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NEVADA CITY COUNCIL - MONDAY, NOVEMBER 13, 2017 6:08 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 6:08 p.m. on Monday, November 13, 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: Brian Hanson, Jim Walker, Ray Schwichtenberg, Barb Mittman. Absent: Brett Barker, Andrew Kelly.

Staff Present: Matt Mardesen, Erin Clanton, Larry Stevens, Kerin Wright, Ric Martinez, Ray Reynolds, Shawn Cole, Tim Hansen, Mike Neal, Tracy Frerk and Jon Welch.

Also in attendance were: Marlys Barker, Tim Hadley, Jason Sampson, Dane Neelson, Luke Spence, Kindra Jones, Barry Jones, David Morris, Sabrina Jensen, James Tucker and Kurt Friedrich.

3. APPROVAL OF AGENDA

Motion by Brian Hanson, seconded by Ray Schwichtenberg, to **approve the agenda**. After due consideration and discussion the roll was called. Aye: Hanson, Schwichtenberg, Walker, 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 Jim Walker, seconded by Barb Mittman, to **approve the following consent agenda items:**

- A. Approve Minutes of the Regular Meeting held on October 23, 2017
- B. Approve Payment of Cash Disbursements, including Check Numbers 67993-68111 and Electronic Numbers 420-427 (Inclusive) Totaling \$843,838.49 (See attached list)
- C. Approve Financial Reports for Month of September, 2017
- D. Approve Renewal of Class C Beer Permit, Class B Native Wine Permit and Sunday Sales Privileges for Casey's General Store #2306, 1138 Lincolnway, Effective January 4, 2018
- E. Accept and File Urban Renewal Report for FY16/17
- F. Accept and File Annual Financial Report for FY16/17
- G. Approve Tracy Frerk and John Welch as probationary members of the Nevada Fire and EMS

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

5. MAYOR'S APPOINTMENTS

- A. Mayor's Appointment of David F. Morris to the Historic Preservation Commission to replace the resignation of Alison Boelman, term expires 6/30/2018

Motion by Ray Schwichtenberg, seconded by Jim Walker, to approve Mayor's appointment of David F. Morris to the Historic Preservation Commission, term expires 6/30/2018. After due consideration and discussion the roll was called. Aye: Schwichtenberg, Walker, Mittman, Hanson. Nay: None. The Mayor declared the motion carried.

## 6. PUBLIC FORUM

- A. Mayor Lathrop swore in Tracy Frerk and Jon Welch as probationary members of the Nevada Fire and EMS Department

## 7. OLD BUSINESS

- A. Pay Request No. 3 for the 2017 Asphalt Project from Manatt's in the amount of \$395,318.75

Motion by Brian Hanson, seconded by Jim Walker, to **approve Pay Request No. 3, 2017 Asphalt Project from Manatt's in the amount of \$395,318.75.** After due consideration and discussion the roll was called. Aye: Hanson, Walker, Mittman, Schwichtenberg. Nay: None. The Mayor declared the motion carried.

- B. Indian Ridge, Plat 6

1. Resolution 025 (2017/2018): A Resolution to Approve the Final Plat of Indian Ridge Plat 6

Motion by Ray Schwichtenberg, seconded by Jim Walker, to **adopt Resolution No. 025 (2017/2018).** After due consideration and discussion the roll was called. Aye: Schwichtenberg, Walker, Mittman, Hanson. Nay: None. The Mayor declared the motion carried.

2. Resolution 026 (2017/2018): A Resolution to Approve the Public Improvements for Indian Ridge, Plat 6

Motion by Barb Mittman, seconded by Jim Walker, to **adopt Resolution No. 026 (2017/2018).** After due consideration and discussion the roll was called. Aye: Mittman, Walker, Hanson, Schwichtenberg. Nay: None. The Mayor declared the motion carried.

3. Ordinance No. 997 (2017/2018): An Ordinance Amending Chapter 69, Parking Regulations to Establish No Parking Zones in Indian Ridge Plat 6

Motion by Ray Schwichtenberg, seconded by Brian Hanson, to **adopt Ordinance No. 997 (2017/2018), first reading.** After due consideration and discussion the roll was called. Aye: Schwichtenberg, Hanson, Walker, Mittman. Nay: None. The Mayor declared the motion carried.

- C. 2017 Sidewalk Project, Milam Concrete & Construction

1. Approve Change Order No. 1 in the deduction amount of (\$3,395.00)

Motion by Jim Walker, seconded by Ray Schwichtenberg, to **approve Change Order No. 1, deduction for the 2017 Sidewalk Project by Milam Concrete in the amount of (\$3,395.00)**. After due consideration and discussion the roll was called. Aye: Walker, Schwichtenberg, Mittman, Hanson. Nay: None. The Mayor declared the motion carried.

