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NEVADA CITY COUNCIL - MONDAY, DECEMBER 12, 2016 6:05 P.M.

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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 6<sup>th</sup> Street, Nevada, Iowa. Mayor Lynn Lathrop, convened the meeting at 6:05 p.m. on Monday, December 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: Brett Barker, Brian Hanson, Andrew Kelly, Barb Mittman, Ray Schwichtenberg, Jim Walker. Absent: None.

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

Also in attendance were: Marlys Barker, Brandt Jelken, LaVon Schiltz, Al Kockler, Linda Dickerson, Don Dickerson, Jane Heintz, Charles Carsrud and Erika Peterson.

3. APPROVAL OF AGENDA

Motion by Brett Barker, seconded by Barb Mittman, to **approve the agenda**. After due consideration and discussion the roll was called. Aye: Barker, Mittman, Schwichtenberg, Walker, Hanson, Kelly. 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.)

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

- A. Approve Minutes of the Regular Meeting held on November 28, 2016
- B. Approve Payment of Cash Disbursements, including Check Numbers 66044-66110 and Electronic Payments 312-319 (Inclusive) Totaling \$448,900.07 (See attached list)
- C. Approve CIRTPA Representatives for Calendar Year 2017, Larry Stevens-Primary and Jeremy Huntsman-Alternate
- D. Approval of Garbage Licenses for 2017
  1. Arends Sanitation
  2. Chitty Garbage Service, Inc

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

5. PUBLIC FORUM

Mayor Lathrop proclaimed January as "Fill the Foyer" Month. Brett Barker noted the committee is reaching out to others in the community to assist in the effort.

6. OLD BUSINESS

A. 2015 Asphalt Project

1. Approve Pay Request No. 7 for the 2015 Asphalt Project from Manatt's in the amount of \$22,154.00

Motion by Andrew Kelly, seconded by Jim Walker, to **approve Pay Request No. 7 for the 2015 Asphalt Project from Manatt's in the amount of \$22,154.00.** After due consideration and discussion the roll was called. Aye: Kelly, Walker, Barker, Hanson, Mittman, Schwichtenberg. Nay: None. The Mayor declared the motion carried.

2. Approve Change Order No. 4 (decrease) in the amount of \$31,068.92

Motion by Ray Schwichtenberg, seconded by Brett Barker, to **approve Change Order No. 4 (decrease) in the amount of \$31,068.92.** After due consideration and discussion the roll was called. Aye: Schwichtenberg, Barker, Hanson, Kelly, Mittman, Walker. Nay: None. The Mayor declared the motion carried.

3. Resolution No. 027 (2016/2017): A Resolution approving Substantial Completion of the 2015 Asphalt Project and authorizing the release of retainage after 30 days

Motion by Barb Mittman, seconded by Jim Walker, to **adopt Resolution No. 027 (2016/2017).** After due consideration and discussion the roll was called. Aye: Mittman, Walker, Barker, Hanson, Kelly, Schwichtenberg. Nay: None. The Mayor declared the motion carried.

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

Motion by Ray Schwichtenberg, seconded by Brian Hanson, to **adopt Ordinance No. 992 (2016/2017), third/final reading.** 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. Discussion and Appropriate Follow Up regarding Additional Time to remove Pillars at Lake Shore Drive

Motion by Brian Hanson, seconded by Ray Schwichtenberg, to **approve an extension to allow Runge/Krupp until January 31, 2017 to remove all of the pillars.** After due consideration and discussion the roll was called. Aye: Hanson, Schwichtenberg, Walker, Barker, Kelly, Mittman. Nay: None. The Mayor declared the motion carried.

- D. Resolution No. 028 (2016/2017): A Resolution waiving City's subdivision requirement for the Carsrud parcel

Motion by Brian Hanson, seconded by Barb Mittman, to **adopt Resolution No. 028 (2016/2017).** After due consideration and discussion the roll was called. Aye: Hanson, Mittman, Schwichtenberg, Walker, Barker, Kelly. Nay: None. The Mayor declared the motion carried.

