

**MINUTES  
CITY COUNCIL MEETING  
May 4, 2010  
7:00 p.m.**

**NOTICE OF MEETING AND AGENDA**

A regular session of the City Council of Nevada, Missouri, was held May 4, 2010 in conformity with section 2-6 of the Municipal Code. This meeting was posted pursuant to RSMo Chapter 610.020, with a tentative agenda on the 30th day of April, 2010 at 12:00 p.m.

**CALL TO ORDER**

A regular session of the City Council of the City of Nevada, Missouri, was held Tuesday, May 4, 2010 pursuant to Sections 2-6, 2-7, & 2-8 of the City Code of the City of Nevada, and Section 3.11 of the City Charter.

Mayor Novak called the meeting to order at 7:00 p.m.

**INVOCATION**

Father Justin Hoyer 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; Julie Lewis, City Clerk; William McCaffree, City Attorney; Kristie Modlin, Finance Department Manager; Randy Marti, Administrative Services; Gary Herstein, Public Safety Director; Joe Charles, Public Works Director; Robin McHugh, Parks and Recreation Director; Bob Benn, Fire Chief; Sharon Kegler, Human Resources Director; Annette Crews, City Manager's office; Mark Mitchell, IT.

**PROCLAMATIONS**

Mayor Novak announced that on May 10<sup>th</sup> she would be at Moore Few Nursing home proclaiming May 9<sup>th</sup> thru the 15<sup>th</sup> as Nursing Home Week, with the theme of "Enriching Every Day". Later that day she would be joining Nevada Regional Medical Center proclaiming May 9<sup>th</sup> thru the 15<sup>th</sup> as National Hospital Week, the theme for this year

"Celebrating Health, Hope and Healing". We thank both of these facilities for the work they do for our community.

### **APPROVAL OF MINUTES**

The April 20, 2010 regular session City Council minutes were approved as written in conformity with Section 3.11 of the City Charter.

Councilperson Leonard moved to accept the minutes, seconded by Councilperson Steward. The motion was duly considered and passed unanimously.

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

There were none.

### **CONSIDERATION OF BIDS**

Mayor Novak asked for a motion to accept the bid for caustic soda from Brenntag of Springfield with an amount not to exceed \$6,000.00.

Councilperson McKenzie made the motion to accept the bid, Councilperson Barrett provided the second. The motion was duly considered and passed by the following vote:

Aye:	Barrett; Leonard; McKenzie; Novak; Steward
Nay:	None
Absent:	None

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

Richard Boss – Red Signs  
Judy Moore – Red Signs

### **COMMUNICATIONS & PETITIONS**

There was none.

### **UNFINISHED BUSINESS**

There was none.

### **OLD BUSINESS**

There upon Bill No. 2010-018 A Special Ordinance of the City of Nevada, Missouri, authorizing the execution of a contract between the City of Nevada and the Missouri

Highways and Transportation Commission providing for design of the apron reconstruction at the Nevada Municipal Airport was considered.

Councilperson Leonard moved to place Bill No. 2010-018 on second reading, by title only, Councilperson Barrett provided the second. The motion was placed on second reading, read by title only, duly considered, and passed by the following vote:

Aye:	Leonard; McKenzie; Novak; Steward; Barrett
Nay:	None
Absent:	None

The Mayor declared Bill No. 2010-018 read a second time and passed, approved and adopted. The Bill was numbered Ordinance No. 7640 and was signed by the Mayor and attested and signed by the City Clerk. The Mayor directed said Ordinance be engrossed upon the corporate records.

Thereupon Bill No. 2010-019 A Special Ordinance of the City of Nevada, approving a settlement agreement with Alltel Communications was considered.

Councilperson Barrett moved to place Bill No. 2010-019 on second reading, by title only, Councilperson Steward provided the second. The motion was placed on second reading, read by title only, duly considered, and passed by the following vote:

Aye:	McKenzie; Novak; Steward; Barrett; Leonard
Nay:	None
Absent:	None

The Mayor declared Bill No. 2010-019 read a second time and passed, approved and adopted. The Bill was numbered Ordinance No. 7641 and was signed by the Mayor and attested and signed by the City Clerk. The Mayor directed said Ordinance be engrossed upon the corporate records.