2. Approve Pay Request No. 3 in the amount of \$8,426.50

Motion by Brian Hanson, seconded by Ray Schwichtenberg, to **approve Pay Request No. 3 for the 2017 Sidewalk Project from Milam Concrete in the amount of \$8,426.50**. After due consideration and discussion the roll was called. Aye: Hanson, Schwichtenberg, Walker, Mittman. Nay: None. The Mayor declared the motion carried.

3. Resolution No.027 (2017/2018): A Resolution approving 2017 Sidewalk Project Substantially complete, releasing retainage in 30 days

Motion by Jim Walker, seconded by Brian Hanson, to **adopt Resolution No. 027 (2017/2018)**. After due consideration and discussion the roll was called. Aye: Walker, Hanson, Schwichtenberg, Mittman. Nay: None. The Mayor declared the motion carried.

4. Resolution No. 028 (2017/2018): A Resolution adopting a Final Assessment Schedule for the 2017 Sidewalk Project and levying Assessments

Motion by Ray Schwichtenberg, seconded by Barb Mittman, to **adopt Resolution No. 028 (2017/2018)**. After due consideration and discussion the roll was called. Aye: Schwichtenberg, Mittman, Walker, Hanson. Nay: None. The Mayor declared the motion carried.

D. 2017 CIP Street Improvement Project, Con-Struct

1. Approve Change Order No. 13 in the amount of \$15,702.67

Motion by Brian Hanson, seconded by Ray Schwichtenberg, to **approve Change Order No. 13 for the 2017 CIP Street Improvement Project from Construct in the amount of \$15,702.67**. After due consideration and discussion the roll was called. Aye: Hanson, Schwichtenberg, Walker, Mittman. Nay: None. The Mayor declared the motion carried.

2. Approve Change Order No. 14 in the amount of \$ 3,850.34

Motion by Jim Walker, seconded by Barb Mittman, to **approve Change Order No. 14 for the 2017 CIP Street Improvement Project from Construct in the amount of \$3,850.34**. After due consideration and discussion the roll was called. Aye: Walker, Mittman, Hanson, Schwichtenberg. Nay: None. The Mayor declared the motion carried.

3. Approve Change Order No. 15 in the amount of \$27,423.94

Motion by Ray Schwichtenberg, seconded by Jim Walker, to **approve Change Order No. 15 for the 2017 CIP Street Improvement Project from Construct in the amount of \$27,423.94.** After due consideration and discussion the roll was called. Aye: Schwichtenberg, Walker, Mittman, Hanson. Nay: None. The Mayor declared the motion carried.

4. Approve Change Order No. 16 in the amount of \$17,834.75

Motion by Barb Mittman, seconded by Jim Walker, to **approve Change Order No. 16 for the 2017 CIP Street Improvement Project from Construct in the amount of \$17,834.75.** After due consideration and discussion the roll was called. Aye: Mittman, Walker, Hanson, Schwichtenberg. Nay: None. The Mayor declared the motion carried.

5. Approve Change Order No. 17 in the amount of \$20,000.00

Motion by Jim Walker, seconded by Ray Schwichtenberg, to **approve Change Order No. 17 for the 2017 CIP Street Improvement Project from Construct in the amount of \$20,000.00.** After due consideration and discussion the roll was called. Aye: Walker, Schwichtenberg, Hanson, Mittman. Nay: None. The Mayor declared the motion carried.

6. Approve Pay Request No. 7 in the amount of \$366,029.81

Motion by Brian Hanson, seconded by Ray Schwichtenberg, to **approve Pay Request No. 7 for the 2017 CIP Street Improvement Project from Construct in the amount of \$366,029.81.** After due consideration and discussion the roll was called. Aye: Hanson, Schwichtenberg, Walker, Mittman. Nay: None. The Mayor declared the motion carried.

## 8. NEW BUSINESS

- A. Request to purchase City Property at East end (dead end) of S Avenue by Kindra & Barry Jones

Motion by Brian Hanson, seconded by Barb Mittman, to **approve the request to consider vacating City Property at the East end of S Avenue and referring it to the Planning and Zoning Commission.** After due consideration and discussion the roll was called. Aye: Hanson, Mittman, Schwichtenberg, Walker. Nay: None. The Mayor declared the motion carried.

- B. 2018 Wellness Program

After due consideration and discussion it was the consensus of the council to approve the 2018 Wellness Program.

- C. Switch to High Speed Internet through Mediacom

Motion by Jim Walker, seconded by Brian Hanson, to **approve Switching Internet providers to Mediacom, hosting our own email server and connecting other departments.** After due consideration and discussion the roll was called. Aye: Walker,

Hanson, Schwichtenberg, Mittman. Nay: None. The Mayor declared the motion carried.

D. Approve Bid for Accessible Ramp at the Cemetery Sexton Building

Motion by Ray Schwichtenberg, seconded by Jim Walker, to **approve the Bid from Cary Martin Construction for the Accessible Ramp at the Cemetery Sexton Building in the amount of \$7,500.00.** After due consideration and discussion the roll was called. Aye: Schwichtenberg, Walker, Hanson, Mittman. Nay: None. The Mayor declared the motion carried.

