

**MINUTES**  
**CITY COUNCIL MEETING**  
**Tuesday, May 1, 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 April 27<sup>th</sup>, 2012 at 3:30 p.m.

***CALL TO ORDER***

A regular session of the Nevada City Council was held Tuesday, May 1, 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 7:03 p.m., followed by the Pledge of Allegiance.

***INVOCATION***

Pastor David Rorabaugh gave the invocation.

***ROLL CALL***

The following Council members were present for roll call:

Present: Barrett; Leonard; Novak; Steward

Absent: McKenzie

Mayor Leonard excused Council member McKenzie due to work.

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

***PROCLAMATIONS***

Mayor Leonard read the Local Government Week Proclamation.

Then Mayor Leonard read the Drinking Water Week Proclamation, with Shawn Middendorf, Gary Johnson and Roger Beach. The Proclamation was presented to Shawn Middendorf.

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

Councilperson Novak moved to accept the April 17, 2012 Special City Council minutes as written. Councilperson Steward provided the second. The motion was duly considered and passed unanimously.

Then, Councilperson Steward moved to accept the April 17, 2012 Regular City Council minutes as written. Councilperson Novak provided the second. The motion was duly considered and passed unanimously.

Next, Councilperson Novak moved to accept the April 23, 2012 Special City Council minutes as written. Councilperson Steward provided the second. The motion was duly considered and unanimously passed.

Councilperson Steward moved to accept the April 24, 2012 Special City Council minutes as written. Councilperson Novak provided the second. The motion was duly considered and passed unanimously.

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

There were none.

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

Bids for a Secondary Odor Scrubber Chemical Recirculation Pump were considered.

Councilperson Novak moved to accept the bid from JCI, Lee's Summit, Missouri at a cost of \$6,724, second provided by Councilperson Steward. The motion was duly considered and passed by the following vote:

Aye: Novak; Steward; Barrett; Leonard

Nay: None

Absent: McKenzie

Next to be considered was bids for a Mini-Excavator for Water Distribution/Sewer Collection.

Councilperson Novak moved to accept the bid from Murphy Tractor & Equipment Co. for a cost of \$42,478. Councilperson Barrett provided the second. The motion was duly considered and passed by the following vote:

Aye: Steward; Barrett; Leonard; Novak

Nay: None

Absent: McKenzie

Then, a bid for Fiber Optic Cable for the IT Department was considered.

Councilperson Steward moved to accept the bid from Graybar of Springfield at a cost of \$5,182.40, seconded by Councilperson Barrett. The motion was duly considered and passed by the following vote:

Aye: Barrett; Leonard; Novak; Steward

Nay: None

Absent: McKenzie

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

Carol Branham, Nevada Housing Authority Director was recognized by Mayor Leonard to address City Council members.

Ms. Branham stated that the City and the Housing Authority have a great working relationship. She informed City Council that the State Housing Authority Annual Conference was fast approaching and this year the Nevada Housing Authority would be receiving three awards. One award would be for Peace Officer of the year and it would be awarded to Nevada Police Officer David Henley. She also informed Council members that Nevada Housing Authority Board member, Mike Turnbull would be honored as Board member of the Year. She will send information regarding the award ceremony to the City Clerk to distribute to City Council members.

#### ***COMMUNICATIONS AND PETITIONS***

Mayor Leonard addressed the issue to waive certain city license fees for specific vendors, by stating that Mr. Kehrman would like into the issue and present City Council with a recommendation. Then Mayor Leonard recognized Ms. Cash.

Joann Cash addressed City Council regarding her desire for City Council to waive business license fees for senior citizens that produce craft items or have occasional sales of less than \$3,000 annually.

Mayor Leonard informed Ms. Cash that Mr. Kehrman would research the issue and send a recommendation to City Council at the May 15<sup>th</sup> meeting.

## **OLD BUSINESS**

First to be considered was Bill No. 2012-030 authorizing the execution of Change Order No. 1 to the Joplin Industrial Electric contract for installation of emergency backup generators.

Councilperson Steward moved to place Bill No. 2012-030 on second reading by title only. 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

The Mayor declared Bill No. 2012-030 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7820 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. 2012-031 amending Chapter 2 of the Municipal Code Article 1, Section 2-2 was considered.

Councilperson Barrett moved to place Bill No. 2012-031 on second 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

Nay: None

Absent: McKenzie

The Mayor declared Bill No. 2012-031 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7821 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. 2012-032 accepting the right-of-way easements for the Elm Street sewer improvements was considered.