Thereupon Bill No. 2010-020 A Special Ordinance of the City of Nevada, Missouri approving the bid submitted by Snyder Construction of Joplin, Missouri and authorizing the execution of an agreement with Snyder Construction Company of Joplin, Missouri for the 2010 Summer Sales Tax Street Improvements was considered.

Councilperson Barrett moved to place Bill No. 2010-020 on second reading, by title only, Councilperson Leonard provided the second. The motion was placed on second reading, read by title only, duly considered, and passed by the following vote:

Aye:	Novak; Steward; Barrett; Leonard; McKenzie
Nay:	None
Absent:	None

The Mayor declared Bill No. 2010-020 read a second time and passed, approved and adopted. The Bill was numbered Ordinance No. 7642 and was signed by the Mayor and attested and signed by the City Clerk. The Mayor directed said Ordinance be engrossed upon the corporate records.

Thereupon Bill No. 2010-021 A Special Ordinance of the City of Nevada, Missouri authorizing the City of Nevada to participate in Missouri's Highway Safety Program was considered.

Councilperson Leonard moved to place Bill No. 2010-021 on second reading, by title only, Councilperson Barrett provided the second. The motion was placed on second reading, read by title only, duly considered, and passed by the following vote:

Aye:	Steward; Barrett; Leonard; McKenzie; Novak
Nay:	None
Absent:	None

The Mayor declared Bill No. 2010-021 read a second time and passed, approved and adopted. The Bill was numbered Ordinance No. 7643 and was signed by the Mayor and attested and signed by the City Clerk. The Mayor directed said Ordinance be engrossed upon the corporate records.

## **NEW BUSINESS**

Thereupon Bill No. 2010-022 A Special Ordinance of the City of Nevada authorizing the execution of a cooperative agreement between the City of Nevada, Missouri and the Nevada Public Library for support services.

Councilperson Barrett moved to place Bill No. 2010-022 on first reading, by title only, Councilperson Steward provided the second. The motion was placed on first reading, read by title only, duly considered, and passed by the following vote:

Aye:	Barrett; Leonard; McKenzie; Novak; Steward
Nay:	None
Absent:	None

Consideration of Bill No. 2010-023 A General Ordinance of the City of Nevada, Missouri amending Section 16-132(e)(8) of the City Code to provide for use of high visibility garments or vests by persons granted solicitation permits.

Councilperson Barrett moved to place Bill No. 2010-023 on first reading, by title only, Councilperson Steward provided the second. The motion was placed on first reading, read by title only, duly considered, and passed by the following vote:

Aye:	Leonard; McKenzie; Novak; Steward; Barrett
Nay:	None

Absent: None

Consideration of Bill No. 2010-024 A Special Ordinance of the City of Nevada, Missouri authorizing the City Manager to execute a Collective Bargaining agreement between the City of Nevada, Missouri and Local 3031 International Association of Fire Fighters.

Councilperson Leonard moved to place Bill No. 2010-024 on first reading, by title only, Councilperson McKenzie provided the second. The motion was placed on first reading, read by title only, duly considered, and passed by the following vote:

Aye: McKenzie; Novak; Steward; Barrett; Leonard  
Nay: None  
Absent: None

Thereupon Bill No. 2010-025 A Special Ordinance of the City of Nevada, Missouri, providing for the submission to a vote of the people the question of renewing a one-half of one-cent (\$.005) transportation tax.

Councilperson Steward moved to place Bill No. 2010-025 on first reading, by title only, Councilperson McKenzie provided the second. The motion was placed on first reading, read by title only, duly considered, and passed by the following vote:

Aye: Novak; Steward; Barrett; Leonard; McKenzie  
Nay: None  
Absent: None

Consideration of Resolution 1286 approving the IMPACT Tourism Board's selection for grant funding for January through December 2010.

