

MINUTES
CITY COUNCIL MEETING
Tuesday, December 20, 2011
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 2-7 of the City Code and RSMo., Chapter 610.021 with a tentative agenda on December 16, 2011 at 10:50 a.m.

CALL TO ORDER

A regular session of the City Council of Nevada, Missouri was held Tuesday, December 20, 2011 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 David Rorabaugh 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; Wm. G. McCaffree, City Attorney; Annette Crews, City Clerk; Graham Burnely, Police Chief; Sharon Kegler, HR Director; Mark Mitchell, CIO; Tom Hutchison, Construction Specialist; Kristie Modlin, Finance Department Manager; Dana Redburn, Parks & Recreation Director; Shawn Middendorf, Alliance Water Resources.

PROCLAMATIONS

There were none.

APPROVAL OF MINUTES

Councilperson Steward moved to accept the December 6, 2011 regular City Council minutes as written. Councilperson Novak provide the second. The motion was duly considered and passed unanimously.

APPOINTMENTS TO BOARDS AND COMMISSIONS

There were none.

CONSIDERATION OF BIDS

There were none.

PUBLIC PARTICIPATION FROM THOSE REGISTERED WITH THE CITY CLERK

Mayor Leonard called upon Mr. Harvey Akins, Rural Route, Nevada, Missouri. Mr. Akins addressed City Council members regarding funding for the public safety building and congratulated Sgt. Steve Bastow for receiving the Chief's Commendation.

COMMUNICATION AND PETITIONS

Chief Burnley presented the "Police Chief's Commendation" to Sgt. Steve Bastow for saving the life of a local resident.

OLD BUSINESS

First item to be considered was Bill No. 2011-074 authorizing the execution of an agreement with Allgeier, Martin & Associates, Inc. for miscellaneous engineering services.

Councilperson Steward moved to place Bill No. 2011-074 on second reading by title only. The motion was seconded by Councilperson Barrett. The motion was duly considered and passed by the following vote:

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

The Mayor declared Bill No. 2011-074 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7769 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. 2011-075 approving and authorizing the execution of a usage agreement between the City of Nevada and the Western Missouri 9-1-1 Dispatch Center for 9-1-1 and dispatch services was considered.

Councilperson Novak moved to place Bill No. 2011-075 on second reading by title only. Councilperson McKenzie provided the second. The motion was duly considered and passed by the following vote:

Aye: McKenzie; Novak; Steward; Barrett; Leonard

Nay: None

Absent: None

The Mayor declared Bill No. 2011-075 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7770 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. 2011-076 releasing and concluding NID assessments (as per Ordinance 6269) on Lot 15 of Ashland Estates of Stutesman Realty, Inc. was considered.

Councilperson Barrett moved to place Bill No. 2011-076 on second reading by title only, seconded by Councilperson Novak. 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. 2011-076 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7771 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. 2011-077 releasing and concluding NID assessments (as per Ordinance 6269) on Lot 8 of Ashland Estates of Stutesman Realty, Inc. was considered.

Councilperson Steward moved to place Bill No. 2011-077 on second reading by title only. Councilperson Novak provided the second. 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. 2011-077 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7772 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. 2011-078, approving the 2012 Fiscal Budget of the City of Nevada, Missouri, appropriating from the revenue of the city requisite funds therefor, providing for the adjustments thereof, providing for the salaries of the city employees, approving the organization chart and approving the public records fee schedule.

Councilperson Novak moved to place Bill No. 2011-078 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; McKenzie; Novak; Steward

Nay: None

Absent: None

The Mayor declared Bill No. 2011-078 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7773 and was signed by the Mayor and attested by the City Clerk. The Mayor directed said Ordinance be engrossed upon the corporate records.

The next item to consider was Bill No. 2011-079 authorizing the execution of a land lease agreement with Dr. Rick Kellenberger for property located at the Nevada Municipal Airport.

Councilperson Novak moved to place Bill No. 2011-079 on second reading by title only. Councilperson Barrett 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 Mayor declared Bill No. 2011-079 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7774 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. 2011-080 authorizing signers for the First National Bank Neighborhood Improvement District Bond account was considered.

Councilperson Barrett moved to place Bill No. 2011-080 on second reading by title only. The motion was seconded by Councilperson McKenzie. The motion was duly considered and passed by the following vote:

Aye: McKenzie; Novak; Steward; Barrett; Leonard

Nay: None

Absent: None

The Mayor declared Bill No. 2011-080 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7775, signed by the Mayor and attested by the City Clerk. The Mayor directed said Ordinance be engrossed upon the corporate records.

