
NEVADA CITY COUNCIL - MONDAY, SEPTEMBER 25, 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, September 25, 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, Ray Reynolds, Shanna Speer, Tim Hansen, and Mike Neal

Also in attendance were: Marlys Barker, Karen Selby, Kary Christiansen, Al Kockler, Lynn Scarlett, Luke Spence, Jeff Badger, Stephanie Badger, Evie Petersen, Kim Wright, Caleb Badger, Joshua Badger, Grace Badger, Mel Prouty, Dane Neilson, Mike Fritz, Dave Kockler and Laura Bell.

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. 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 September 11, 2017
- B. Approve Payment of Cash Disbursements, including Check Numbers 67711, 67712, 67715-67820 and Electronic Numbers 407-409 (Inclusive) Totaling \$758,499.84 (See attached list)
- C. Approve Stephanie Badger as a Probationary Member of the Nevada Fire/EMS as an Emergency Medical Technician

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

5. PUBLIC FORUM

- A. Mayor Lathrop swore in Stephanie Badger as Probationary Emergency Medical Technician for the Nevada Fire/EMS Department

- B. Mayor Lathrop signed a Proclamation for September as National Recovery Month. Laura Bell of YSS spoke to the council regarding the services they provide for recovery.
- C. Good Neighbor, Mike Fritz, thanked the council for their support over the years and how that support has helped others.
- D. Al Kockler advised council a portion of the approach to his apartment building on I Avenue was damaged by the street project. He would like reimbursed for a portion of the costs. Council referred the issue back to staff to research.
- E. Kary Christiansen relayed to council her frustration with notification of the project on Westwood Drive. They widened their driveway and now part of it will have to be taken out. City Administrator Mardesen apologized and noted for future projects notification will go out right away.

6. OLD BUSINESS

- A. Ordinance No. 995 (2017/2018): An Ordinance amending Chapter 41.13 (Fireworks)

Motion by Barb Mittman, seconded by Brett Barker, to **adopt Ordinance No. 995 (2017/2018), first reading**. After due consideration and discussion the roll was called. Aye: Mittman, Barker, Hanson, Kelly, Schwichtenberg. Nay: None. The Mayor declared the motion carried.

- B. Approve Change Order No. 12 for the 2017 CIP Street Improvements Project from Construct, Inc in the amount of \$24,601.84

Motion by Andrew Kelly, seconded by Jim Walker, to **approve Change Order No. 12 for the 2017 CIP Street Improvement Project from Construct in the amount of \$24,601.84**. After due consideration and discussion the roll was called. Aye: Kelly, Walker, Barker, Hanson, Mittman, Schwichtenberg. Nay: None. The Mayor declared the motion carried.

- C. Approve Nevada Hardware Check in the amount of \$1,426.00, which includes Invoice #018700 (\$167.50), work performed by Andy Kelly

Motion by Jim Walker, seconded by Brett Barker, to **approve the Nevada Hardware Check in the amount of \$1,426 which includes Invoice #018700 (\$167.50), work performed by Andy Kelly**. After due consideration and discussion the roll was called. Aye: Walker, Barker, Hanson, Mittman, Schwichtenberg, Walker. Nay: None. Abstain: Kelly. The Mayor declared the motion carried.

- D. Approve Amendment to HR Green Master Agreement for design of the Intersection Improvements for Lincoln Highway and W. 18th Street, not to exceed \$140,000

Motion by Brian Hanson, seconded by Ray Schwichtenberg, to **approve the Amendment to HR Green Master Agreement for design of the Intersection Improvements for Lincoln Highway and W. 18th Street, not to exceed \$140,000**. After due consideration and discussion the roll was called. Aye: Hanson, Schwichtenberg, Walker, Barker, Kelly, Mittman. Nay: None. The Mayor declared the motion carried.

7. NEW BUSINESS

- A. Approve Request for a permanent Flag Deposit Box on sidewalk by the American Legion

Motion by Brian Hanson, seconded by Jim Walker, to **approve the Request from the American Legion to Temporarily attach the Flag Deposit Box on the sidewalk and instruct staff to prepare an easement to allow for permanent placement.** After due consideration and discussion the roll was called. Aye: Hanson, Walker, Barker, Kelly, Mittman, Schwichtenberg. Nay: None. The Mayor declared the motion carried.

- B. Resolution No. 018 (2017/2018): A Resolution to provide for a notice on proposed plans, specifications, form of contract and estimate of cost for the 2017 Footing Drain Collector Line Improvements Project, and the taking of bids therefore

Motion by Andrew Kelly, seconded by Ray Schwichtenberg, to **adopt Resolution No. 018 (2017/2018).** After due consideration and discussion the roll was called. Aye: Kelly, Schwichtenberg, Walker, Barker Hanson, Mittman. Nay: None. The Mayor declared the motion carried.

