
NEVADA CITY COUNCIL - MONDAY, SEPTEMBER 12, 2016 6:02 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 6:02 p.m. on Monday, September 12, 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: Brian Hanson, Andrew Kelly, Barb Mittman, Ray Schwichtenberg, Jim Walker. Absent: Brett Barker. Brett Barker arrived at 6:03.

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

Also in attendance were: Marlys Barker, Nancy Dunn, John Whited, Paul Tickle, Wayne Johnson, Tom Cahill, Caitlin Barker, Charley King, Larry Krupp, Connie Krupp, Jody Brooke, Andi Olson, Matt Rhodes, Jane Heintz, LaVon Schiltz, Jacqueline Runge, Lynn Scarlett, Jason Sampson, Jim Frevert, Matt Runge, and Al Kockler.

3. APPROVAL OF AGENDA

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

4. CONSENT AGENDA

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

5. MAYOR'S APPOINTMENTS

A. Library Board

1. Appointment of Lisa Johnson, term expires 6/30/2021

Motion by Ray Schwichtenberg, seconded by Jim Walker, to **approve the Mayor's Appointment of Lisa Johnson to the Nevada Library Board, term to expire 6/30/2021**. After due consideration and discussion the roll was called. Aye: Schwichtenberg, Walker, Barker, Hanson, Kelly, Mittman. Nay: None. The Mayor declared the motion carried.

B. Historic Preservation Commission

1. Appointment of Linda Wright, term expires 6/30/2017

Motion by Jim Walker, seconded by Ray Schwichtenberg, to **approve the Mayor's Appointment of Linda Wright to the Historic Preservation Commission, term expires 6/30/2017.** After due consideration and discussion the roll was called. Aye: Walker, Schwichtenberg, Barker, Hanson, Kelly, Mittman. Nay: None. The Mayor declared the motion carried.

6. PUBLIC FORUM

- A. Mayor Lathrop Proclaimed September as National Recovery Month and presented it to Andi Olson from Youth and Shelter Services.
- B. Paul Tickle, 1026 Apache St, requested council consider adjusting his high utility bill. Council referred back to staff to draft a policy for adjusting utility bills for consideration at an upcoming council meeting.
- C. Jesse Briley, 1923 8th St, requested council consider allowing residents to have chickens in town. Council referred back to staff to draft an ordinance for consideration at an upcoming council meeting.

7. OLD BUSINESS

- A. Ordinance No. 988A (2016/2017): An Ordinance amending Chapter 69.10, Parking Regulations, 3rd Reading

Motion by Brian Hanson, seconded by Andrew Kelly, to **Adopt Ordinance No. 988A (2016/2017), third and final reading.** After due consideration and discussion the roll was called. Aye: Hanson, Kelly, Mittman, Schwichtenberg, Walker, Barker. Nay: None. The Mayor declared the motion carried.

- B. Ordinance No. 989 (2016/2017): An Ordinance approving a Zoning Amendment for the Planned Unit Development for South I Subdivision, 2nd Reading

Motion by Brett Barker, seconded by Ray Schwichtenberg, to **Adopt Ordinance No. 989 (2016/2017), second reading.** After due consideration and discussion the roll was called. Aye: Barker, Schwichtenberg, Walker, Hanson, Kelly, Mittman. Nay: None. The Mayor declared the motion carried.

- C. Discussion and appropriate Follow up on Request to rescind Gate Approval for Private Road at the end of Lake Shore Drive

Motion by Ray Schwichtenberg, seconded by Brian Hanson, to **Suspend approval of the gate construction and condition the continuation of construction upon the Runges and Krupps reaching a written agreement with Mr. Whited and Ms. Dunn that approves the construction.** Amend Motion by Ray Schwichtenberg, seconded by Brian Hanson to Add to the motion: **within time frame of 30 days.** Amend Motion by Ray Schwichtenberg, seconded by Brian Hanson, to Add: **And enter into an easement agreement with the City including an indemnification provision to protect the City in the event of litigation.** After due consideration and discussion the roll was called. Aye: Schwichtenberg, Hanson, Kelly, Mittman, Walker, Barker. Nay: None. The Mayor declared the motion carried.

- D. Approve Pay Request No. 1 for the City Hall Campus Project, Landscape from Country Landscapes in the amount of \$11,282.31

Motion by Andrew Kelly, seconded by Jim Walker, to **approve Pay Request No. 1 for the City Hall Campus Project from Country Landscapes in the amount of \$11,282.31.** After due consideration and discussion the roll was called. Aye: Kelly, Walker, Barker, Hanson, Mittman, Schwichtenberg. Nay: None. The Mayor declared the motion carried.

