
NEVADA CITY COUNCIL - MONDAY, NOVEMBER 10, 2014 6:05 P.M.

1. Call to Order

The City Council of the City of Nevada, Iowa, met for a regular meeting in the Council Chambers located at City Hall, 1209 6th Street, Nevada, Iowa. Mayor Lynn Lathrop convened the meeting at 6:05 p.m. on Monday, November 10, 2014, pursuant to the rules of the Council. The agenda was posted on the official bulletin board in compliance with the open meeting law.

2. Roll Call

The roll was called indicating the following named Council Members present and absent. Present: Chris Clark, Jane Heintz, Andrew Kelly, Ray Schwichtenberg and Jim Walker. Absent: Brian Hanson.

Staff Present: Elizabeth Hansen, Kerin Wright, Erin Clanton, Larry Stevens, Jeremy Huntsman, Shawn Cole, Mike Neal, Ric Martinez, Ray Reynolds, Chris Brandes and Beth Williams. Also in attendance were: Marlys Conrad, Cali Smith, Rhonda Appelgate, Chad Koch, Kay Fleshman, Kevin Joos, Norma Elliot and Deven Markley.

3. APPROVAL OF AGENDA

Motion by Ray Schwichtenberg, seconded by Jim Walker, to **approve the agenda amending 7C to include Pay Request No. 9 for the retainage**. After due consideration and discussion the roll was called. Aye: Schwichtenberg, Walker, Clark, Heintz and Kelly. Nay: None. The Mayor declared the motion carried.

4. CONSENT AGENDA

Motion by Jim Walker, seconded by Jane Heintz, to **approve the following consent agenda items:**

- A. Approve Minutes of the Regular Meeting held on October 27th, 2014
- B. Approve Payment of Cash Disbursements, including Check Numbers 61466-61540 (Inclusive) Totaling \$799,062.76 (See attached list)
- C. Approve Renewal of Class E Liquor License, Class B Native Wine Permit, and Sunday Sales Privileges for Good & Quick Co., 519 Lincoln Hwy, Effective 12/5/2014
- D. Approve Renewal of Class C Beer Permit, Class B Native Wine Permit and Sunday Sales Privileges for Casey's General Store #2306, 1138 Lincolnway, Effective 01/04/2015
- E. Tax Abatement Applications:
 1. Permit #BP2014-8, 759 18th
 2. Permit #BP2014-18, 525 Westwood
 3. Permit #BP2014-26, 22263 600th
 4. Permit #MC2014-33, 832 West N
 5. Permit #BP2014-25, 1813 4th
 6. Permit #BP2014-28, 1322 4th

Motion by Chris Clark, seconded by Ray Schwichtenberg, to **amend the motion to remove Item E from the consent agenda and vote under separate consideration.** After due

consideration and discussion the roll was called. Aye: Clark, Schwichtenberg, Walker, Heintz and Kelly. Nay: None. The Mayor declared the motion carried.

After due consideration and discussion the roll was called on the original motion to approve the consent agenda with the amendment. Aye: Walker, Heintz, Kelly, Schwichtenberg and Clark. Nay: None. The Mayor declared the motion carried.

4E. Tax Abatements

Motion by Jim Walker, seconded by Chris Clark, to **approve the following consent agenda item 4E. Tax Abatements, given separate consideration.** After due consideration and discussion the roll was called. Aye: Walker, Clark, Heintz and Schwichtenberg. Nay: None. Abstain: Kelly. The Mayor declared the motion carried.

5. MAYOR'S APPOINTMENTS

A. Planning and Zoning Commission, Appointment of Deven Markley to replace Alyssa Wierson, term expires 6/30/2018.

Motion by Ray Schwichtenberg, seconded by Jim Walker, to **approve the appointment of Deven Markley to the Planning and Zoning Commission, term expires 6/30/2018.** After due consideration and discussion the roll was called. Aye: Schwichtenberg, Walker, Clark, Heintz and Kelly. Nay: None. The Mayor declared the motion carried.

6. PUBLIC FORUM

Rhonda Appelgate approached the council with intent to read emails she had received. Request was denied.

