 610.021 with a tentative agenda on March 29, 2012 at 4:30 p.m.

***CALL TO ORDER***

A regular session of the Nevada City Council was held Tuesday, April 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***

Pastor Mark Mitchell gave the invocation.

***ROLL CALL***

The following Council members were present for roll call:

Present: Barrett; Leonard; Novak; Steward

Absent: McKenzie

Councilperson McKenzie was excused due to work.

Staff present: JD Kehrman, City Manager; Wm. G. McCaffree, City Attorney; Annette Crews, City Clerk; Kristie Modlin, Finance Manager; Graham Burnley, Police Chief; Sharon Kegler, HR Director; Mark Mitchell, CIO; Dana Redburn, Parks & Recreation Director; Julie Lewis, Executive Assistant; Roger Beach, Field Operations Manager; Randy Marti, Administrative Services Director; William Thornton, Interim Fire Chief; Shawn Middendorf, Alliance Water Resources.

***PROCLAMATIONS***

Mayor Leonard read a proclamation declaring April 8 – 14, 2012 as Animal Control Officer Week. Animal Control Officer Ben Douglas and employees from the Nevada Animal Shelter were present to receive the proclamation.

Next, Mayor Leonard read a proclamation declaring April 8 – 14, 2012 as Public Safety Telecommunications Week. Chief Graham Burnley, JD Kehrman, Western Missouri 911 Center Board Chairman, and several dispatchers were present to receive the proclamation.

### ***APPROVAL OF MINUTES***

Councilperson Novak moved to accept the March 20, 2012 regular session City Council minutes as written. Councilperson Barrett provided the second. The motion was duly considered and unanimously passed.

Then, Councilperson Steward moved to accept the March 28, 2012 special session City Council minutes as written. Councilperson Novak provided the second. The motion was duly considered and unanimously passed.

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

There were none.

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

First bid for consideration was the 2012 Sales Tax Street Improvements.

Councilperson Steward moved to accept the bid for the 2012 Sales Tax Street Improvements from APAC-Missouri of Springfield, Missouri at a cost of \$345,120.00. Councilperson Barrett provided the second. The motion was duly considered and passed by the following vote:

Aye: Leonard; Novak; Steward; Barrett

Nay: None

Absent: McKenzie

Next to be considered was a bid for Finance Department Workstations.

Councilperson Novak moved to accept the bid from Govconnection for nine (9) Lenovo All-in-One Workstations at a cost of \$9,213.00. Councilperson Barrett provided the second. The motion was duly considered and passed by the following vote:

Aye: Novak; Steward; Barrett; Leonard

Nay: None

Absent: McKenzie

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

There was none.

***COMMUNICATIONS AND PETITIONS***

There was none.

***OLD BUSINESS***

First was consideration of Bill No. 2012-024 authorizing the execution of an agreement with Joplin Industrial Electric for the installation of two emergency backup generators at the Franklin P. Norman Community Center and the Neal Senior Center.

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

Aye: Steward; Barrett; Leonard; Novak

Nay: None

Absent: McKenzie

The Mayor declared Bill No. 2012-024 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7814 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. 2012-025 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 Novak moved to place Bill No. 2012-025 on second reading by title only. Councilperson Steward provided the second. The motion was duly considered and passed by the following vote:

Aye: Barrett; Leonard; Novak; Steward

Nay: None

Absent: None

The Mayor declared Bill No. 2012-025 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7815 and was signed by the Mayor and

attested by the City Clerk. The Mayor directed said Ordinance be engrossed upon the corporate records.

Next for consideration was Bill No. 2012-026 approving an agreement between the City of Nevada, Missouri 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 second reading by title only. Councilperson Steward provided the second. The motion was duly considered and passed by the following vote:

Aye: Leonard; Novak; Steward; Barrett

Nay: None

Absent: McKenzie

The Mayor declared Bill No. 2012-026 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7816 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. 2012-027, a General Ordinance amending Chapter 2 of the Municipal Code was considered.

Councilperson Barrett moved to place Bill No. 2012-027 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: Novak; Steward; Barrett; Leonard

Nay: None

Absent: McKenzie

The Mayor declared Bill No. 2012-027 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7817 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 for consideration was Bill No. 2012-028 authorizing the execution of an agreement with the Missouri Department of Natural Resources and with Allgeier, Martin and Associates for Engineering Services for a Study of the Municipal Water System.

Councilperson Steward moved to place Bill No. 2012-028 on first reading by title only. Councilperson Novak provided the second. The motion was duly considered and passed by the following vote:

Aye: Steward; Barrett; Leonard; Novak

Nay: None

Absent: McKenzie

Next, Bill No. 2012-029 authorizing the execution of an agreement with APAC-Missouri, Inc. of Springfield, Missouri for the 2012 Sales Tax Street Improvements was considered.