- C. Resolution No. 019 (2017/2018): A Resolution approving the Purchase Agreement with Ruth Gabrielson for the purchase of land and authorizing the City Administrator and City Clerk to complete the transaction.

Motion by Barb Mittman, seconded by Ray Schwichtenberg, to **adopt Resolution No. 019 (2017/2018).** After due consideration and discussion the roll was called. Aye: Mittman, Schwichtenberg, Walker, Barker, Hanson, Kelly. Nay: None. The Mayor declared the motion carried.

- D. Ordinance No. 996 (2017/2018): An Ordinance amending Chapter 69.14 (Snow Emergency)

Motion by Brian Hanson, seconded by Brett Barker, to **adopt Ordinance No. 996 (2017/2018), first reading.** After due consideration and discussion the roll was called. Aye: Hanson, Barker, Kelly, Mittman, Schwichtenberg, Walker. Nay: None. The Mayor declared the motion carried.

- E. Approve "New" Class E Liquor License Permit, Class B Native Wine and Sunday Sales Privileges for Sixth Street Big Discount Liquor and Tobacco, 1105 6th Street, Suite 101

Motion by Andrew Kelly, seconded by Brian Hanson, to **approve the New Class E Liquor License Permit, Class B Native Wine and Sunday Sales Privileges for Sixth Street Big Discount Liquor and Tobacco, 1105 6th Street, Suite 101.** After due consideration and discussion the roll was called. Aye: Kelly, Hanson, Mittman, Schwichtenberg, Walker, Barker. Nay: None. The Mayor declared the motion carried.

- F. Approve Twelve Sets of Fire Turnout Gear for the Nevada Fire Department

Motion by Ray Schwichtenberg, seconded by Brian Hanson, to **approve Staff Recommendation for purchase of Twelve Sets of Fire Viking Turnout Gear from Alex Air for a cost of \$22,728.** After due consideration and discussion the roll was

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

8. REPORTS:

City Administrator Mardesen:

- The Nevada Vision 2020 Capstone Plan committee will be giving presentations in the next few weeks to get the information out to the public. A joint meeting between the school and city will be held on Monday, October 23rd at Gates Hall to allow additional public input.
- He will be attending Leadership Nevada on October 12th.
- Staff is reviewing health insurance renewal options and will be meeting with employees.
- Nevada has made the final two in the Iowa League of Cities All Star Choice Award. The winner will be announced at the league conference on Thursday.

Council Member Barker felt the public meeting for the Vision 2020 Capstone Plan was beneficial. The school will be preparing a website to disperse information regarding the plan. He is also meeting with groups to gain more input.

Council Member Schwichtenberg advised staff that South I and South 12th don't seem to be draining correctly. Afraid of ice buildup this winter.

Director of Fire/EMS Reynolds reported they are preparing for the concrete work at the fire station.

Library Director Speer noted they are waiting on the background checks and hope to offer the Library Director Assistant position soon. She has been working on community outreach and programming.

Parks and Recreation Director Hansen relayed the aquatics slide restoration company began repairs today. Parks are being sprayed this week and staff is planning fall/winter programming.

Public Works Director Neal reported staff has repaired 3rd and I Avenue misaligned tile. Issues at the wastewater plant have kept staff busy. Dennis Pratt resigned from the streets department.

City Clerk Wright noted staff is working on audit paperwork, health insurance renewal and preparing for budget worksheets to be distributed.

City Engineer Stevens advised the storm drain project has a finish date of June 1, 2018 of next year. The asphalt work at the cemetery has been completed. The design for Lincoln Highway and W 18th Street are being completed. Plans should be ready for December with a March letting.

9. **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.

At 7:25 p.m. Motion by Brett Barker, seconded by Ray Schwichtenberg, to **Go INTO Closed Session**. After due consideration and discussion the roll was called. Aye: Barker, Schwichtenberg, Walker, Hanson, Kelly, Mittman. Nay: None. The Mayor declared the motion carried.

At 7:30 p.m. Motion by Brian Hanson, seconded by Jim Walker, to **Go OUT of Closed Session**. After due consideration and discussion the roll was called. Aye: Hanson, Walker, Barker, Kelly, Mittman, Schwichtenberg. Nay: None. The Mayor declared the motion carried.

10. Discussion and appropriate follow-up on 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 after the Closed Session.

11. ADJOURNMENT

There being no further business to come before the meeting, motion by Ray Schwichtenberg, seconded by Barb Mittman, to **adjourn the meeting**. Following voice vote, the Mayor declared the motion carried at 7:36 p.m. the meeting adjourned.

Lynn Lathrop, Mayor

ATTEST:

Kerin Wright, City Clerk

Published: _____

Council Approved: _____