E. 2018 City of Nevada/Soccer Club Agreement

Motion by Jim Walker, seconded by Ray Schwichtenberg, to **approve the 2018 City of Nevada/Soccer Club Agreement.** After due consideration and discussion the roll was called. Aye: Walker, Schwichtenberg, Mittman, Hanson. Nay: None. The Mayor declared the motion carried.

F. Nevada Senior Citizens Agreement for use of the Nevada Senior Community Center

Motion by Ray Schwichtenberg, seconded by Barb Mittman, to **approve the Nevada Senior Citizens Agreement for the use of the Senior Community Center.** After due consideration and discussion the roll was called. Aye: Schwichtenberg, Mittman, Walker, Hanson. Nay: None. The Mayor declared the motion carried.

G. Ordinance No. 998 (2017/2018): An Ordinance Adding a New Section to Chapter 69 with Regard to Passenger Loading and Unloading Zones

Motion by Jim Walker, seconded by Barb Mittman, to **approve first reading of Ordinance No. 998 (2017/2018).** After due consideration and discussion the roll was called. Aye: Walker, Mittman, Schwichtenberg, Hanson. Nay: None. The Mayor declared the motion carried.

H. Discussion and Appropriate Follow-up on City Commitment to a portion of the Nevada Vision 2020 Capstone Project, Baseball Field

Motion by Ray Schwichtenberg, seconded by Jim Walker, to **approve the estimated \$35,000 architecture and engineering services for the concession stand for the Nevada High School Baseball Field.** After due consideration and discussion the roll was called. Aye: Schwichtenberg, Walker, Mittman, Hanson. Nay: None. The Mayor declared the motion carried.

I. Discussion and Appropriate Follow-up on Council Vacancy

Motion by Barb Mittman, seconded by Brian Hanson, to **approve the Proposed Timeline for Filling the Vacancy of Council Member At-Large by Appointment and forming a Council Committee to review applications. Directing staff to prepare a resolution for Intent to Appoint at the next council meeting.** After due consideration and discussion the roll was called. Aye: Mittman, Hanson, Schwichtenberg, Walker. Nay: None. The Mayor declared the motion carried.

## 9. REPORTS:

City Administrator Mardesen:

- Attended the ICMA Conference in Texas last month. One item he would like to address is how we communicate with citizens. Facebook and Twitter continue to be the best resource in communication.
- Mardesen reported on the DuPont closing.
- The City hosted Leadership Nevada on November 2<sup>nd</sup>. Thank you to all who participated in this event.
- On December 11<sup>th</sup> at 5:00 p.m. a reception is scheduled for outgoing council members and mayor. During the council meeting the incoming council members will be sworn in that evening.

Mayor Lathrop relayed he attended Leadership Nevada at City Hall.

Director of Fire/EMS Reynolds informed Council that Nevada is hosting an Ultra High Pressure Fire Class on November 17<sup>th</sup> and 18<sup>th</sup>. This is new way of fighting fires.

Planning and Zoning Administrator Cole updated council on projects.

Park and Recreation Director Hansen reported staff is wrapping up outside projects. Council was invited to help serve at the Senior Luncheon next Tuesday, the 21<sup>st</sup>.

Public Works Director Neal noted staff is finishing outside projects. They are hanging Christmas decorations this week because of the nice weather. Interviews are scheduled for tomorrow for the street departments two openings.

Public Safety Director Martinez advised Council Sergeant Schmidt will be leaving Nevada after the first of the year. The recruits at the Academy are doing well and scheduled for graduation on December 20<sup>th</sup>.

City Clerk Wright advised with the Annual Financial Report and Urban Renewal Report approved tonight the TIF Certification and Annual Appropriations are left to do at the last meeting in November. The Ad Hoc Committee will meet Friday to hear presentations from the Service groups.

City Engineer Stevens noted they are continuing to work on Lincoln Highway and W. 18<sup>th</sup> Street Project. There is a public meeting scheduled for Wednesday, November 15<sup>th</sup> to answer any questions. There will be several steps that are needed for this project. The current projects are ninety percent complete and should be completed the week after Thanksgiving. A pre-construction meeting with Keller Construction is scheduled for Thursday the 16<sup>th</sup> to begin the process for the Footing Drain Collector Project.

City Attorney Clanton reported labor negotiations will begin Wednesday, November 15<sup>th</sup>.

## 10. ADJOURNMENT

There being no further business to come before the meeting, motion by Brian Hanson, seconded by Ray Schwichtenberg, to **adjourn the meeting**. Following voice vote, the Mayor declared the motion carried at 8:30 p.m. the meeting adjourned.

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Lynn Lathrop, Mayor

ATTEST:

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Kerin Wright, City Clerk

Published: \_\_\_\_\_

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