Councilperson Barrett moved to approve Resolution 1286, 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

## **REPORTS**

There were none.

## **WRITTEN MINUTES/REPORTS FROM BOARDS AND COMMISSIONS**

There were none.

## **REPORTS FROM COUNCIL MEMBERS**

There were none.

## **MAYOR'S REPORT**

There was none.

## **CITY MANAGER'S REPORT**

City Manager Kehrman updated Council on various projects.

## **MISCELLANEOUS MATTERS**

Mayor Novak asked for a motion to move into executive session for matters regarding legal actions, causes of action or litigation in conjunction with Chapter 610.021 (3) RSMo; discussion of personnel issues.

Councilperson Steward moved to go into executive session, Councilperson Barrett seconded the motion. The motion was duly considered and passed by the following vote:

Aye:	Barrett; Leonard; McKenzie; Novak; Steward
Nay:	None
Absent:	None

An Executive Session of the City Council of the City of Nevada, Missouri was held in the Council Chambers, 120 S. Ash, on May 4, 2010, beginning at 7:49 p.m.

Present:	Barrett; Leonard; McKenzie; Novak; Steward
Absent:	None

Staff present:	JD Kehrman, City Manager; Julie Lewis, City Clerk; William McCaffree, City Attorney; Sharon Kegler, Human Resources Director
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Thereupon, at 8:22 p.m. Councilperson Barrett motioned to move out of executive session and back into regular session, seconded by Councilperson Leonard. The motion was duly considered and passed by the following vote:

Aye:	Leonard; McKenzie; Novak; Steward; Barrett
Nay:	None
Absent:	None

Councilperson Leonard made a motion to amend the agenda to provide for emergency action to address the personnel issue in Executive Session, Councilperson Steward provided the second. The motion was duly considered and passed by the following vote:

Aye:	McKenzie; Novak; Steward; Barrett; Leonard
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Nay: None  
Absent: None

Thereupon Bill No. 2010-026 A Special Emergency Ordinance of the City of Nevada, Missouri, Concluding an Employment Agreement was considered.

Councilperson Barrett moved to place Bill No. 2010-026 on first reading, by title only, Councilperson Leonard provided the second. The motion was placed on first reading, read by title only, duly considered, and passed by the following vote:

Aye: Novak; Steward; Barrett; Leonard; McKenzie  
Nay: None  
Absent: None

Thereupon Bill No. 2010-026 A Special Emergency Ordinance of the City of Nevada, Missouri, Concluding an Employment Agreement was considered.

Councilperson Steward moved to place Bill No. 2010-026 on second reading, by title only, Councilperson Barrett provided the second. The motion was placed on second reading, read by title only, duly considered, and passed by the following vote:

Aye: Steward; Barrett; Leonard; McKenzie; Novak  
Nay: None  
Absent: None

The Mayor declared Bill No. 2010-026 read a second time and passed, approved and adopted. The Bill was numbered Ordinance No. 7644 and was signed by the Mayor and attested and signed by the City Clerk. The Mayor directed said Ordinance be engrossed upon the corporate records.

## **ADJOURNMENT**

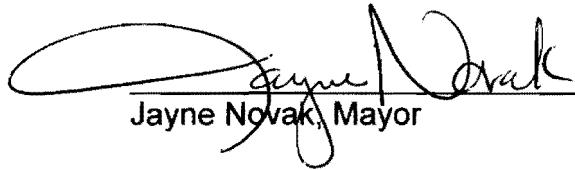
Mayor Novak asked if there was any further business to come before Council and asked for a motion to adjourn the regular session of the Nevada City Council.

Councilperson Leonard moved to adjourn the regular session of the Nevada City Council, Councilperson Barrett seconded the motion. The motion was duly considered and passed by the following vote:

Aye: Leonard; McKenzie; Novak; Barrett; Steward  
Nay: None  
Absent: None

The Mayor adjourned the meeting 8:27 p.m.

(seal)

  
Jayne Novak, Mayor

ATTEST:

  
Julie Lewis, City Clerk