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NEVADA CITY COUNCIL - MONDAY, DECEMBER 11, 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, December 11, 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: Barker, Hanson, Kelly, Mittman, Schwichtenberg, Walker. Absent: None.

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

Also in attendance were: Marlys Barker, Jason Sampson, Phil Page, Jane Heintz, Luke Spence, Stephanie Spence, Sandy Spence, Karen Wilder, Lynn Wilder, Beth Wagner, Mike Wagner, Kelli Buttermore, Alex Buttermore, Al Kockler, Liz Welder, Stephanie Badger, Jeff Badger, Caleb Badger and Dane Nealson.

3. APPROVAL OF AGENDA

Motion by Jim Walker, seconded by Andrew Kelly, to **approve the agenda**. After due consideration and discussion the roll was called. Aye: Walker, Kelly, Mittman, Schwichtenberg, Barker, Hanson. 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 November 27, 2017
- B. Approve Payment of Cash Disbursements, including Check Numbers 68198-68281 and Electronic Numbers 433-434 (Inclusive) Totaling \$193,504.66 (See attached list)
- C. Approve Renewal of Class "C" Liquor License and Sunday Sales Privileges for MiCasta., 1115 6<sup>th</sup> St, Effective December 15, 2017
- D. Approve Charge Account Agreement with Fareway
- E. Approve Resolution No. 035 (2017/2018): A Resolution approving transfers for capital projects and bond proceeds
- F. Approve Tax Abatements:
  - Permit #BP2017-0003, 1926 5<sup>th</sup> Street
  - Permit #BP2017-0008, 1010 South I Avenue
  - Permit #BP2017-0033, 1936 6<sup>th</sup> Street
  - Permit #BP2017-0038, 303 J Avenue
  - Permit Suntken, Merle, 723 18<sup>th</sup> Street
- G. Approval of Garbage Licenses for 2018
  1. Arends Sanitation

2. Chitty Garbage Service, Inc
3. Pratt Sanitation
4. Waste Management

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 Newly Elected Mayor and Council Members Brett Barker, Brian Hanson, Luke Spence and Dane Neelson
- B. Mayor Lathrop Proclaimed January to be Fill the Foyer at City Hall

## 6. OLD BUSINESS

- A. Ordinance No. 997 (2017/2018): An Ordinance Amending Chapter 69 (Parking Regulations), Establishing No Parking Zones in Indian Ridge, Plat 6 (third reading)

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

- B. 2017 CIP Street Improvement Project, Con-Struct, Inc.

1. Approve Change Order No. 18 in the amount of \$6,581.98

Motion by Ray Schwichtenberg, seconded by Jim Walker, to **approve Change Order No. 18 for the 2017 CIP Street Improvement Project from Con-Struct, Inc. in the amount of \$6,581.98.** After due consideration and discussion the roll was called. Aye: Schwichtenberg, Walker, Barker, Hanson, Kelly, Mittman. Nay: None. The Mayor declared the motion carried.

2. Approve Change Order No. 19 in the amount of \$1,830.13

Motion by Ray Schwichtenberg, seconded by Brett Barker, to **approve Change Order No. 19 for the 2017 CIP Street Improvement Project from Con-Struct, Inc in the amount of \$1,830.13.** 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. Approve Pay Request No. 8 in the amount of \$166,428.79

Motion by Ray Schwichtenberg, seconded by Brian Hanson, to **approve Pay Request No. 8 for the 2017 CIP Street Improvement Project from Con-Struct, Inc in the amount of \$166,428.79.** 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. 2017 Asphalt Project, Manatt's

1. Change Order No. 2, in the amount of \$75,261.50

Motion by Jim Walker, seconded by Andrew Kelly, to **approve Change Order No. 2 for the 2017 Asphalt Project from Manatt's in the amount of 75,261.50.** After due consideration and discussion the roll was called. Aye: Walker, Kelly, Schwichtenberg, Hanson, Barker, Mittman. Nay: None. The Mayor declared the motion carried.

2. Approve Pay Request No. 4 for the 2017 Asphalt Project from Manatt's in the amount of \$106,289.80

Motion by Brett Barker, seconded by Jim Walker, to **approve Pay Request No. 4 for the 2017 Asphalt Project from Manatt's in the amount of \$106,289.80.** After due consideration and discussion the roll was called. Aye: Barker, Walker, Hanson, Kelly, Mittman, Schwichtenberg. Nay: None. The Mayor declared the motion carried.

