

**MINUTES**  
**CITY COUNCIL MEETING**  
**June 15, 2010**  
**7:00 p.m.**

***NOTICE OF MEETING AND AGENDA***

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 10<sup>th</sup> day of June, 2010, at 2:55 p.m.

***CALL TO ORDER***

A regular session of the City Council of the City of Nevada, Missouri was held Tuesday, June 15, 2010 pursuant to Sections 2-6, 2-7 & 2-8 of the City Code of the City of Nevada, Missouri and Section 3.11 of the City Charter.

***INVOCATION***

Pastor David Rorabaugh gave the invocation.

***ROLL CALL***

The following Council Members were present at roll call:

Present: Barrett; Leonard; Novak; Steward

Absent: McKenzie

Staff present: J.D. Kehrman, City Manager; Wm. G. McCaffree, City Attorney; Annette Crews, City Clerk; Kristie Modlin, Finance Department Manager; Randy Marti, Administrative Services Director; Casey Crain, Acting Police Chief; Dave Irwin, Public Works; Robin McHugh, Parks & Recreation Director; Bob Benn, Fire Chief; Richard Brockman, Code Enforcement Officer; Sharon Kegler, Human Resources Director.

***PROCLAMATIONS***

There were none.

## ***APPROVAL OF MINUTES***

The June 1, 2010 regular session City Council minutes were approved in conformity with Section 3.11 of the City Charter.

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

Next, the June 3, 2010 special session City Council minutes were approved in conformity with Section 3.11 of the City Charter.

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

The June 4, 2010 special session City Council minutes were approved in conformity with Section 3.11 of the City Charter.

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

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

Mayor Novak recommended the appointment of Lori Fast to the Library Board for a three-year term.

Councilperson Leonard moved to appoint Lori Fast to the Library Board for a three-year term, expiring July, 2013. Councilperson Barrett provided the second. The motion was duly considered and passed unanimously.

Mayor Novak recommended the appointment of Brian Bell to the Library Board for a three-year term.

Councilperson Steward moved to appoint Brian Bell to the Library Board for a three-year term, expiring July, 2013, seconded by Councilperson Leonard. The motion was duly considered and passed unanimously.

Next, Mayor Novak recommended the appointment of Councilperson Seth Barrett to the Planning Commission as the City Council ex-officio member.

Councilperson Leonard moved to appoint Councilperson Barrett to the Planning Commission as the City Council ex-officio member, seconded by Councilperson Steward. The motion was duly considered and passed unanimously.

Then, Mayor Novak recommended the appointment of Lance Christie to the Park Board for a three-year term.

Councilperson Steward moved to appoint Lance Christie to the Park Board for a three-year term, expiring July, 2013. Councilperson Barrett provided the second. The motion was duly considered and passed unanimously.

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

There were no bids.

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

There was none.

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

City Manager Kehrman introduced Sgt. Jeff Baker and Det. Pam Miller of the Nevada Police Department to City Council.

Det. Pam Miller informed the City Council that a Youth Safety Fair would be held on June 26, 2010. The Youth Safety Fair will offer bicycle safety, water safety and other activities. The Vernon County Ambulance District and the Western Missouri 911 Dispatch Center will also be involved with the Safety Fair.

### ***UNFINISHED BUSINESS***

Approval of a Liquor License Application for Cherry Street Grill – 127 E. Cherry was considered.

Councilperson Leonard moved to table the liquor license application for Cherry Street Grill. 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

## **OLD BUSINESS**

Thereupon, Bill No. 2010-031 A Special Ordinance of the City of Nevada Authorizing the Execution of Amendment No. 5 with Allgeier Martin and Associates, Inc. for the Wastewater Treatment Systems Improvements was considered.

Councilperson Barrett moved to place Bill No. 2010-031 on second reading by title only, seconded by Councilperson Leonard. The motion was placed on second reading, read by title only, duly considered, and passed by the following vote:

Aye: Novak; Steward; Barrett; Leonard

Nay: None

Absent: McKenzie

The Mayor declared Bill No. 2010-031 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7652 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.

Next, Bill No. 2010-032 A Special Ordinance of the City of Nevada Authorizing the Execution of a Change Order to the G & G Construction Contract for the Wastewater Treatment Facility Improvements was considered.

Councilperson Barrett moved to place Bill No. 2010-032 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: Steward; Barrett; Leonard; Novak

Nay: None

Absent: McKenzie

The Mayor declared Bill No. 2010-032 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7653 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. 2010-033 A General Ordinance of the City of Nevada, Missouri Amending Section 25-2.101, Residence, of the Municipal Code was considered.

Councilperson Leonard moved to place Bill No. 2010-033 on second reading by title only, seconded by Councilperson Barrett. The motion was placed on second reading, read by title only, duly considered, and passed by the following vote:

Aye: Barrett; Leonard; Novak; Steward

Nay: None

Absent: McKenzie

The Mayor declared Bill No. 2010-033 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7654 and was signed by the Mayor and attested and signed by the City Clerk. The Mayor directed said Ordinance to be engrossed upon the corporate records.

### ***NEW BUSINESS***

The Mayor opened the public hearing regarding rezoning 300 S. Tower from R-1 Single Family to R-3 Apartment House at 7:14 p.m.

There was no public participation.

The Mayor closed the public hearing at 7:15 p.m.

Next, Bill No. 2010-034 A Special Ordinance Amending the Zoning District Map at 300 S. Tower from R-1 Single Family Dwelling District to R-3 Apartment House District.