- E. Resolution No. 029 (2016/2017): A Resolution approving final plans, specifications and bid documents for the FY2017 Emerald Ash Borer Plan and sets bid date and authorize notice to bidders

Motion by Ray Schwichtenberg, seconded by Brett Barker, to **adopt Resolution No. 029 (2016/2017)**. After due consideration and discussion the roll was called. Aye: Schwichtenberg, Barker, Hanson, Kelly, Mittman, Walker. Nay: None. The Mayor declared the motion carried.

## 7. NEW BUSINESS

- A. Approve Purchase of Patrol Car for Public Safety Department

Motion by Brett Barker, seconded by Ray Schwichtenberg, to **approve the purchase from Stivers Ford of Vehicle Option #3 for \$26,255.00 that is on the lot.** After due consideration and discussion the roll was called. Aye: Barker, Schwichtenberg, Walker, Hanson, Kelly, Mittman. Nay: None. The Mayor declared the motion carried.

- B. Discussion and Appropriate Follow Up-DuPont Rebate Payments FY15 (#1) & FY16 (#2)

Motion by Ray Schwichtenberg, seconded by Brian Hanson, to **approve Rebate Payments to DuPont with FY16 #2 Payment made immediately and FY15 #1 Payment made by March 15<sup>th</sup> as long as the DuPont Amended Development Agreement has been executed by all parties.** 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. Discussion and Appropriate Follow Up Request to waive portion of utility bill by Donald and Linda Dickerson

Motion by Ray Schwichtenberg, seconded by Brian Hanson, to **approve a Credit of \$309.66 to the wastewater charge on Donald and Linda Dickerson. Also allow them to make \$50.00 payments on the remaining bill over the next twelve months.** After due consideration and discussion the roll was called. Aye: Schwichtenberg, Hanson, Mittman, Walker, Barker. Nay: None. Abstain: Kelly. The Mayor declared the motion carried.

- D. Discussion and Appropriate Follow Up on the request from the Boys and Girls Club using Gates Hall

No action of the council was taken at this time. A committee comprised of Andy Kelly, Jim Walker, Lynn Lathrop and Tim Hansen will meet to discuss the issue.

- E. Resolution No. 030 (2016/2017): A Resolution approving the Pedestrian Bridge Purchase Agreement

Motion by Brett Barker, seconded by Jim Walker, to **adopt Resolution No. 030 (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.

- F. Resolution No. 031 (2016/2017): A Resolution approving the Final Plat of Huhn Agricultural Subdivision, Third Addition – A Plat within the City’s Two Mile Corporate Limits

Motion by Brian Hanson, seconded by Andrew Kelly, to **adopt Resolution No. 031 (2016/2017)**. After due consideration and discussion the roll was called. Aye: Hanson, Kelly, Mittman, Schwichtenberg, Walker, Barker. Nay: None. The Mayor declared the motion carried.

8. REPORTS (Mayor/Council/Department Heads)

Brett Barker updated the council on the NEDC meeting. LaVon Schiltz also gave a brief update.

Kerin Wright reported on the Budget Workshop and some of the new updates that were given there. Wright is working with the Development Committee to finish up the Development Agreements. She will be meeting with Department Heads Thursday and Friday to review their budgets. The next Council Budget Committee is slated for Monday, January 23<sup>rd</sup> at 5:00 p.m., before the regular council meeting.

Larry Stevens advised there is a Public Information meeting scheduled for Thursday, December 15<sup>th</sup> from 5:30 to 7:30 p.m. held at City Hall. This will be an informational meeting for residents near the upcoming 2017 Streets Projects.

9. ADJOURNMENT

There being no further business to come before the meeting, motion by Ray Schwichtenberg, seconded by Jim Walker, to **adjourn the meeting**. Following voice vote, the Mayor declared the motion carried at 7:40 p.m. the meeting adjourned.

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Lynn Lathrop, Mayor

ATTEST:

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Kerin Wright, City Clerk

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