3. Resolution No. 036 (2017/2018): A Resolution accepting the 2017 Asphalt Project as Substantially Complete and releasing retainage in 30 days

Motion by Brian Hanson, seconded by Jim Walker, to **adopt Resolution No. 036 (2017/2018).** After due consideration and discussion the roll was called. Aye: Hanson, Walker, Barker, Kelly, Mittman, Schwichtenberg. Nay: None. The Mayor declared the motion carried.

- D. Resolution No. 038 (2017/2018): A Resolution accepting Warranty Deed from Ruth Gabrielson a/k/a W. Ruth Gabrielson and Authorizing Payment

Motion by Barb Mittman, seconded by Jim Walker, to **adopt Resolution No. 038 (2017/2018).** After due consideration and discussion the roll was called. Aye: Mittman, Walker, Schwichtenberg, Barker, Hanson, Kelly. Nay: None. The Mayor declared the motion carried.

## 7. NEW BUSINESS

- A. Approve Nevada Hardware Invoice #22850/1, in the amount of \$82.99 for water meter change out

Motion by Ray Schwichtenberg, seconded by Brian Hanson, to **approve the Nevada Hardware Invoice #22850/1 in the amount of \$82.99 for water meter change out.** After due consideration and discussion the roll was called. Aye: Schwichtenberg, Hanson, Kelly, Mittman, Walker, Barker. Nay: None. The Mayor declared the motion carried.

## 8. REPORTS (City Administrator/Mayor/Council/Department Heads)

City Administrator Mardesen:

- Mardesen met with Dr. Gray on Tuesday to discuss the baseball field at SCORE.
- Chip Schultz will be here tomorrow to do some stress testing on financial options for the Rec Center. A memo will be generated by the end of the year to show the projections. The Urban Renewal Area will also be amended in January for the project.

- The Budget Workshop was attended by Barker and Mardesen. The rollback, Economic Development and Nuisance Abatement strategies were discussed.
- Monday, December 4<sup>th</sup> staff held a meeting to discuss detour routes for the upcoming Lincoln Highway and W. 18<sup>th</sup> Street intersection project.
- Union negotiations have been tentatively agreed. They will be presented to council when finalized.

Mayor Lathrop attended the Human Services committee last Friday.

Council Member Mittman inquired if the public had been notified of the new fireworks discharge dates. Director of Fire/EMS Reynolds noted he was not aware of anyone selling in the city. Staff will put information on the website.

Director of Fire/EMS Reynolds noted the fire department raised donations for the Food Bank. They also received good feedback from the High Pressure Summit that was held November 17<sup>th</sup> and 18<sup>th</sup>. He relayed that Leadership Nevada is working on a “Nevada Nice Campaign”. The fire department has been tuck pointed.

Public Works Director Neal advised there are two new employees in the street department. They are now at full staff and the equipment is ready for the season.

Planning and Zoning Administrator Cole reported P&Z will be having a meeting January 2, 2018 to review setbacks and the sale of city property. He also noted the projects are wrapping up.

City Clerk Wright reminded council to watch for the claims list on December 20<sup>th</sup>.

City Engineer Stevens noted the final plans for Lincoln Highway and W. 18<sup>th</sup> Street will be completed next week.

City Attorney Clanton relayed negotiations are completed.

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.

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

Motion by Brett Barker, seconded by Brian Hanson, to **Go OUT of Closed Session**. After due consideration and discussion the roll was called. Aye: Barker, Hanson, Kelly, Mittman, Schwichtenberg, 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.

A. Approval of Salary Adjustment for City Administrator

Motion by Brian Hanson, seconded by Brett Barker, to **approve a salary adjustment for the City Administrator as recommended by the review committee of 4.75%, from \$ 42.50/hour to \$ 44.5193/hour effective the payroll including January 1, 2018.** After due consideration and discussion the roll was called. Aye: Hanson, Barker, Kelly, Mittman, Schwichtenberg, Walker. Nay: None. The Mayor declared the motion carried.

11. ADJOURNMENT

There being no further business to come before the meeting, motion by Ray Schwichtenberg, seconded by Brett Barker, to **adjourn the meeting.** Following voice vote, the Mayor declared the motion carried at 7:00 p.m. the meeting adjourned.

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Lynn Lathrop, Mayor

ATTEST:

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Kerin Wright, City Clerk

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