Councilperson Steward moved to place Bill No. 2010-034 on first reading, by title only, the motion was seconded by Councilperson Barrett. The motion was placed on first reading, read by title only, duly considered and passed by the following vote:

Aye: Leonard; Novak; Steward; Barrett

Nay: None

Absent: McKenzie

Thereupon, Resolution No. 1287 Waiving the Residency Requirement for the City Clerk was considered.

Councilperson Steward moved to postpone Resolution No. 1287 to the July 6<sup>th</sup> City Council meeting due to the absence of Councilperson McKenzie, seconded by Councilperson Leonard. The motion was duly considered and passed by the following vote:

Aye: Novak; Steward; Barrett; Leonard

Nay: None

Absent: McKenzie

Next, Resolution No. 1288 Approving a Liquor License for Cherry Street Grill to Sell Malt Liquor for Consumption on Premises Where Sold was considered.

Councilperson Barrett moved to approve Resolution No. 1288, seconded by Councilperson Leonard. The motion was duly considered and passed by the following vote:

Aye: Steward; Barrett; Leonard; Novak

Nay: None

Absent: McKenzie

## ***REPORTS***

The following written reports were reviewed and are on file in the City Clerk's office: Municipal Court – Fire – Business License – Finance – Police – Animal Control.

The City Manager made a correction to the Finance report, under Street Fund on the Significant Expenditure Activity page, the amount was listed as \$68,884, it should have been \$6,884.

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

The following written minutes/reports were reviewed and are on file in the City Clerk's office: Planning Commission – March 9, 2010 & May 27, 2010

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

Mayor Novak reported that she attended Bushwhacker Days.

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

City Manager Kehrman distributed his written report and reviewed the report with City Councilmembers. City Manager Kehrman's report is attached.

## ***MISCELLANEOUS MATTERS***

There was none.

## ***EXECUTIVE SESSION***

Mayor Novak requested an Executive Session for reasons in accordance with Section 610.021 RSMo., Subparagraph (3) Hiring, Firing, Disciplining or Promoting Particular Employees.

Councilperson Leonard moved to go into executive session after a five-minute recess. 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

Executive session began at 7:40 p.m. Also present were J.D. Kehrman City Manager; Wm. G. McCaffree, City Attorney; Annette Crews, City Clerk; Sharon Kegler, HR Director.

Discussion was limited to Section 610.021RSMo., Subparagraph (3) hiring, firing, disciplining or promoting of particular employees. No decisions were made or votes taken during the session.

Councilperson Barrett moved to adjourn executive session and move back into regular session. A second was provided by Councilperson Leonard. The motion was duly considered and passed by the following vote:

Aye: Leonard; Novak; Steward; Barrett

Nay: None

Absent: McKenzie

Executive session ended at 8:19 p.m.

**ADJOURNMENT**

With no further business to come before City Council, Councilperson Steward moved for adjournment of the regular session City Council meeting, 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

The meeting adjourned at 8:20 p.m.


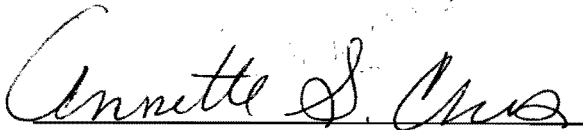
Respectfully Submitted,



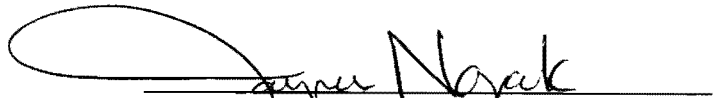
Annette S. Crews,  
City Clerk

(seal)

ATTEST:

Annette S. Crews, City Clerk

  
Jayne Novak, Mayor



06/15/10

City Managers Report to Council

**Items of interest June 1<sup>st</sup> 2010 to June 15<sup>th</sup> 2010:**

With the onset of the mowing season we have seen a drop in compliance at the weekly property maintenance/nuisance hearings. Of the properties cited each week, about 20% are still non-compliant at the time of the hearing. These citations are primarily tall grass & weeds and represent a decrease in compliance from April and May when most of the citations were issued for trash & debris and compliance at the time of hearing reached a high of 95%.

Some exploration into the smoking restrictions on City property revealed that many smaller Missouri cities (Owensville, Camdenton, Humansville, Hallsville, etc) have policies that are similar to our current prohibition of smoking within municipal buildings and vehicles. I did not find any cities that completely restrict smoking out-of-doors on municipal property. If Council wishes, a policy could be developed that broadens the restricted areas to a certain distance from places where people congregate like public bleachers, playgrounds, shelter houses and the entrances to public buildings.

Members of the Nevada Police, Fire and Parks departments reported a great deal of positive interaction with the public at Bushwhacker Days this year. Concerns about dogs at the event were addressed by the Nevada Police Department. Captain Crain reports that officers made contact with all persons who brought dogs to the event. Those found to be out of compliance with vaccination and licensing requirements were removed along with several dogs found running at-large. Seven arrests were made for public intoxication and five for outstanding warrants.

Channel 16 in Springfield has done a number of positive stories about Nevada recently. Last week they reported that sales tax receipts continue a mild upward trend in Nevada. June of 2010 saw an increase of around 3% over the same period in 2009. Overall this year, sales tax receipts remain -1.25% behind those received January through June of 2009.

We received 14 resumes for the position of Police Chief. Human Resources and I are reviewing the applications for conformation to the position profile that was advertised. Some cursory background work will follow before a review committee is assembled to begin selecting individuals for interviews.

My first 100 calendar days on the job passed last Tuesday. It has been a challenging and exciting time of transition for all of us. I am grateful to the Council and the staff for their commitment to success and the support they have offered me during these few months. I have been working on an Interim State of the City Report that will address my findings during the past 100 days, the changes we're making in the municipal government and the opportunities and challenges ahead. I look forward to presenting this atypical mid-year report to you soon.