Councilperson Novak moved to place Bill No. 2012-029 on first reading by title only. Councilperson Steward provided the second. The motion was duly considered and passed by the following vote:

Aye: Barrett; Leonard; Novak; Steward

Nay: None

Absent: McKenzie

Then Resolution No. 1339 authorizing the execution of a Missouri Highway Safety Program City Council Authorization Form for possible funding assistance for traffic enforcement was considered.

Councilperson Steward moved to approve Resolution 1339, Councilperson Barrett provided the second. The motion was duly considered and passed unanimously.

Next for consideration was Resolution No. 1340 authorizing a waiver from the provisions of Section 23-26, Discharge of a Firearms and Section 2-23, Closing Hours of the Parks of the City of Nevada, Missouri in conjunction with the Missouri Osage Territory Muzzleloaders Black Powder Competition to be held September 6, 7, 8, and 9, 2012 at Marmaduke Park.

Councilperson Novak moved to approve Resolution No. 1340. The second was provided by Councilperson Steward. The motion was duly considered and unanimously passed.

## **REPORTS**

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

The February Finance Report was reviewed and is on file in the City Clerk's office.

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

The Library Minutes from March 22, 2012 was reviewed and is on file in the City Clerk's office.

### ***MAYOR'S REPORT***

Mayor Leonard reported that he had attended the groundbreaking ceremony at Cottey College for the Vanek Family Memorial Softball Field on March 30<sup>th</sup>. Councilperson Novak and Mr. Kehrman were also in attendance.

Mayor Leonard also attended the opening ceremony of Cottey College's Founder's Day Weekend.

### ***CITY MANAGER'S REPORT***

Mr. Kehrman thanked City Council members and City staff for being a part of the world record attempt by Head Start. He informed Council that over \$9,000 had been generated in in-kind services based on the attendance at the event.

He updated City Council regarding the "whistle blower" legislation.

Mr. Kehrman informed Council members there was several work sessions that needed to be planned with City Council.

### ***MISCELLANEOUS MATTERS***

Councilperson Novak thanked the Parks Department for opening two extra ball fields at Twin Lakes Sports Complex for practice.

Next she asked there was a water problem on the square. Shawn Middendorf, Alliance Water Resources stated that Mike McCaffree had a leak in his building and while repairing the leak, Alliance is moving the water meter from inside his building to outside the building for easier access.

Mayor Leonard mentioned a Special Council meeting would be needed to certify the April 3<sup>rd</sup> election results and to swear in the two newly elected Council members.

Mayor Leonard moved to hold a Special City Council meeting be held April 6<sup>th</sup> at 7 a.m. to certify the election results and to swear in the newly elected Council members. Councilperson Novak provided the second. The motion was duly considered and passed by the following vote:

Aye: Leonard; Novak; Steward; Barrett

Nay: None

Absent: McKenzie

Next, Mayor Leonard inquired if the Skate Park still had a safety policy posted and if there was still a safety policy in place, he would like this checked into as use of the Skate Park has increased due to the nicer weather.

### ***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 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, after a 5-minute recess. Councilperson Barrett provided the second. The motion was duly considered and passed by the following vote:

Aye: Leonard; Novak; Steward; Barrett

Nay: None

Absent: McKenzie

An executive session of the City Council of the City of Nevada, Missouri was held in the City Council Chambers, 120 S. Ash, on April 3, 2012 beginning at 8:05 p.m.

Present: Novak; Steward; Barrett; Leonard

Absent: McKenzie

Staff present: JD Kehrman, City Manager; Wm. G. McCaffree, City Attorney;

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: Steward; Barrett; Leonard; Novak

Nay: None

Absent: McKenzie

Executive session adjourned at 8:52 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: Barrett; Leonard; Novak; Steward

Nay: None

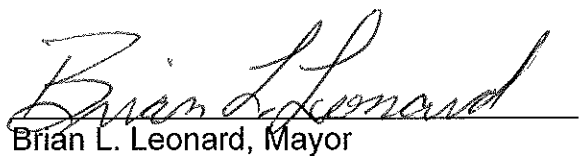
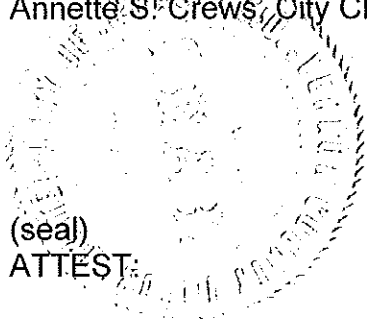
Absent: McKenzie

Mayor Leonard adjourned the meeting at 8:54 p.m.

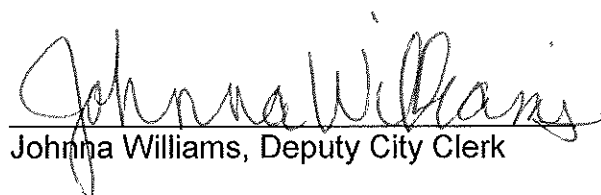
Respectfully submitted,



Annette S. Crews, City Clerk



Brian L. Leonard, Mayor



Johanna Williams, Deputy City Clerk