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NEVADA CITY COUNCIL - MONDAY, JUNE 12, 2017 6:00 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 6:00 p.m. on Monday, June 12, 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, Andrew Kelly, Barb Mittman, Ray Schwichtenberg, Jim Walker. Absent: Brian Hanson.

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

Also in attendance were: Marlys Barker, Jane Heintz, Al Kockler, Josephine Kelly and Lynn Scarlett.

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

- A. Approve Minutes of the Regular Meeting held on May 22, 2017
- B. Approve Payment of Cash Disbursements, including Check Numbers 66980-67114 and Electronic Numbers 368-379 (Inclusive) Totaling \$7,607,123.24 (See attached list)
- C. Approve Renewal of Special Class "C" Liquor License (BW) and Sunday Sales for Time Out Entertainment, 1117 6<sup>th</sup> Street, Effective June 21, 2017
- D. Schedule Public Hearing for Fiscal Year 2017 Budget Amendment #2, June 26, 2017 and Authorize Publication on June 15, 2017
- E. Approve Fiscal Year 2017/2018 Retail Cigarette/Tobacco Permits for:
  1. Fareway Store, #426, 1505 South B Avenue
  2. Cooks Grocery, 1116 Lincoln Highway
  3. Casey's General Store #2306, 1138 Lincoln Highway
  4. Casey's General Store #3319, 1800 South B Avenue
  5. Good & Quick Co, 519 Lincoln Highway
  6. Kum & Go #396, 136 Lincoln Highway
  7. Kum & Go #533, 731 Lincoln Highway
  8. Dollar General Store #1536, 1705 South B Avenue
- F. Approve Tax Abatement
  1. Permit #BP2017-0008, 1010 South I Avenue (Single Family Attached)

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

5. PUBLIC FORUM

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

6. MAYOR'S APPOINTMENTS:

- A. Board of Adjustment, ReAppoint Dianna Haley, 5 year term ending 6/30/2022
- B. Senior Community Center Board, Appoint Merry Cordes, 5 year term ending 6/30/2022
- C. Public Library Board, ReAppoint Adam Riedell and Appoint Luke Spence, 6 year terms ending 6/30/2023
- D. Park & Recreation Board, ReAppoint Justin Gross, 5 year term ending 6/30/2022
- E. Historic Preservation Commission, ReAppoint Linda Wright and Dianna Haley, 3 year terms ending 6/30/2020

Motion by Brett Barker, seconded by Jim Walker, to **approve Mayor Appointments/Reappointments for the following boards: Board of Adjustment, Senior Community Center, Library, Park and Recreation and Historic Preservation Commission.** After due consideration and discussion the roll was called. Aye: Barker, Walker, Kelly, Mittman, Schwichtenberg. Nay: None. The Mayor declared the motion carried.

7. OLD BUSINESS

- A. 2017 Sidewalk Program, Zone 9
  - 1. Bids Received from:
    - a. Milam Concrete \$26,655
  - 2. Resolution No. 057 (2016/2017): A Resolution awarding Contract for the 2017 Sidewalk Repair Program installation to Milam Concrete in the amount of \$26,655

Motion by Barb Mittman, seconded by Brett Barker, to **adopt Resolution No. 057 (2016/2017).** After due consideration and discussion the roll was called. Aye: Mittman, Barker, Kelly, Schwichtenberg, Walker. Nay: None. The Mayor declared the motion carried.

- B. 2017 CIP Streets Project, Con-Struct Inc.
  - 1. Approve Change Order No. 3 in the amount of \$36,772.21

Motion by Barb Mittman, seconded by Jim Walker, to **approve Change Order No. 3 for the 2017 CIP Streets Project by Con-Struct Inc. in the amount of \$36,772.21.** After due consideration and discussion the roll was called. Aye: Mittman, Walker, Kelly, Schwichtenberg, Barker. Nay: None. The Mayor declared the motion carried.

- 2. Approve Change Order No. 4 in the amount of \$31,541.20

Motion by Ray Schwichtenberg, seconded by Jim Walker, to **approve Change Order No. 4 for the 2017 CIP Streets Project by Con-Struct Inc., in the amount of \$31,541.20.** After due consideration and discussion the roll was called. Aye:

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

3. Approve Pay Request No. 2 in the amount of \$609,516.50

Motion by Ray Schwichtenberg, seconded by Andrew Kelly, to **approve Pay Request No. 2 for the 2017 CIP Streets Project by Con-Struct Inc., in the amount of \$609,516.50.** After due consideration and discussion the roll was called. Aye: Schwichtenberg, Kelly, Mittman, Walker, Barker. Nay: None. The Mayor declared the motion carried.

C. Resolution No. 058 (2016/2017): A Resolution Accepting Warranty Deed from Willie and Donna See, and Authorizing the City Clerk to Issue Payment Therefore

Motion by Andrew Kelly, seconded by Ray Schwichtenberg, to **adopting Resolution No. 058 (2016/2017).** After due consideration and discussion the roll was called. Aye: Kelly, Schwichtenberg, Walker, Barker, Mittman. Nay: None. The Mayor declared the motion carried.

8. NEW BUSINESS

A. Approve of Sale of Nevada Public Safety, Community Resource Officer Vehicle

Motion by Jim Walker, seconded by Andrew Kelly, to **approve the Sale of Nevada Public Safety Community Resource Officer Vehicle to V&H Ag System for the amount of \$1,516.00.** After due consideration and discussion the roll was called. Aye: Walker, Kelly, Mittman, Schwichtenberg, Barker. Nay: None. The Mayor declared the motion carried.