- E. Approve Change Order No. 3 for the 2015 Asphalt Paving Improvements by Manatt's by a deduct of \$42,339.50

Motion by Brett Barker, seconded by Jim Walker, to **approve Change Order No. 3 for the 2015 Asphalt Paving Improvements by Manatt's by a deduct of \$42,339.50.** After due consideration and discussion the roll was called. Aye: Barker, Walker, Hanson, Kelly, Mittman, Schwichtenberg. Nay: None. The Mayor declared the motion carried.

- F. Discussion and Appropriate Follow up on Search Firm for City Administrator position

Motion by Jim Walker, seconded by Barb Mittman, to **approve the recommendation of the Council task force to hire Brimeyer Fursman to do the City Administrator executive search.** After due consideration and discussion the roll was called. Aye: Walker, Mittman, Schwichtenberg, Barker, Hanson, Kelly. Nay: None. The Mayor declared the motion carried.

8. NEW BUSINESS

- A. Discussion and Appropriate Follow up on Alternative Parking in Central Business District- Presentation by Ruth Hulstrom, Planning & Zoning Intern

Motion by Brett Barker, seconded by Ray Schwichtenberg, to **Refer Alternative Parking in Central Business District to Planning and Zoning Commission for review and recommendation.** After due consideration and discussion the roll was called. Aye: Barker, Schwichtenberg, Walker, Hanson, Kelly, Mittman. Nay: None. The Mayor declared the motion carried.

9. REPORTS

Brett Barker updated the council on the recent NEDC meeting. Discussion was held regarding Main Street Iowa, Project updates, and China's visit. Barker also thanked City Administrator for her service to Nevada.

Elizabeth Hansen:

- Hansen noted this would be her last meeting as the September 26th meeting she will be attending ICMA.
- Council Development Committee met right before the council meeting to discuss Development Agreements and Payments.
- The FY2017/2018 Budget is underway. Department Heads received their equipment revolving for review.

- There is a Wellness meeting today and a Health Insurance meeting on Monday.
- Hansen advised the September 26th Council meeting would be held at Gates Hall to allow for public input on the US30 Task Force's Proposal for the interchange.
- The League Conference is this Wednesday through Friday.
- Community Betterment Committee will meet regarding Welcome signs.
- Wellness/Recreation Center meeting is next Tuesday. RDG will meet with the 7 focus groups and the task force. The public is invited from 5:30 to 7 p.m. There will also be an online survey soon.

Shawn Cole reported the overlay projects were almost complete. Cole also thanked the transportation director at the school for his patience and help in working with the city during the overlay near the school. He also relayed thanks to the police department for getting cars off the street and public works for repairing a hole they found in the storm sewer pipe. It was fixed on Friday and Saturday.

Beth Williams noted story times have begun. Landscaping is complete and has been seeded and mesh and straw put on top.

Ray Reynolds informed council the fire department would be burning a barn in Indian Ridge that is falling in on Saturday. All paperwork has been filed with the Department of Natural Resources.

Mike Neal advised a water main break was found. Public Works is currently at full staff in all departments.

Ric Martinez relayed to council Kali Warner handed out flyers in the area of the barn burn to alert residents of the issue.

Kerin Wright noted this is the last week for the auditors. The Workman's Comp Auditor was also here this morning performing their annual payroll audit.

Larry Stevens reported he heard from IDOT regarding the RISE application and they are asking about the area not being zoned industrial and there are no plans to include infrastructure. Possibly could rezone now. Staff has been assessing the storm and sewer lines for the upcoming projects in 2017. It is hoped preliminary plans will be available in the next couple months with a late December early January for bid letting.

Erin Clanton advised she has been working on an Open Records Request Policy with Kerin Wright to help streamline the process.

10. **CLOSED SESSION:** Closed session pursuant to Iowa Code Section 21.5 (1) (j) To discuss purchase of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property.

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

Motion by Brian Hanson, seconded by Ray Schwichtenberg, to **Go OUT of Closed Session.** After due consideration and discussion the roll was called. Aye: Hanson,

Schwichtenberg, Walker, Barker, Kelly, Mittman. Nay: None. The Mayor declared the motion carried.

11. Discussion and appropriate follow-up on Closed session pursuant to authority found in Iowa Code Section 21.5 (1) (j) to discuss purchase of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property.

No action of the council was taken regarding the Closed Session.

12. ADJOURNMENT

There being no further business to come before the meeting, motion by Brian Hanson, seconded by Brett Barker, to **adjourn the meeting**. Following voice vote, the Mayor declared the motion carried at 8:25 p.m. the meeting adjourned.

Lynn Lathrop, Mayor

ATTEST:

Kerin Wright, City Clerk

Published: _____
Council Approved: _____