Councilperson Novak moved to place Bill No. 2012-032 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; Novak

Nay: None

Absent: McKenzie

The Mayor declared Bill No. 2012-032 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7822 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. 2012-034 amending the zoning district map at Lots 13 through 30, Lots 40 through 59 and Lots 69 through 83 in the Eastview Heights Addition by changing the zoning from R-1 single family dwelling district to C-3 commercial district was considered.

Councilperson Novak moved to place Bill No. 2012-034 on second reading by title only, seconded by Councilperson Steward. The motion was duly considered and passed by the following vote:

Aye: Barrett; Leonard; Novak; Steward

Nay: None

Absent: McKenzie

The Mayor declared Bill No. 2012-034 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7823 and was signed by the Mayor and attested by the City Clerk. The Mayor directed said Ordinance be engrossed upon the corporate records.

Next to be considered was Bill No. 2012-037 approving an investment policy for the City of Nevada, Missouri.

Councilperson Steward moved to place Bill No. 2012-037 on second reading by title only. 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

The Mayor declared Bill No. 2012-037 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7824 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. 2012-038 authorizing a new employment contract with John (JD) Kehrman and extending the period agreement was considered.

Councilperson Novak moved to place Bill No. 2012-038 on second reading by title only, seconded by Councilperson Barrett. 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. 2012-038 read a second time, passed, approved, and adopted. The Bill was numbered Ordinance No. 7825 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 item considered was Bill No. 2012-039 authorizing the City of Nevada, Missouri to enter into a lease/purchase agreement with Great Southern Bank for Acquisition of a John Deere Mini-Excavator.

Councilperson Novak moved to place Bill No. 2012-039 on first reading by title only. Councilperson Steward provided the second. The motion was duly considered and passed by the following vote:

Aye: Steward; Barrett; Leonard; Novak

Nay: None

Absent: McKenzie

Then, Bill No. 2012-040 authorizing the execution of an agreement with American Fidelity Assurance Company was considered.

Councilperson Steward moved to place Bill No. 2012-040 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; Novak; Steward

Nay: None

Absent: McKenzie

Resolution No. 1342 approving a liquor license for Cherry's Pub & Grill to sell intoxicating liquor in excess of five percent of alcohol by weight by the drink for consumption on the premises where sold was considered.

Councilperson Novak moved to approve Resolution No. 1342, seconded by Councilperson Steward. The motion was duly considered and passed unanimously.

Next, Resolution No. 1343 approving a liquor license for The Fraternal Order of the Bears, Lodge #24 to sell intoxicating liquor in excess of five percent of alcohol by weight by the drink for consumption on the premises where sold was considered.

Councilperson Novak moved to approve Resolution No. 1343. Councilperson Steward provided the second. The motion was duly considered and passed unanimously.

Then, Resolution No. 1344 authorizing the City Council to earmark funds from the Hotel/Motel Tax for a Fall Indian Nation Pow-Wow was considered.

Councilperson Steward moved to approve Resolution No. 1344. Councilperson Novak provided the second. The motion was duly considered and passed unanimously.

## **REPORTS**

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

There were none.

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

The Park Board minutes from March 28, 2012 was reviewed and are on file in the City Clerk's office.

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

Mayor Leonard reported that he had attended the Denim & Diamonds Gala in El Dorado Springs, Missouri. He stated that Chief Burnley had received an "Everyday Hero's" award at the Gala.

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

Mr. Mitchell "thanked" Council members for their support during his first meeting as Acting City Manager.

**MISCELLANEOUS MATTERS**

Councilperson Novak inquired about MNOD Tax Service operating the business in a residential zone area.

Mrs. Crews stated that the issue was being addressed with Mr. Meisenheimer.

**ADJOURNMENT**

With no further business to come before City Council, Councilperson Steward moved to adjourn the regular meeting of the Nevada City Council. Councilperson Novak provided the second. The motion was duly considered and passed by the following vote:

Aye: Leonard; Novak; Steward; Barrett

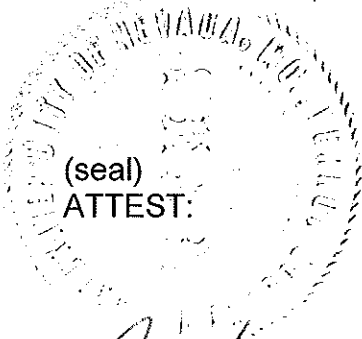
Nay: None

Absent: McKenzie

The meeting adjourned at 7:30 p.m.

Respectfully submitted,

  
Annette S. Crews, City Clerk



  
Brian L. Leonard, Mayor

  
Annette S. Crews, City Clerk