

MINUTES
CITY COUNCIL MINUTES
April 5, 2011
7:00 p.m.

NOTICE OF MEETING

A regular session of the City Council of the City of Nevada, Missouri was posted pursuant to RSMo., Chapter 610.020, with a tentative agenda on the 31st day of March, 2011 at 4:00 p.m. The tentative agenda was revised and posted at 12:15 p.m. on the 1st day of April, 2011.

CALL TO ORDER

A regular session of the City Council of the City of Nevada, Missouri was held Tuesday, April 5, 2011 pursuant to Section 2-6 and 2-7 of the City Code of the City of Nevada, Missouri and Section 3.11 of the City Charter.

Mayor Novak called the meeting to order at 7:00 p.m. followed by the Pledge of Allegiance.

INVOCATION

Pastor Roger Beach 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; Eric Landoll, Asst., City Attorney; Annette Crews, City Clerk; Kristie Modlin, Finance Department Manager; Randy Marti, Administrative Services Director; Graham Burnley, Police Chief; Robert Benn, Fire Chief; Roger Beach, Field Operations Manager; Shawn Middendorf, Alliance Water Resources; Julie Lewis, Executive Assistant.

PROCLAMATIONS

Mayor Novak presented the Vernon County Youth Task Force Word of the Month, "Perseverance", A steady persistence in adhering to a course of action, a belief, or a purpose; steadfastness.

Next, Mayor Novak stated that April was being proclaimed as Autism Awareness Month.

APPROVAL OF MINUTES

Councilperson McKenzie moved to accept the March 15, 2011 regular session City Council minutes as written. Councilperson Barrett provided the second. The motion was duly considered and passed unanimously.

The March 15, 2011 regular session City Council minutes were approved in conformity with Section 3.11 of the City Charter.

Next, Councilperson Leonard moved to accept the March 22, 2011 special session City Council minutes as written. Councilperson Steward provided the second. The motion was duly considered and passed unanimously.

The March 22, 2011 special session City Council minutes were approved in conformity with Section 3.11 of the City Charter.

APPOINTMENTS TO BOARDS AND COMMISSIONS

There were none.

CONSIDERATION OF BIDS

Mr. Kehrman introduced a purchase consideration for tasers for the Police Department to be purchased with Loss Control funds.

Councilperson McKenzie moved to purchase tasers from Ed Roehr Safety Products of St. Louis at a cost of \$10,024, to be purchased with Loss Control funds. 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

Next, was the consideration of the purchase of an animal transport unit for the Animal Control truck.

Councilperson Leonard moved to accept the bid from Custom Fiberglass Coaches of Lake City, IA in the amount of \$12,484. 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

PUBLIC PARTICIPATION FROM THOSE REGISTERED WITH THE CITY CLERK

There was none.

COMMUNICATIONS AND PETITIONS

There were none.

OLD BUSINESS

Thereupon, Bill No. 2011-018 A Special Ordinance Amending the Zoning District Map by Granting a Special Use Permit to Kyle Oswald for a Trailer Park Located at 603 E. Atlantic (Villa Nevada) was considered.

Councilperson Steward moved to place Bill No. 2011-018 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. 2011-018 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7715 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. 2011-019 Authorizing the City of Nevada to Enter into A Municipal/Governmental Lease Purchase Agreement with Professional Turf Products for Acquisition of a Greens Mower for the Parks and Recreation Department was considered.

Councilperson Barrett moved to place Bill No. 2011-019 on second reading by title only. The motion was seconded 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 declared Bill No. 2011-019 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7716 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

Next for consideration was Bill No. 2011-020 Authorizing and Approving Execution of an Agreement Providing for Construction Services Between the City of Nevada and C.D.L. Electric Company of Pittsburg, Kansas.

Councilperson Barrett moved to place Bill No. 2011-020 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; McKenzie; Novak; Steward

Nay: None

Absent: None

Thereupon, Bill No. 2011-021 Declaring Assets of the City of Nevada as Surplus Property, 1982 Ford C8000 Smeal Pumper Truck was considered.

Councilperson Leonard moved to place Bill No. 2011-021 on first reading by title only. 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

Next to be considered was Bill No. 2011-022 Releasing and Concluding NID Assessments (as per Ordinance No. 6269) on Lot 14 of Ashland Estates of Stutesman Realty, Inc.

Councilperson Barrett moved to place Bill No. 2011-022 on first reading by title only. 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

Then Bill No. 2011-023 Approving a Development Agreement By and Between Alan D. Shepherd and Linda L. Shepherd, Developers and the City of Nevada, Missouri a Municipal Corporation was considered.

Councilperson Leonard moved to place Bill No. 2011-023 on first reading by title only. 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

Then, Resolution No. 1314 Authorizing the City of Nevada to Solicit Grant Applications From Vernon County Volunteer Fire Departments for the Award of the 1982 Ford C8000 Smeal Pumper Truck was considered.

Councilperson Leonard moved to approve Resolution No. 1314, seconded by Councilperson Steward. The motion was duly considered and passed unanimously.