B. Resolution No. 059 (2016/2017): A Resolution approving the amendment to the City of Nevada Fee Appendix to the City Code

Motion by Ray Schwichtenberg, seconded by Brett Barker, to **adopt Resolution No. 059 (2016/2017).** After due consideration and discussion the roll was called. Aye: Schwichtenberg, Barker, Kelly, Mittman, Walker. Nay: None. The Mayor declared the motion carried.

C. Resolution No. 060 (2016/2017): A Resolution accepting Permanent Public Water Easement and Temporary Construction Easement from Gregory G and Carol J Madsen

Motion by Andrew Kelly, seconded by Jim Walker, to **adopt Resolution No. 060 (2016/2017).** After due consideration and discussion the roll was called. Aye: Kelly, Walker, Barker, Mittman, Schwichtenberg. Nay: None. The Mayor declared the motion carried.

D. Approve Request from Lincoln Highway Days to place banner on City Hall Campus Fence

Motion by Brett Barker, seconded by Ray Schwichtenberg, to **approve the Request from Lincoln Highway Days to place a banner on the City Hall Campus Fence.** After due consideration and discussion the roll was called. Aye: Barker, Schwichtenberg, Walker, Kelly, Mittman. Nay: None. The Mayor declared the motion carried.

- E. Approve Nevada Hardware Invoice #016978/1 in the amount of \$482.50 for Water Heater at Water Plant, services by Andy Kelly

Motion by Jim Walker, seconded by Barb Mittman, to **approve the Nevada Hardware Invoice #016978/1 in the amount of \$482.50 for Services provided by Andrew Kelly.** After due consideration and discussion the roll was called. Aye: Walker, Mittman, Schwichtenberg, Barker. Abstain: Kelly. Nay: None. The Mayor declared the motion carried.

## 9. REPORTS:

City Administrator Mardesen:

- A joint City/School meeting was held on June 5<sup>th</sup>. Discussion was held regarding the rec center, SCORE park and Gates Hall. Mardesen will meet with Dr. Gray on June 19<sup>th</sup> for further discussions.
- Mardesen met with Jim Frevert in regards to South Glen Subdivision.
- The City has received the IAMU mock OSHA report. Staff is already implementing some of the recommendations.
- The Iowa DOT has US30/580<sup>th</sup> interchange scheduled for 2022.
- Mardesen spoke with the Iowa DOT regarding the detour signage for 6<sup>th</sup> Street and no changes were recommended.

Council Member Kelly reported on the CIWA Board meeting that was attended by two council members and other staff. All were in agreement that there was a verbal agreement on the table that evening. Al Kockler reported he is concerned that CIWA is backing out. It was the consensus that evening the new subdivision residents might have to pay a higher fee for water than the rest of the city.

Library Director Williams reported they have approximately 20 in the Tween Group. Staff has seven Summer Specials slated with different times. The Library Board is still in the hiring process with no one hired before her last day. Williams noted this would be her last council meeting. The Mayor and Council thanked her for her years of service.

Planning/Zoning Administrator Cole advised projects were going well. He updated the council on the closings and that E Avenue (East/West) had been opened up. Discussion was held on when downtown could be completed. Jane Heintz relayed that a workshop she attended on downtown improvements recommended starting several years ahead of construction with business owners to discuss how service could be provided during the construction phase.

Public Works Director Neal noted the water department truck has been returned. Westwood has been patched. HR Green will be looking at costs to add this street to the project for crack/seat.

Director of Fire/EMS Reynolds relayed he has received two complaints regarding fireworks and two requests to sell in the city limits. There has also been one in the county but in the city fire district. He is working with the county to arrange for inspection at this site as well. Underwriters Laboratory has set dates for the testing of Stover Bales. The Fire Department is anxious to learn from this valuable information. Reynolds also informed council three major accidents were close together causing a lot of sirens.

Public Safety Director Martinez reported staff is investigating the accident at the firing range and comparing standards between other ranges. An incident at a firing range rarely happens.

City Clerk Wright noted Community Band will begin playing at the City Hall Campus on June 13<sup>th</sup>. They have also scheduled June 20<sup>th</sup>, 27<sup>th</sup>, and July 4<sup>th</sup> after the parade. YSS is also hosting a Summer Learning Event at the CHC on July 11<sup>th</sup>. Staff has also received an inquiry about a wedding held at the CHC. Wright also advised if anyone was interested in the Certified Elected Municipal Official certification to let her know.

City Engineer Stevens reported they are working on the sewer and water crossing at Indian Creek at 8<sup>th</sup> Street. Permits have been submitted to the DNR in order to cross the creek. Staff is also reviewing the trails for needed repairs. A construction meeting is being planned for the 2017 Asphalt Project for June 26<sup>th</sup>. It will likely begin late summer or early fall. Stevens will have estimates for Westwood at the next meeting.

City Attorney Clanton will finish up the transactions for the See property.

#### 10. ADJOURNMENT

There being no further business to come before the meeting, motion by Brett Barker, seconded by Barb Mittman, to **adjourn the meeting**. Following voice vote, the Mayor declared the motion carried at 6:55 p.m. the meeting adjourned.

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Lynn Lathrop, Mayor

ATTEST:

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Kerin Wright, City Clerk

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