
NEVADA CITY COUNCIL - MONDAY, APRIL 27, 2015 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, April 27, 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, Jane Heintz, Andrew Kelly, Ray Schwichtenberg, Jim Walker. Absent: Brian Hanson.

Staff Present: Elizabeth Hansen, Kerin Wright, Erin Clanton, Larry Stevens, Jeremy Huntsman, Tim Hansen, Ric Martinez, Ray Reynolds, Shawn Cole, Mike Neal, Linda Wright and Beth Williams.

Also in attendance were: Marlys Barker, Brandt Jelken, Alison Boelman, Raymond Helmuth, Richard Atwell, Dianna Haley, Ron Haley, Mitzi Alexander, Norma Elliott, Debra Parker, Karen Selby, and LaVon Schiltz.

3. APPROVAL OF AGENDA

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

4. CONSENT AGENDA

Motion by Jim Walker, seconded by Chris Clark, to **approve the following consent agenda items:**

- A. Approve Minutes of the Regular Meeting held on April 13, 2015
- B. Approve Payment of Cash Disbursements, including Check Numbers 62402-62497 (Inclusive) Totaling \$179,089.79 (See attached list)
- C. Schedule Fiscal Year 2014/2015 Budget Amendment Public Hearing for May 26, 2015 and Authorize Publication on May 7, 2015
- D. Approve Human Service Agreements for Fiscal Year 2015/2016:
 1. Assault Care Center Extending Shelter and Support - \$880
 2. Nevada – Youth and Shelter Services - \$9,225
 3. Rosedale Shelter - \$1,260
 4. Community & Family Resources - \$920
 5. Community Resource Center - \$24,082
 6. Volunteer Center of Story County - \$448
 7. Central Iowa RSVP - \$740
 8. Heartland Senior Services - \$2,080
 9. Mid-Iowa Community Action - \$1,020

10. Good Neighbor Emergency Assistance - \$1,546
11. Story County Legal Aid - \$5,520
12. American Red Cross - \$1,024
13. Salvation Army - \$4,125
14. Community Band - \$820
15. Lincoln Highway Days - \$610
16. Nevada Historical Society - \$700

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

5. PUBLIC FORUM

Mayor Lathrop proclaimed April Volunteer Month and recognized the volunteers that serve on the city's boards and commissions.

LaVon Schiltz updated the council with a Nevada Economic Development Council quarterly report.

Alison Boelman presented the Food For Thought summer enrichment program.

The 2014 Urban Forest Management Plan was presented by Brandt Jelken of Copper Tree Consulting.

6. OLD BUSINESS

A. Discussion and Appropriate Follow up on Animal Ordinance

Motion by Andrew Kelly, seconded by Chris Clark, to **approve amending civil penalties for municipal infractions for 55.04, failure to dispose of animal waste, First Offense-\$200, Repeat Offense-\$400.** After due consideration and discussion the roll was called. Aye: Kelly, Clark, Heintz, Schwichtenberg, Walker. Nay: None. The Mayor declared the motion carried.

Motion by Jane Heintz, seconded by Andrew Kelly, to **recommend a change in the wording of the animal ordinance regarding disposal of animal waste to allow horses a 2-hour time frame from the discovery of waste.**

Motion by Ray Schwichtenberg, second by Andrew Kelly, to **amend the motion to replace the word "horses" with "equine"**. After due consideration and discussion the roll was called. Aye: Schwichtenberg, Kelly, Clark, Heintz. Nay: Walker. The Mayor declared the motion carried.

Motion by Andrew Kelly, second by Jane Heintz, to **amend the motion to replace the word "discovery" with "occurrence"**. After due consideration and discussion the roll was called. Aye: Kelly, Heintz, Schwichtenberg, Clark. Nay: Walker. The Mayor declared the motion carried.

After due consideration and discussion regarding the twice amended motion to **recommend a change in the wording of the animal ordinance regarding disposal of animal waste to allow "equine" a 2-hour time frame from the "occurrence" of**

waste the roll was called. Aye: Heintz, Kelly. Nay: Schwichtenberg, Walker, Clark. The Mayor declared the motion failed.