Next, Resolution No. 1315 Authorizing a Waiver From the Provisions of Section 23-26, Discharge of Firearms and Section 2-23, Closing Hours of Parks, of the Code of the City of Nevada in Conjunction with the Missouri Osage Territory Muzzleloaders Black Powder Competition to be held September 8, 9, 10, and 11, 2011 at Marmaduke Park was considered.

During public comment, Johnny Preston, a member of the Missouri Osage Territory Muzzleloaders addressed City Council. Mr. Preston stated that the Missouri Osage Territory Muzzleloaders have been meeting annually at Marmaduke Park for the past 20 plus years and thanked the City Council for allowing the organization to hold the competition there. Mr. Preston stated that this year there would not be an Outdoor Classroom and he hoped that next year it could be scheduled again, with the cooperation of the City. Mayor Novak stated that she had attended the Outdoor Classroom in the past and would like to see it start back up. Mr. Kehrman stated that the City would help in any way possible next year to bring the Outdoor Classroom back.

Mr. Preston thanked the City Council again for their cooperation.

Councilperson Steward moved to approve Resolution 1315, with Councilperson McKenzie providing the second. The motion was duly considered and passed unanimously.

Thereupon, Resolution No. 1316 Authorizing the City Council to Execute a Missouri Highway Safety Program City Council Authorization Form for Possible Funding Assistance for Traffic Enforcement was considered.

Councilperson Barrett moved to approve Resolution 1316. Councilperson Steward provided the second. The motion was duly considered and was unanimously passed.

Next for consideration was Resolution No. 1317 Accepting an Assistance to Firefighters Grant for the Nevada Fire Department to Purchase Equipment.

Councilperson McKenzie moved to approve Resolution No. 1317. The second was provided by Councilperson Steward. The motion was duly considered and passed unanimously.

Then, Resolution No. 1318 Authorizing the Mayor to Execute the Vernon County/City of Nevada Local Emergency Operations Plan Promulgation Statement was considered.

Councilperson Barrett moved to approve Resolution No. 1318. Councilperson McKenzie provided the second. The motion was duly considered and was unanimously passed.

Thereupon Resolution No. 1319 Accepting the Award of the Missouri Law Enforcement Mobile Data Terminal Project Grant was considered.

Councilperson Leonard moved to approve Resolution No. 1319 and the second was provided by Councilperson Barrett. The motion was duly considered and unanimously passed.

Next for consideration was a Proclamation Request for National Animal Control Appreciate Week.

Councilperson Barrett moved to approve the Proclamation Request. The second was provided by Councilperson McKenzie. The motion was duly considered and unanimously passed.

Then a Proclamation Request for National Telecommunications Week was considered.

Councilperson Steward moved to approve the Proclamation Request. Councilperson Barrett provided the second. The motion was duly considered and unanimously passed.

REPORTS

Monthly Department Reports – Given at the second regular meeting of each month.

Boards and Commissions Written Minutes/Reports

The following minutes are on file in the City Clerk's office for review:

Infrastructure Board – August 26, 2010
Infrastructure Board – February 24, 2011
NRMC Board of Directors – March 1, 2011

Mayor's Report

Mayor Novak reported that she attended Cottey College's Founder's Day Opening Ceremony. She gave a welcoming speech to those in attendance.

City Manager's Report – written – attached.

MISCELLANEOUS MATTERS

Councilperson Leonard suggested the City host an Open House type of event at the Wastewater Treatment Plant and invite the public, allowing the community to see the new facility.

Mayor Novak stated that at the recent Boot Block put on by the Red Cross, she noticed the boot block workers were not wearing the safety vests now required by the State and this needed to be watched more closely.

Then, Mayor Novak reminded Council members that a Special meeting would need to be held to certify the recent election results.

Councilperson Leonard moved to have a Special City Council meeting on Friday, April 8, 2011 at 7:00 a.m. to certify the election results and swear in the newly elected Council members and elect a new Mayor and Mayor Pro-Tem. 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

EXECUTIVE SESSION

Councilperson Leonard made a motion to move into Executive Session for reasons in accordance with Section 610.021 RSMo., Subparagraphs (1) legal actions, causes of action or litigation involving a public governmental body and (3) hiring, firing, disciplining or promoting of particular employees by a public governmental body after a five-minute recess. 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

An Executive Session of the Nevada City Council was held in the City Council Chambers, 120 S. Ash, April 5, 2011 beginning at 8:00 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., Subparagraphs (1) legal actions, causes of action or litigation involving a public governmental body and (3) hiring, firing, disciplining or promoting of particular employees by a public governmental body. No decisions were made or voted on.

Councilperson McKenzie 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 9:10 p.m.

ADJOURNMENT

Mayor Novak brought up a couple of addresses of concern regarding trash and debris and asked Mr. Kehrman to look into them.

With no further business to come before City Council, Councilperson Leonard moved to adjourn the regular session of City Council. 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

The meeting adjourned at 9:15 p.m.

Respectfully submitted,



Annette S. Crews, City Clerk



Brian L. Leonard, Mayor



Annette S. Crews, City Clerk