7. OLD BUSINESS

A. Approve funding \$10,000 for the Iowa Architectural Foundation's, Community Design Program

Motion by Jane Heintz, seconded by Ray Schwichtenberg, to **approve \$10,000 for the Iowa Architectural Foundation's Community Design Program.** After due consideration and discussion the roll was called. Aye: Heintz, Schwichtenberg, Walker, Clark and Kelly. Nay: None. The Mayor declared the motion carried.

B. Approve HR Green Amendment for Scope and Fees for the City Hall Campus

Motion by Ray Schwichtenberg, seconded by Jane Heintz, to **approve HR Green Contract Amendment to include Scope and Fees for the City Hall Campus Project not to exceed \$30,000.** After due consideration and discussion the roll was called. Aye: Schwichtenberg, Heintz, Kelly, Walker and Clark. Nay: None. The Mayor declared the motion carried.

C1. Resolution No. 011 (2014/2015): A Resolution accepting the 2013 Service Control Building Project Complete by Weidner Construction and release final retainage immediately.

Motion by Andrew Kelly, seconded by Ray Schwichtenberg, to **adopt Resolution No. 011 (2014/2015)**. After due consideration and discussion the roll was called. Aye: Kelly, Schwichtenberg, Walker, Clark and Heintz. Nay: None. The Mayor declared the motion carried.

- C2. Approve Pay Request No. 9 (Final Retainage) for Service Control Building to Weidner Construction in the amount of \$5,000.

Motion by Jim Walker, seconded by Jane Heintz, to **approve Pay Request No. 9 (Final Retainage) for Service Control Building to Weidner Construction in the amount of \$5,000**. After due consideration and discussion the roll was called. Aye: Kelly, Schwichtenberg, Walker, Clark and Heintz. Nay: None. The Mayor declared the motion carried.

- D. 2013 Street Improvement Project, J & K Contracting
1. Approve Change Order No. 6 in the amount of \$4,950

Motion by Jim Walker, seconded by Andrew Kelly, to **approve Change Order No. 6 for the 2013 Street Improvement Project to J&K Contracting in the amount of \$4,950**. After due consideration and discussion the roll was called. Aye: Walker, Kelly, Schwichtenberg, Clark and Heintz. Nay: None. The Mayor declared the motion carried.

2. Approve Pay Request No. 9 for the 2013 Streets Project to J&K Contracting in the amount of \$85,103.23

Motion by Ray Schwichtenberg, seconded by Jim Walker, to **approve Pay Request No. 9 for the 2013 Streets Project to J&K Contracting in the amount of \$85,103.23**. After due consideration and discussion the roll was called. Aye: Schwichtenberg, Walker, Clark, Heintz and Kelly. Nay: None. The Mayor declared the motion carried.

- E. Approval of hiring Community Service Officer for the Nevada Public Safety Department

Motion by Andrew Kelly, seconded by Jane Heintz, to **approve hiring a Community Service Officer for the Nevada Public Safety Department**. After due consideration and discussion the roll was called. Aye: Kelly, Heintz, Schwichtenberg, Walker and Clark. Nay: None. The Mayor declared the motion carried.

- F. 6th Street Rehabilitation Project, Manatt's
1. Approve Change Order No. 4 in the amount of \$14,832.15

Motion by Ray Schwichtenberg, seconded by Andrew Kelly, to **approve Change Order No. 4 for the 6th Street Rehabilitation Project to Manatt's, Inc.** After due consideration and discussion the roll was called. Aye: Schwichtenberg, Kelly, Walker, Clark and Heintz. Nay: None. The Mayor declared the motion carried.

2. Approve Pay Request No. 3 in the amount of \$14,090.54

Motion by Andrew Kelly, seconded by Jim Walker, to **approve Pay Request No. 3 for the 6th Street Rehabilitation Project to Manatt's Inc in the amount of**

\$14,090.54. After due consideration and discussion the roll was called. Aye: Kelly, Walker, Clark, Heintz and Schwichtenberg. Nay: None. The Mayor declared the motion carried.

3. Resolution No. 012 (2014/2015): A Resolution accepting 6th Street Rehabilitation Substantial completion, releasing retainage after 30 days.

