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NEVADA CITY COUNCIL - MONDAY, MARCH 23, 2015 6:05 P.M.

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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 6<sup>th</sup> Street, Nevada, Iowa. Mayor Lynn Lathrop, convened the meeting at 6:05 p.m. on Monday, March 23, 2015, 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, Brian Hanson, Jane Heintz, Andrew Kelly, Ray Schwichtenberg, Jim Walker. Absent: None.

Staff Present: Elizabeth Hansen, Kerin Wright, Erin Clanton, Larry Stevens, Tim Hansen, Ric Martinez, Ray Reynolds, Mike Neal, Shawn Cole, Chris Brandes, Cathy Jager and Matt Snyder.

Also in attendance were: Marlys Barker, Mitzi Alexander, Lavon Schiltz, Teresa Wilson, Anna Yuhala, Raymond Helmuth, Christine Rosen, Brian Rosen and Melanie Rosen.

3. APPROVAL OF AGENDA

Motion by Andrew Kelly, seconded by Ray Schwichtenberg, to **approve an amendment to the agenda by placing Item 8E after Item 9 on the agenda**. After due consideration and discussion the roll was called. Aye: Kelly, Schwichtenberg, Walker, Clark, Hanson, Heintz. Nay: None. The Mayor declared the motion carried.

Motion by Ray Schwichtenberg, seconded by Jim Walker, to **approve the amended agenda**. After due consideration and discussion the roll was called. Aye: Schwichtenberg, Walker, Clark, Hanson, Heintz, Kelly. Nay: None. The Mayor declared the motion carried.

4. PUBLIC HEARING(S)

A. Lease Agreement for Cemetery Tractor

1. Public Hearing

At 6:08 p.m. Mayor Lathrop announced that this is the time and place set for a public hearing as advertised in the Nevada Journal on March 12, 2015. The public hearing is for the purpose of instituting a lease agreement with Van Wall Equipment. There were no written or oral objections to the aforementioned recommendation. With no further comments for or against the proposal, the Mayor declared the hearing terminated at 6:08 p.m.

2. Resolution No. 035 (2014/2015): A Resolution entering into a general fund operating lease agreement not to exceed \$6,000.

Motion by Jane Heintz, seconded by Andrew Kelly, to **adopt Resolution No. 035 (2014/2015)**. After due consideration and discussion the roll was called. Aye: Heintz, Kelly, Schwichtenberg, Walker, Clark, Hanson. Nay: None. The Mayor declared the motion carried.

## 5. CONSENT AGENDA

Motion by Jim Walker, seconded by Brian Hanson, to **approve the following consent agenda items:**

- A. Approve Minutes of the Regular Meeting held on March 9, 2015
- B. Approve Payment of Cash Disbursements, including Check Numbers 62234-62302 (Inclusive) Totaling \$199,640.47 (See attached list)
- C. Approve Renewal of Class "A" Liquor License and Sunday Sales Privileges, William F. Ball Post No. 48 American Legion d/b/a American Legion Post #48, 1331 6<sup>th</sup> Street, Effective March 30, 2015.
- D. Approve Renewal of Class "B" Native Wine Permit, Michael and Cali Smith d/b/a StuffEnufForUs, 1218 6<sup>th</sup> Street, Effective April 15, 2015.

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

## 6. PUBLIC FORUM

Mayor Lathrop swore in Police Officer Christine Rosen.

Mayor Lathrop proclaimed April 2015 to be known as Donate Life Month.

Raymond Helmuth addressed the council regarding horse feces on city streets.

## 7. OLD BUSINESS

- A. Resolution No. 036 (2014/2015): A Resolution to provide for a notice of hearing on proposed plans, specifications, form of contract and estimate of cost for the City Hall Campus Project, and the taking of bids therefor

Motion by Brian Hanson, seconded by Jane Heintz, to **adopt Resolution No. 036 (2014/2015)**. After due consideration and discussion the roll was called. Aye: Hanson, Heintz, Kelly, Schwichtenberg, Walker, Clark. Nay: None. The Mayor declared the motion carried.

## 8. NEW BUSINESS

- A. Approval of three (3) Zero Turn Mowers for the Parks and Cemetery Departments

Motion by Brian Hanson, seconded by Ray Schwichtenberg, to **approve the purchase of three (3) zero turn mowers from Van Wall Equipment for a cost of \$22,800.00.** After due consideration and discussion the roll was called. Aye: Hanson, Schwichtenberg, Walker, Clark, Heintz, Kelly. Nay: None. The Mayor declared the motion carried.

- B. Approval of Compact Utility Tractor for the Parks Department

Motion by Ray Schwichtenberg, seconded by Jim Walker, to **approve the lease of a Compact Utility Tractor for the Parks Department from Van Wall Equipment for 150 hours at \$4,560.00.** After due consideration and discussion the roll was called. Aye: Schwichtenberg, Walker, Clark, Hanson, Heintz, Kelly. Nay: None. The Mayor declared the motion carried.

