
NEVADA CITY COUNCIL - MONDAY, MAY 9, 2016 6:00 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 6:00 p.m. on Monday, May 9, 2016, 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: Jim Walker, Andrew Kelly, Brian Hanson, Ray Schwichtenberg. Absent: Barb Mittman, Brett Barker. Brett Barker arrived at 6:06

Staff Present: Elizabeth Hansen, Erin Clanton, Kerin Wright, Mike Neal, Ric Martinez and Shawn Cole.

Also in attendance were: Marlys Barker, Larry Sloan, Wes Hubbard, Traci Hubbard, Mitzi Alexander, Jane Heintz, Chip Schultz, John Will, Phil Page, and Doug Couser.

3. APPROVAL OF AGENDA

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

4. PUBLIC HEARING(S)

A. 2016 Urban Renewal Amendment

1. Public Hearing

At 6:03 p.m. Mayor Lathrop announced that this is the time and place set for a public hearing as advertised in the Nevada Journal on April 28, 2016. The public hearing is for the amendment of the Urban Renewal Area.

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 6:03 p.m.

2. Resolution No. 042 (2015/2016): A Resolution to approve urban renewal plan amendment for the Nevada Urban Renewal Area

Motion by Ray Schwichtenberg, seconded by Jim Walker, to **adopt Resolution No. 042 (2015/2016)**. After due consideration and discussion the roll was called. Aye: Schwichtenberg, Walker, Hanson, Kelly. Nay: None. The Mayor declared the motion carried.

Brett Barker arrived at 6:05.

B. FY2015/2016 Budget Amendment
1. Public Hearing

At 6:05 p.m. Mayor Lathrop announced that this is the time and place set for a public hearing as advertised in the Nevada Journal on April 21, 2016. The public hearing is for the amendment of the FY2015/2016 Budget.

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 6:05 p.m.

2. Resolution No. 043 (2015/2016): A Resolution approving the FY2015/2016 Budget Amendment

Motion by Brian Hanson, seconded by Jim Walker, to **adopt Resolution No. 042 (2015/2016)**. After due consideration and discussion the roll was called. Aye: Hanson, Walker, Barker, Kelly, Schwichtenberg. Nay: None. The Mayor declared the motion carried.

5. CONSENT AGENDA

Motion by Jim Walker, seconded by Brett Barker, to **approve the following consent agenda items:**

- A. Approve Minutes of the Regular Meeting held on April 25, 2016
- B. Approve Payment of Cash Disbursements, including Check Numbers 64626-64703 and Electronic Payments 235-239 (Inclusive) Totaling \$173,864.22 (See attached list)
- C. Resolution No. 044 (2015/2016): A Resolution to fix a date for a public hearing on proposal to enter into a General Fund Equipment Acquisition Lease-Purchase Agreement with lease payments there under in a principal amount not to exceed \$50,000
- D. Resolution No. 045 (2015/2016): A Resolution approving an Amendment of the Economic Development Financial Assistance Contract with E.I. Du Pont de Nemours and Company

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

6. MAYOR'S APPOINTMENTS

- A. Historic Preservation
Mitzi Alexander, New Appointment

Motion by Jim Walker, seconded by Brett Barker, to **approve the Mayor's Appointment of Mitzi Alexander for the Historic Preservation Commission**. After due consideration and discussion the roll was called. Aye: Walker, Barker, Hanson, Kelly, Schwichtenberg. Nay: None. The Mayor declared the motion carried.

7. PUBLIC FORUM

There was no one present who wished to address the Council at this time.

8. OLD BUSINESS

A. 2017 Street Project

1. Approve Dissemination Agent Agreement with UMB Bank, N.A. as agent

Motion by Andrew Kelly, seconded by Ray Schwichtenberg, to **approve the Dissemination Agent Agreement with UMB Bank, N.A. as agent for our bond continuing disclosure**. After due consideration and discussion the roll was called. Aye: Kelly, Schwichtenberg, Walker, Barker, Hanson. Nay: None. The Mayor declared the motion carried.