Next, Bill No. 2011-081 approving the City Manager, City Clerk, Administrative Services Director and Account Clerk II as authorized signatories for city investment accounts was considered.

Councilperson Steward moved to place Bill No. 2011-081 on second read by title only. The motion to second was provided by Councilperson McKenzie. 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. 2011-081 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7776, signed by the Mayor and attested by the City Clerk. The Mayor directed said Ordinance be engrossed upon the corporate records.

Next, Bill No. 2011-082 approving a depository services agreement for governmental entities with Great Southern Bank authorizing check signers for the following accounts: Reg. Revolving Fund and Nevada Telecommunity Development was considered.

Councilperson McKenzie moved to place Bill No. 2011-082 on second read by title only. The motion to second was provided by Councilperson Barrett. 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. 2011-082 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7777, signed by the Mayor and attested by the City Clerk. The Mayor directed said Ordinance be engrossed upon the corporate records.

Then, Bill No. 2011-083 approving a depository services agreement for governmental entities with US Bank authorizing check signers for the Municipal Court Clearing Account was considered.

Councilperson Novak moved to place Bill No. 2011-083 on second read by title only. The motion to 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

The Mayor declared Bill No. 2011-083 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7778, signed by the Mayor and attested by the City Clerk. The Mayor directed said Ordinance be engrossed upon the corporate records.

Bill No. 2011-084 approving a depository services agreement for governmental entities with US Bank authorizing check signers for the following accounts: General Operations, Money Market, Payroll Clearing, Payroll Clearing-Flex, Flexible Benefit, and Community Development Block Grant was next to be considered.

Councilperson Novak moved to place Bill No. 2011-084 on second reading by title only, seconded by Councilperson Steward. The motion was duly considered and passed by the following vote:

Aye: Leonard; McKenzie; Novak; Steward; Barrett

Nay: None

Absent: None

The Mayor declared Bill No. 2011-084 read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7779 and signed by the Mayor and

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

Thereupon, Bill No. 2011-085 approving and authorizing the execution of a contract between the City of Nevada and Alliance Water Resources was considered.

Councilperson Steward moved to place Bill No. 2011-085 on second reading by title only. The motion was seconded by Councilperson McKenzie. The motion was duly considered and passed by the following vote:

Aye: McKenzie; Novak; Steward; Barrett; Leonard

Nay: None

Absent: None

The Mayor directed said Ordinance read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7780 and signed by the Mayor and attested by the City Clerk. The Mayor directed said Ordinance be engrossed upon the corporate records.

Then, Bill No. 2011-086 authorizing the City Manager to expend funds in the amount of \$8,947.00 for supplemental legal services was considered.

Councilperson Novak moved to place Bill No. 2011-086 on second reading by title only. Councilperson Steward provided the second. The motion was duly considered and passed by the following vote:

Aye: Novak; Steward; Barrett; Leonard; McKenzie

Nay: None

Absent: None

The Mayor directed said Ordinance read a second time, passed, approved and adopted. The Bill was numbered Ordinance No. 7781 and 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 to be considered was Bill No. 2011-087 amending the 2011 Fiscal Year Budget as approved by Ordinance No. 7697 and amended by Ordinance No. 7707 (Airport Fund Transfers).

Councilperson Steward moved to place Bill No. 2011-087 on first reading by title only, seconded by Councilperson Barrett. The motion was duly considered and passed by the following vote:

Aye: Steward; Barrett; Leonard; McKenzie; Novak

Nay: None

Absent: None

Next was Bill No. 2011-088 amending the 2011 Fiscal Year budget as approved by Ordinance No. 7697 and amended by Ordinance No. 7707 (various funds).

Councilperson Novak moved to place Bill No. 2011-088 on first reading by title only. 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

Thereupon, Bill No. 2011-089 amending the 2011 Fiscal Year Budget as approved by Ordinance No. 7697 and amended by Ordinance No. 7707 (water/sewer funds PILOT Tax) was considered.

Councilperson Steward moved to place Bill No. 2011-089 on first read by title only. The second was provided by Councilperson Barrett. The motion was duly considered and passed by the following vote:

Aye: Leonard; McKenzie; Novak; Steward; Barrett

Nay: None

Absent: None

Bill No. 2011-090 authorizing retirement of the Inter-Fund loan between the Water and Sewer Fund and the General Funds was considered.

