
NEVADA CITY COUNCIL - MONDAY, JANUARY 9, 2017 6:00 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 6:00 p.m. on Monday, January 9, 2017, 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: Matt Mardesen, Erin Clanton, Larry Stevens, Kerin Wright, Ric Martinez, Beth Williams, Tim Hansen, Shawn Cole, Mike Neal, Shanna Speer

Also in attendance were: Marlys Barker, Rebecca Funke, Hank Zaletel, Chad Bauman, Robb Morgan, Brandt Jelken, Marc Olson, Jane Heintz and Jeff Cayler.

3. APPROVAL OF AGENDA

Motion by Jim Walker, seconded by Ray Schwichtenberg, to **approve the agenda**. After due consideration and discussion the roll was called. Aye: Walker, Schwichtenberg, 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.)

Motion by Brian Hanson, seconded by Barb Mittman, to **approve the following consent agenda items after removing Check No. 66215 from the claims list for separate consideration:**

- A. Approve Minutes of the Regular Meeting held on December 12, 2016
- B. Approve Payment of Cash Disbursements, including Check Numbers 66111-66270 and EFT Numbers 320-328 (Inclusive) Totaling \$1,193,239.23 (See attached list)
- C. Approve Financial Reports for Month of November, 2016
- D. Approve Renewal of Class "B" Wine Permit, Class "C" Beer Permit and Class "E" Liquor License for Fareway Stores, Inc., d/b/a Fareway Store #426, 1505 South B Avenue, Effective March 1, 2017
- E. Resolution No. 032 (2016/2017): A Resolution Naming Depositories and Reviewing Maximum Balances
- F. Approval of Garbage Licenses
 1. Pratt Sanitation
 2. Waste Management

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

Motion by Andrew Kelly, seconded by Jim Walker, to **approve consent agenda item Check No. 66215 to V & H Construction removed for separate consideration.** After due consideration and discussion the roll was called. Aye: Kelly, Walker, Barker, Mittman, Schwichtenberg. Nay: None. Abstain: Hanson. The Mayor declared the motion carried.

5. PUBLIC FORUM

The Nevada Public Library provided their annual report to the Council.

6. OLD BUSINESS

A. Resolution No. 033 (2016/2017): A Resolution approving final Emerald Ash Borer Plan and awarding the project and authorize execution of the contract

Motion by Ray Schwichtenberg, seconded by Brett Barker, to **adopt Resolution No. 033 (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. Resolution No. 034 (2016/2017): A Resolution appointing a representative to the Story County Economic Development Group (LaVon Schiltz, representative and Matt Mardesen, Alternate)

Motion by Andrew Kelly, seconded by Jim Walker, to **adopt Resolution No. 034 (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. 035 (2016/2017): A Resolution to provide for a notice of hearing on proposed plans, specifications, form of contract and estimate of cost for the 2017 CIP Street Improvements Project, and the taking of bids therefore

Motion by Brian Hanson, seconded by Barb Mittman, to **adopt Resolution No. 035 (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.

C. Resolution No. 036 (2016/2017): A Resolution Setting a Date of Meeting at which it is Proposed to Approve a Development Agreement with ROSK Development, LLC, Including Annual Appropriation Tax Increment Payments

Motion by Ray Schwichtenberg, seconded by Jim Walker, to **adopt Resolution No. 036 (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. Approve Sump Pump Reimbursement for 1316 M Avenue for \$700.00

Motion by Brett Barker, seconded by Jim Walker, to **approve the Sump Pump Reimbursement for 1316 M Avenue for \$700.00**. After due consideration and discussion the roll was called. Aye: Barker, Walker, Hanson, Mittman, Schwichtenberg. Nay: None. Abstain: Andrew Kelly. The Mayor declared the motion carried.

8. REPORTS:

Matt Mardesen:

- Attended Rotary
- Attended the Nevada Seniors Potluck at the Senior Community Building
- Mardesen is reviewing the budget documents

Beth Williams reported there were 241 Audio Books and 268 Ebooks checked out in 2016. This is an increase from the previous year.

Tim Hansen informed council the Boys/Girls Club is not losing their space at the high school yet. He felt they should take a step back and research the issue before moving forward. Staff is preparing for spring programs and activities.

Shawn Cole advised he is attending training on Thursday and Friday. Wednesday he will be interviewing for an intern.

Mike Neal noted the street department is again at full staff. He attended the Story County Conservation meeting last month. Neal was asked about the street plows. He advised they are working well.

Ric Martinez advised the fire station remodel is progressing. Volunteers are assisting with the renovation. Martinez noted they had been asked to attend the Story County Board of Supervisors meeting and update the supervisors on stover issue. Brian Hanson asked Martinez to relay his appreciation to the staff when they responded to his personal incident.

Kerin Wright reported she is working on the Budget paperwork. Wright is also working with the state auditor's office to finalize the FY2016 Audit Report. It is hoped to have it available by the end of February.

Larry Stevens informed council the plans for 2017 Streets Project are complete. Bids will be open in early February. March will be the bid date for the Asphalt Project. Staff will also be reviewing the Lift station by Gates Hall.

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 **and** 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 Andrew Kelly, seconded by Ray Schwichtenberg, to **GO INTO CLOSED SESSION**. After due consideration and discussion the roll was called. Aye: Kelly, Schwichtenberg, Walker, Hanson, Barker, Mittman. Nay: None. The Mayor declared the motion carried.

Motion by Ray Schwichtenberg, seconded by Brett Barker, to **GO OUT OF CLOSED SESSION**. After due consideration and discussion the roll was called. Aye: Schwichtenberg, Barker, Hanson, Kelly, Mittman, Walker. 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. 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.

No Action of the Council was taken.

11. ADJOURNMENT

There being no further business to come before the meeting, motion by Andrew Kelly, seconded by Jim Walker, to **adjourn the meeting**. Following voice vote, the Mayor declared the motion carried at 8:30 p.m. the meeting adjourned.

Lynn Lathrop, Mayor

ATTEST:

Kerin Wright, City Clerk

Published: _____

Council Approved: _____