B. Discussion and Appropriate Follow up on Chapter 69.10, 6th Street Parking Regulations

Motion by Jim Walker, seconded by Brian Hanson, to **approve Option 3, Refer Parking Regulations on downtown 6th Street back to staff to evaluate the permit process**. After due consideration and discussion the roll was called. Aye: Walker, Hanson, Kelly, Schwichtenberg, Barker. Nay: None. The Mayor declared the motion carried.

9. REPORTS

Brett Barker and Ray Schwichtenberg reported on the NEDC meeting. NEDC has two lots left in the West Park and they are also assessing the need for a housing study. Elizabeth Hansen reported a delegation from China for HZ Windpower will be making a visit. She also reported NEDC is applying for a grant to fund a part-time position to see if there is an interest in becoming a Main Street Iowa community.

Elizabeth Hansen:

- Hansen met with Larry Stevens and Walt McDonald to discuss upcoming Federal Whistle band regulations that require our comments by early July. The north track will need a quiet zone continuation filed and possibly the south track.
- Hansen, Larry Stevens and Story County Engineer Darren Moon met with the Iowa Department of Transportation to discuss the possible construction phasing of the US Hwy 30 Interchange. They still need to meet with the railroad before another US30 Task Force meeting is scheduled.
- Hansen reported the SMART Conference notes were included in the packet. Also included were the 2016 Leadership Nevada project presentations.
- Last week Hansen and Kerin Wright met with Dorsey and Whitney and DuPont to review a draft of an amendment to the DuPont Agreement.
- Hansen supplied copies of the new Municipal Policy Leadership Handbook.
- Hansen advised council the Chamber is looking for Ambassadors to attend ribbon cuttings and other events. If anyone is interested let her know.

Mayor Lathrop expressed his sympathy for the Paul Toot Family. Toot was involved in the US30 Task Force. Beth Williams also stated Toot was a supporter of the Nevada Public Library. She, too, will be attending the funeral services.

Mike Neal reported the Water Department will be flushing hydrants and checking main valves. Staff is working on the City Hall Campus Project. Jim Walker inquired about potholes. Neal advised it is on the list.

Ric Martinez noted the 110 engine came back to the city today after getting repaired in Illinois. Colo and Ames were on alert to fill in if that engine was needed.

Kerin Wright informed council the annual appropriations are being prepared. The Water Meter Project is going through the final stages slowly. Wright will be attending the International Municipal Clerk's Conference in Omaha, NE the week of May 23rd. Donna Mosinski will be taking minutes at the next council meeting.

Shawn Cole reported Manatt's has been laying asphalt on the north end of town. They are out of town a few weeks and will be back to finish on the north and then go to the south side of Lincoln Highway.

Elizabeth Hansen reminded council of the ribbon cutting for the City Hall Campus Project on June 7th. Cards will be sent out shortly.

10. **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.

Motion by Ray Schwichtenberg, seconded by Brian Hanson, to **approve to GO INTO Closed Session**. After due consideration and discussion the roll was called. Aye: Schwichtenberg, Hanson, Kelly, Walker, Barker. Nay: None. The Mayor declared the motion carried.

Motion by Jim Walker, seconded by Ray Schwichtenberg, to **approve to GO OUT of Closed Session**. After due consideration and discussion the roll was called. Aye: Walker, Schwichtenberg, Barker, Hanson, Kelly. Nay: None. The Mayor declared the motion carried.

11. Discussion and Appropriate Follow up on 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.

There was no action of the council.

12. ADJOURN

There being no further business to come before the meeting, motion by Ray Schwichtenberg, seconded by Brian Hanson, to **adjourn the meeting**. Following voice vote, the Mayor declared the motion carried at 7:33 p.m. the meeting adjourned.

Lynn Lathrop, Mayor

ATTEST:

Kerin Wright, City Clerk

Published: _____
Council Approved: _____