Councilperson Novak moved to place Bill No. 2011-091 on first reading by title only, Councilperson Steward seconded the motion. The motion was duly considered and passed by the following vote:

Aye: McKenzie; Novak; Steward; Barrett; Leonard

Nay: None

Absent: None

Then, Mr. Kehrman introduced Charlie Zitnik, DA Davidson Co. Mr. Zitnk explained the issuance of Certificates of Participation and the need for City Council members to consider this Ordinance as an emergency.

There was some discussion.

Then, Bill No. 2011-091 approving the issuance of Certificates of Participation to be considered an emergency due to time constraints involved in the pricing and closing of the financing authorized by this Ordinance was considered.

Councilperson Steward moved to place Bill No. 2011-091 on first reading by title only, to be considered as an emergency. 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

Next, Councilperson Novak moved to place Bill No. 2011-091 on second reading by title only to be considered an emergency. 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

The Mayor declared Bill No. 2011-091 read a second time, passed, approved, and adopted. The Bill was numbered Ordinance No. 7782 and was signed by the Mayor and attested by the City Clerk. The Mayor directed said Ordinance be engrossed upon the corporate records.

Councilperson McKenzie asked to be excused for the remainder of the meeting due to work obligations. Mayor Leonard excused Councilperson McKenzie from the meeting at 7:47 p.m.

Then Bill No. 2011-092 approving and authorizing a lease agreement for hay land located at the old Landfill between the City of Nevada and Wayne C. Cline was considered.

Councilperson Novak moved to place Bill No. 2011-092 on first reading by title only. Councilperson Barrett provided the second. The motion was duly considered and passed by the following vote:

Aye: Barrett; Leonard; Novak; Steward

Nay: None

Absent: McKenzie

Next to be considered was Bill No. 2011-093 approving and authorizing a lease agreement for hay land located at Marmaduke Park between the City of Nevada and Gary C. Ashby.

Councilperson Steward moved to place Bill No. 2011-093 on first 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

Thereupon, Bill No. 2011-094 approving and authorizing a lease agreement for pasture land located at the Wastewater Treatment Plant between the City of Nevada and Wayne C. Cline was considered.

Councilperson Barrett moved to place Bill No. 2011-094 in first reading by title only, seconded by Councilperson Novak. The motion was duly considered and passed by the following vote:

Aye: Novak; Steward; Barrett; Leonard

Nay: None

Absent: McKenzie

Bill No. 2011-095 approving and authorizing the execution of a Memorandum Agreement with the University of Missouri to georeference, mosaic, and digitize parcel maps for the City of Nevada, Missouri was considered.

Councilperson Barrett moved to place Bill No. 2011-095 in first read by title only. The motion was seconded by Councilperson Steward. The motion was duly considered and passed by the following vote:

Aye: Novak; Steward; Barrett; Leonard

Nay: None

Absent: McKenzie

REPORTS

Monthly Department Reports

The following Department Reports were reviewed and are on file in the City Clerk's Office:

Alliance Water Resources; Animal Control; Business License; Fire Department; Municipal Court; Police Department.

Boards and Commissions Written Minutes/Reports

There were none.

Mayor's Report

There was none given.

City Manager's Report

Mr. Kehrman reported that 2011 had been a good year and congratulated staff and Council for hard work and accomplishment.

MISCELLANEOUS MATTERS

Councilperson Novak commented regarding the continued clean-up of commercial businesses along East Austin Blvd.

Councilperson Novak also reminded the City Manager that a ballpark needed to be re-located to take place of the one where Crowder College is building a parking lot on the North Campus.

EXECUTIVE SESSION

Mr. Kehrman 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 motioned to move 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. Councilperson Steward provided the second. The motion was duly considered and passed by the following vote:

Aye: Novak; Steward; Barrett; Leonard

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 December 20, 2011 beginning at 8:15 p.m.

Present: Barrett; Leonard; Novak; Steward

Absent: McKenzie

Staff present: JD Kehrman, City Manager; Wm. G. McCaffree, City Attorney; Annette Crews, City Clerk; Sharon Kegler, HR Director.

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: Novak; Steward; Barrett; Leonard

Nay: None

Absent: McKenzie

Executive session adjourned at 9:04 p.m.

ADJOURNMENT

Councilperson Steward moved to adjourn the City Council meeting. The second was provided by Councilperson Novak. The motion was duly considered and passed by the following vote:

Aye: Novak; Steward; Barrett; Leonard

Nay: None

Absent: McKenzie


The meeting adjourned at 9:05 p.m.

Respectfully submitted,


Annette S. Crews, City Clerk




Annette S. Crews, City Clerk


Brian L. Leonard, Mayor