C. Approval of Truck Purchase for the Parks Department

Motion by Chris Clark, seconded by Brian Hanson, to **approve the purchase of a 2015 Ford F150 from Nevada Auto (Ames Ford) for the Parks Department in the amount of \$25,610.00.** After due consideration and discussion the roll was called. Aye: Clark, Hanson, Heintz, Kelly, Schwichtenberg, Walker. Nay: None. The Mayor declared the motion carried.

D. Resolution No. 037 (2014/2015): A Resolution adopting the Revised Employee Handbook

Motion by Brian Hanson, seconded by Jim Walker, to **adopt Resolution No. 037 (2014/2015).** After due consideration and discussion the roll was called. Aye: Hanson, Walker, Clark, Heintz, Kelly, Schwichtenberg. Nay: None. The Mayor declared the motion carried.

9. REPORTS: (Amended to before the closed session)

Elizabeth Hansen:

- The Community Betterment Committee, along with the four applications received, will meet with the Iowa Architectural Design team on April 23<sup>rd</sup>.
- Lincoln Highway Heritage Byway information was included in the packet.
- The PEG (Public Education Government) Channel lease agreement is being considered by the Nevada Community School Board. It will be on the next City Council meeting for consideration.
- The Nevada Council Standard Operating Procedures will be published in the updated Iowa Municipal Policy Leaders Handbook as an example.
- Hansen reported there were a lot of inquiries from other cities in Iowa regarding the Public Safety Director position and its implementation.
- The Water Treatment Plant has ordered a control panel for a computer that is down at the plant. It is a costly replacement and there are no other options. Mike Neal explained that the computer replacement and upgrade must be done by the original vendor as it is a niche market. The computer communicates for the operation of the entire lime softening system.
- The Economic Development SMART Conference is being held on Thursday, May 7. If anyone wants to attend please let us know so we can get you registered.
- Main Street Iowa Workshops are being held in March.
- Hansen will be attending the Iowa Tourism Town Meeting in Ames on Wednesday, March 25<sup>th</sup> with Lynn Scarlett. There is a session on directional and tourism signage.
- The Heartland Senior Services minutes were included in the packet. The city is trying to help where it can to get more participation in the congregate meals program.

Jim Walker inquired whether we would still be updating the standard operating policies. When council is ready to move forward let staff know.

Andy Kelly inquired whether the time for the tornado siren drill could be shortened. Public Safety Director Martinez will look into this.

Mike Neal reported staff is busy with pothole patching. They will also be replacing a 1995 truck at the wastewater plant in the near future.

Tim Hansen thanked council for their support of the purchases for parks and recreation. With the warm weather beginning there is a lot of activity going on with the parks department. Jim Walker inquired about the bike trail crack sealing. Hansen advised we are first on the list to get the trail completed. Mike Neal reported he has researched the costs of owning our own crack and seal equipment and staff doing the projects ourselves. The equipment is costly and it does take a lot of staff to handle the equipment. He will present his research at a later date. Hansen also advised the ballasts on the trail lights are bad and there might not be lights on until they are fixed.

Shawn Cole advised Milam is finishing up the 2014 Sidewalk project now. In the next few weeks the 2015 Sidewalk project will be coming up.

Ric Martinez reported a truck from the water department will be used for the Community Service Position. The position has not yet been filled. It wasn't in the budget and he wanted to get the officers positions hired first. Andrew Henderson will be sworn in at the next council meeting. There will be one more officer position filled next August. The Community Service position will be filled in late April.

Kerin Wright reported the Human Service Agreements were sent out and will be on an upcoming council meeting for approval. The FY2016 Budget has been filed.

Larry Stevens reported the 2015 Asphalt Overlay Project surveying is complete. He inquired whether council would like to do the City Hall Project with an alternate bid without the clock. It was the consensus of the council to have it as an option.

8E. Closed Session: Closed Session pursuant to authority found in Iowa Code 21.5 (1) (c) to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation **and appropriate follow-up.**

Motion by Chris Clark, seconded by Ray Schwichtenberg, to go into **Closed Session** at 7:50 p.m. pursuant to Iowa Code 21.5 (c) to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation. After due consideration and discussion the Mayor put the question upon the motion and the roll being called, the following members voted. Ayes: Clark, Schwichtenberg, Walker, Hanson, Heintz, Kelly. Nays: None. Whereupon, the Mayor declared the motion carried.

At 8:22 p.m. it was moved by Ray Schwichtenberg, seconded by Chris Clark, to go out of Closed Session. After due consideration and discussion the Mayor put the question upon the motion and the roll being called, the following members voted. Ayes: Schwichtenberg, Clark, Hanson, Heintz, Kelly, Walker. Nays: None. Whereupon the Mayor declared the motion carried.

9. REPORTS (Before Closed Session)

10. ADJOURNMENT

There being no further business to come before the meeting, motion by Brian Hanson, seconded by Jim Walker, to **adjourn the meeting**. Following voice vote, the Mayor declared the motion carried at 8:24 p.m. the meeting adjourned.

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Lynn Lathrop, Mayor

ATTEST:

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Kerin Wright, City Clerk

Published: \_\_\_\_\_  
Council Approved: \_\_\_\_\_