
NEVADA CITY COUNCIL - MONDAY, NOVEMBER 28, 2016 6:05 P.M.

1. CALL TO ORDER

The City Council of the City of Nevada, Iowa, met for a 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 28, 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, Ray Schwichtenberg, Brett Barker, Andrew Kelly, Barb Mittman, Jim Walker. Absent: None.

Staff Present: Kerin Wright, Erin Clanton, Larry Stevens, Jeremy Huntsman, Tim Hansen, Ric Martinez and Mike Neal.

Also in attendance were: Marlys Barker, Al Kockler, Jamie Carsrud, Charles Carsrud, Matt Runge, Linda Dickerson, Donald Dickerson, Gary Vansickel, Chris Vansickel and Jane Heintz.

3. APPROVAL OF AGENDA

Motion by Ray Schwichtenberg, seconded by Jim Walker, to **approve the amended agenda by removing Item 6A**. 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. Approval of CONSENT AGENDA (Any item on the Consent Agenda may be removed for separate consideration.)

- A. Approve Minutes of the Regular Meeting held on November 14, 2016
- B. Approve Minutes of the Special Meeting held on November 18, 2016
- C. Approve Payment of Cash Disbursements, including Check Numbers 65932-66030 and Electronic Payments 307-311 (Inclusive) Totaling \$246,604.23 (See attached list)
- D. Approve Renewal of Class "C" Liquor License and Sunday Sales Privileges for Quirk's Grill and Bar, 835 6th St, Suite #3, Effective November 21st, 2016
- E. Approve Renewal of Class "C" Liquor License and Sunday Sales Privileges for MiCasta., 1115 6th St, Effective December 15, 2016
- F. Cancellation of Tuesday, December 27, 2016 Council Meeting
- G. Approve 2017 Meeting Dates
- H. Accept and File Annual Financial Report for FY15/16
- I. Approve Appointment of Ric Martinez, Member and Ray Reynolds, Alternate, as a Voting member of the Story County E911 Service Board
- J. Approve Tax Abatement
 1. Permit #BP2016-30, 215 M Avenue
 2. Permit #BP2016-28, 640 15th Street
 3. Permit #BP2016-23, 1572 F Avenue
 4. Permit #BP2016-21, 2029 Jashalita

5. Permit #BP2016-18, 1029 Cherokee
6. Permit #BP2016-13, 829 H Avenue
7. Permit #BP2016-12, 1230 15th Street
8. Permit #BP2016-11, 427 M Avenue
9. Permit #BP2016-9, 212 7th Street
10. Permit #BP2016-58, 331 R Avenue
11. Permit #BP2015-59, 335 R Avenue
12. Permit #BP2015-33, 1315 5th Street
13. Permit #BP2015-34, 1313 5th Street
14. Permit #BP2015-11, 2220 10th Place
15. Permit #BP2014-67, 1540 1st Street

Motion by Ray Schwichtenberg, seconded by Andrew Kelly, to **approve the consent agenda with the revised meeting minutes on November 18th**. After due consideration and discussion the roll was called. Aye: Schwichtenberg, Kelly, Mittman, Walker, Barker, Hanson. Nay: None. The Mayor declared the motion carried.

5. PUBLIC FORUM

Donald and Linda Dickerson appeared before the council regarding a large utility bill. Council referred back to staff to bring back more information at the next council meeting.

Matt Runge requested council consider allowing him to leave the pillars in place without the gate or allow more time to remove them. His request for more time will be on the next agenda for council discussion.

6. OLD BUSINESS

A. ~~Presentation by Chip Schultz of UMB Bank outlining the city finances~~

B. Discussion and Appropriate Follow Up on Community Betterment's Recommendations for Welcome Sign Design

Motion by Ray Schwichtenberg, seconded by Brian Hanson, to **approve the Welcome Sign with the arch design with no commitment of funds at this time**. After due consideration and discussion the roll was called. Aye: Schwichtenberg, Hanson, Kelly, Mittman, Walker, Barker. Nay: None. The Mayor declared the motion carried.

C. Ordinance No. 990 (2016/2017): An Ordinance Amending the No parking and Stop Signs for South I Ave Subdivision, third reading

Motion by Brian Hanson, seconded by Brett Barker, to **adopt Ordinance No. 990 (2016/2017)**. After due consideration and discussion the roll was called. Aye: Hanson, Barker, Kelly, Mittman, Schwichtenberg, Walker. Nay: None. The Mayor declared the motion carried.

D. Ordinance No. 991 (2016/2017): An Ordinance Amending Chapter 55 of the Animal Code by adding Chapter 55A, Urban Chickens, third reading

Motion by Barb Mittman, seconded by Andrew Kelly, to **adopt Ordinance No. 991 (2016/2017)**. After due consideration and discussion the roll was called. Aye: Mittman,

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

- E. Ordinance No. 992 (2016/2017): An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the Nevada Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa, second reading

Motion by Brian Hanson, seconded by Barb Mittman, to **approve Ordinance No. 992 (2016/2017), second reading**. After due consideration and discussion the roll was called. Aye: Hanson, Mittman, Schwichtenberg, Walker, Barker, Kelly. Nay: None. The Mayor declared the motion carried.