Motion by Ray Schwichtenberg, seconded by Jim Walker, to **approve Resolution No. 012 (2014/2015)**. After due consideration and discussion the roll was called. Aye: Schwichtenberg, Walker, Clark, Heintz and Kelly. Nay: None. The Mayor declared the motion carried.

8. NEW BUSINESS

- A. Approve vehicle replacement for Planning and Zoning Department

Motion by Andrew Kelly, seconded by Jim Walker, to **approve purchase of a 2015 Transit Connect from Charles Gabus for the Planning and Zoning Department in the amount of \$20,065.00**. After due consideration and discussion the roll was called. Aye: Kelly, Walker, Clark, Heintz and Schwichtenberg. Nay: None. The Mayor declared the motion carried.

- B. Approve Reimbursement for Underground Wire Damage, 228 Valley View Circle

Motion by Andrew Kelly, seconded by Chris Clark, to **approve the Reimbursement for Underground Wire Damage at 228 Valley View Circle**. After due consideration and discussion the roll was called. Aye: Kelly, Clark, Heintz, Schwichtenberg and Walker. Nay: None. The Mayor declared the motion carried.

9. REPORTS

Mayor Lathrop and Jane Heintz reported on the City/School meeting held on Monday, November 3. Discussion was held on the need for additional gym space. The school is moving forward with an ag/mechanic expansion.

Jane Heintz and Jeremy Huntsman reported on the Community Betterment Committee meeting held on Wednesday, November 5. Huntsman advised the committee will be selling bricks in three different sizes. Elizabeth Hansen advised there will also be other amenities that could be purchased with a plaque attached. She also noted the local monument company is able to engrave the bricks and plaques. The committee would like to launch the fundraiser in December.

Elizabeth Hansen

- Dorsey and Whitney are finalizing the MCDIC Initiative. John Danos was called to update the council on the Initiative and the findings for the City of Nevada. Danos reported to the council that this is an amnesty program for Investment Bankers, Underwriters and Issuers. It gives everyone an opportunity to self report those issues of non compliance. He reported that this is happening to almost every entity that has borrowed money. The next step will be for the council to adopt a resolution approving the summary to submit to the SEC.
- Council Budget Committee will meet Monday, November 24th before the council meeting.

- City Council work session is being scheduled to discuss standard operating procedures, rules of government, Alice training and civility. Tentative date is scheduled for Monday, March 30th.
- City Hall is closed Tuesday, November 11th for Veteran's Day.
- Hansen will be out Thursday and Friday, November 13th and 14th attending the 2015 ICMA Conference Planning in Seattle, which airfare and accommodations were paid for by the Iowa City Manager's Association.

Beth Williams reported the Library has been holding musical lunch breaks. The music lunch break will likely be cancelled on Friday if the Nevada School girls Volleyball team makes it to the state championship. If so, there is no school in service, nor musicians available. A landscape committee has been formed. Williams advised the Assistant Librarian has started. Jim Walker inquired about the conference room rental. Williams advised it is going well, there has been new interest.

Mike Neal reported staff is gearing up for winter. Patching and tree trimming have been completed. Signs are being placed along the project area. Wednesday morning staff will be trained on the new snow plow trucks. Neal is gathering information regarding the purchase of a crack seal machine.

Ray Reynolds advised there will be more dates for a DuPont tour. The Assistant Firefighter Grant application is ready to go. Reynolds thanked Director Martinez for the opportunity to attend a Wide Area Search Class with Officer Grimm and Sgt. Snyder. It was a good hands-on class that showed how to section off the community in the event of a disaster.

Ric Martinez reported the DuPont tours are on the outside only at this time. He also advised it is a possibility of losing another officer to a larger community in Iowa. He will know within the next couple weeks.

Larry Stevens advised a walk through was held on the 2013 Street Improvement Project. It has been a very busy past two summers. The projects have all gone well. Stevens also advised Council that HR Green will be donating \$10,000 of in kind labor toward the City Hall Campus project.

10. ADJOURNMENT

There being no further business to come before the meeting, motion by Andrew Kelly, seconded by Jim Walker, to **adjourn the meeting**. Following voice vote, the Mayor declared the motion carried at 8:20 p.m. the meeting adjourned.

Lynn Lathrop, Mayor

ATTEST:

Kerin Wright, City Clerk

Published: _____
Council Approved: _____