7. NEW BUSINESS

- A. Approve "New" Liquor License of Class "C" and Catering Privilege Permit, Farmhouse Catering LC, 1024 6th Street, Effective April 27, 2015.

Motion by Andrew Kelly, seconded by Ray Schwichtenberg, to **approve the Class C Liquor License and Catering Privilege Permit to Farmhouse Catering, Effective April 27, 2015.** After due consideration and discussion the roll was called. Aye: Kelly, Schwichtenberg, Walker, Clark, Heintz. Nay: None. The Mayor declared the motion carried.

8. REPORTS

Jane Heintz reported the meeting went well with the Iowa Architectural Foundation-Community Design Program. Mayor Lathrop reported those in attendance were broken up into groups and they made lists of areas of change needed from store fronts to alleyways. Mitzi Alexander also attended and reported they will be having another meeting in July.

Elizabeth Hansen:

- City Hall Campus Project is just shy of \$15,000 needed for the smaller shelter design. No bids were received so the project will be rebid with no general contractor. The new timeline was enclosed.
- The 8th Street Railroad Crossing is required to have more improvements than Anticipated; specifically the approaches and sidewalk.
- The Nevada Economic Development Agreement renewal is almost finalized.
- Hansen advised council an Iowa Downtown Forum in Williamsburg is June 18th. If anyone would like to attend let her know.
- Light Up Rotary Day is Wednesday afternoon the 29th from 1-4 p.m. They will be working at City Hall (landscape), Windsor Manor (gazebo), Cemetery and Fire Station.
- Hansen updated council on the Trees Forever committee. To apply for an Alliant Energy Trees grant a project needs to be designated. There is a Boy Scout that is doing an Eagle Scout Project at SCORE by planting 24 trees. He is using Alliant Energy funding to help in his project.

Mayor Lathrop advised the Freedom Flight Run Fundraiser was a success despite the weather. There were a lot in attendance with over \$5,000 raised. A big Thank you to Brett Barker and staff for helping with this event.

Ray Reynolds advised the rural trustees will be donating \$12,000 to an electronic sign at the fire station. It will display messages and notices to the public. The AFG awards are just starting to come out.

Mike Neal reported Dennis Mensing is back at work after his surgery. The water department new hire, Eric McLaughlin, began his duties.

Tim Hansen updated the council on the Community Building donation that was received several years ago. The \$15,000 was used to upgrade Billy Sunday Field instead of the Community Building with the attorney for the estates approval.

Ric Martinez advised Dave Johnson has turned in his resignation. His replacement will be hired in August. The Community Service Officer will begin in June. Three officers are attending ILEA. The department is short staffed and Reynolds has been covering in the police department and doing a great job. It is appreciated.

Shawn Cole reported no notice for the railroad crossing closings were received until Sunday afternoon. Hopefully they will finish up work on Tuesday. Then in another 10-14 days they will return to complete more work. Elizabeth Hansen reported the railroad called to apologize that more notice had not been given. Cole also reported there will be a NABR bike ride Saturday sponsored by the Jaycees.

Kerin Wright attended training this month. On Wednesday there is a meeting at the Story County Administration building regarding the new election process. With new legislation petitions for election will be turned into Story County instead of Nevada City Hall.

Ric Martinez advised the bike rodeo will be held May 23rd at City Hall.

9. 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.

At 8:20 p.m. Motion by Ray Schwichtenberg, seconded by Chris Clark, to **go into closed session**. After due consideration and discussion the roll was called. Aye: Schwichtenberg, Clark, Heintz, Kelly, Walker. Nay: None. The Mayor declared the motion carried.

At 8:30 p.m. Motion by Chris Clark, seconded by Ray Schwichtenberg, to **go out of closed session**. After due consideration and discussion the roll was called. Aye: Clark, Schwichtenberg, Walker, Heintz, Kelly. Nay: None. The Mayor declared the motion carried.

10. ADJOURNMENT

There being no further business to come before the meeting, motion by Chris Clark, seconded by Andrew Kelly, to **adjourn the meeting**. Following voice vote, the Mayor declared the motion carried at 8:32 p.m. the meeting adjourned.

Lynn Lathrop, Mayor

ATTEST:

Kerin Wright, City Clerk

Published: _____
Council Approved: _____