7. NEW BUSINESS

- A. Resolution No. 021 (2016/2017): A Resolution obligating funds from the Urban Renewal Tax Revenue Fund for appropriation to the payment of annual appropriation tax increment financed obligations which shall come due in the next succeeding fiscal year which include: (Almaco, \$30,000); (NEDC-membership, \$65,000); (DuPont, \$575,368); Van Houweling, \$76,000); (R Friedrich & Sons, \$21,153)

Motion by Andrew Kelly, seconded by Jim Walker, to **adopt Resolution No. 021 (2016/2017)**. After due consideration and discussion the roll was called. Aye: Kelly, Walker, Barker, Hanson, Mittman, Schwichtenberg. Nay: None. The Mayor declared the motion carried.

- B. Resolution No. 022 (2016/2017): A Resolution approving Tax Increment Financing (TIF) indebtedness certification and directing the certification to be filed no later than December 1, 2016

Motion by Brett Barker, seconded by Jim Walker, to **adopt Resolution No. 022 (2016/2017)**. After due consideration and discussion the roll was called. Aye: Barker, Walker, Hanson, Kelly, Mittman, Schwichtenberg. Nay: None. The Mayor declared the motion carried.

- C. Resolution No. 023 (2016/2017): A Resolution accepting Public Improvements in South I Avenue Subdivision

Motion by Ray Schwichtenberg, seconded by Jim Walker, to **adopt Resolution No. 023 (2016/2017)**. After due consideration and discussion the roll was called. Aye: Schwichtenberg, Walker, Barker, Hanson, Kelly, Mittman. Nay: None. The Mayor declared the motion carried.

- D. Resolution No. 024 (2016/2017): A Resolution approving the agreement with Carsrud for the purchase of property

Motion by Brett Barker, seconded by Jim Walker, to **adopt Resolution No. 024 (2016/2017)**. After due consideration and discussion the roll was called. Aye: Barker, Walker, Hanson, Kelly, Mittman, Schwichtenberg. Nay: None. The Mayor declared the motion carried.

- E. Resolution No. 025 (2016/2017): A Resolution approving a 28E Agreement with Polk County for Mutual Assistance for Area Fire/Rescue Services

Motion by Jim Walker, seconded by Barb Mittman, to **adopt Resolution No. 025 (2016/2017)**. After due consideration and discussion the roll was called. Aye: Walker, Mittman, Schwichtenberg, Barker, Hanson, Kelly. Nay: None. The Mayor declared the motion carried.

- F. Resolution No. 026 (2016/2017): A Resolution Approving the City Administrator Employment Contract with Matthew Mardesen

Motion by Brian Hanson, seconded by Brett Barker, to **adopt Resolution No. 026 (2016/2017)**. After due consideration and discussion the roll was called. Aye: Hanson, Barker, Kelly, Mittman, Schwichtenberg, Walker. Nay: None. The Mayor declared the motion carried.

8. REPORTS:

Brett Barker reported the Wellness/Recreation Center Task Force will be preparing for meetings with the stakeholders after the holidays. Fill the Foyer meeting is being organized to prepare for the 2017 event. Barker requested staff send out to council the Memorandum of Understanding the Nevada Schools approved regarding a high school baseball field at SCORE Park.

Tim Hansen noted a request he received from the Boys/Girls Club to host their activity at Gates Hall at no charge. There are other events that would be affected by this request, but some could be shifted to different rooms. There will be more in depth discussions at a later date. The Quidditch tournament was well received.

Mike Neal relayed staff is preparing for winter. The water plant main has been repaired. It was a large cast feed in the air. Shawn Ludwig contracted with Story Construction to assist with the repairs.

Ric Martinez advised the vehicle that was involved in an accident in early November has been totaled. It will likely be replaced rather than the CSO vehicle that was planned for this fiscal year.

Kerin Wright reported the reports will be filed that were approved at the meeting. Department heads are turning in their budgets and those requests will be reviewed.

Larry Stevens noted they are working with staff on the upcoming street project. The bid letting will probably be pushed back to February.

9. CLOSED SESSION: Closed Session pursuant to Iowa Code Section 21.5 (1) (i) to evaluate the professional competency of an individual whose appointment, hiring, performance or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session.

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

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

10. Discussion and appropriate follow-up on Closed Session pursuant to Iowa Code Section 21.5 (1) (i) to evaluate the professional competency of an individual whose appointment, hiring, performance or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session.

Motion by Brian Hanson, seconded by Jim Walker, to **support the decision of the PSD Ric Martinez**. After due consideration and discussion the roll was called. Aye: Hanson, Walker, Barker, Kelly, Mittman, Schwichtenberg. Nay: None. The Mayor declared the motion carried.

11. ADJOURNMENT

There being no further business to come before the meeting, motion by Andrew Kelly, seconded by Ray Schwichtenberg, to **adjourn the meeting**. Following voice vote, the Mayor declared the motion carried at 8:35 p.m. the meeting adjourned.

Lynn Lathrop, Mayor

ATTEST:

Kerin Wright, City Clerk

Published: _____
Council Approved: _____