
NEVADA CITY COUNCIL - MONDAY, AUGUST 13, 2018 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 Brett Barker, convened the meeting at 6:00 p.m. on Monday, August 13, 2018, 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: Jim Walker, Luke Spence, Jason Sampson, Dane Neelson, Barb Mittman, Brian Hanson. Absent: None.

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

Also in attendance were: John Hall, Virginia Johnson, Chadrick Johnson and Karen Selby.

3. APPROVAL OF AGENDA

Motion by Jim Walker, seconded by Barb Mittman, to **approve the agenda**. After due consideration and discussion the roll was called. Aye: Walker, Mittman, Neelson, Sampson, Spence, Walker. Nay: None. The Mayor declared the motion carried.

4. PUBLIC HEARING

A. Public Hearing, Natural Gas Franchise Agreement, Chapter 110

At 6:02 p.m. Mayor Barker announced that this is the time and place set for a **public hearing** as advertised in the Nevada Journal on **July 26, 2018**. The public hearing is **for the adoption of a Natural Gas Franchise Agreement, Chapter 110, with Interstate Power and Light Company.**

There were **no written or oral objections** to the aforementioned recommendation

With no further comments for or against the proposal, the Mayor declared the hearing terminated at 6:02 p.m.

B. Public Hearing, Electric Franchise Agreement, Chapter 111

At 6:02 p.m. Mayor Barker announced that this is the time and place set for a **public hearing** as advertised in the Nevada Journal on **July 26, 2018**. The public hearing is **for the adoption of a Electric Franchise Agreement, Chapter 111, with Interstate Power and Light Company.**

There were **no written or oral objections** to the aforementioned recommendation

With no further comments for or against the proposal, the Mayor declared the hearing terminated at 6:03 p.m.

C. Public Hearing, Vacation of City Property, North 27 Feet of South D Avenue, between S 11th Street and S 14th Street

At 6:03 p.m. Mayor Barker announced that this is the time and place set for a **public hearing** as advertised in the Nevada Journal on **July 26, 2018**. The public hearing is **for the Vacating of City Property on South D Avenue.**

There were **no written or oral objections** to the aforementioned recommendation

With no further comments for or against the proposal, the Mayor declared the hearing terminated at 6:04 p.m.

1. Resolution No. 005 (2018/2019): A Resolution to Vacate and Convey a portion of the north 27 Feet of South D Avenue, which lies between S 11th Street and S 14th Street, in the City of Nevada, Iowa

Motion by Brian Hanson, seconded by Jason Sampson, to **adopt Resolution No. 005 (2018/2019)**. After due consideration and discussion the roll was called. Aye: Hanson, Sampson, Spence, Walker, Mittman, Nealson. Nay: None. The Mayor declared the motion carried.

D. Public Hearing, Vacating Alley, North 165 Feet in BLK 18 of Burris Addition, north of N Avenue between 3rd and 4th Street

At 6:04 p.m. Mayor Barker announced that this is the time and place set for a **public hearing** as advertised in the Nevada Journal on **July 26, 2018**. The public hearing is **for the Vacating Alley in BLK 18 of Burris Addition, North 165 Feet.**

There were **no written or oral objections** to the aforementioned recommendation

With no further comments for or against the proposal, the Mayor declared the hearing terminated at 6:05 p.m.

1. Resolution No. 006 (2018/2019): A Resolution to Vacate and Convey the north 165 Feet of the Alley in BLK 18 of Burris Addition, north of N Avenue between 3rd and 4th Street, in the City of Nevada, Iowa. Motion by Dane Nealson, seconded by Luke Spence, to **adopt Resolution No. 006 (2018/2019)**. After due consideration and discussion the roll was called. Aye: Nealson, Spence, Walker, Hanson, Mittman, Sampson. Nay: None. The Mayor declared the motion carried.

5. Approval of CONSENT AGENDA (Any item on the Consent Agenda may be removed for separate consideration.)

Motion by Barb Mittman, seconded by Luke Spence, to **approve the following consent agenda items after removing Item D & E for separate consideration:**

- A. Approve Minutes of the Regular Meeting held on July 23, 2018
- B. Approve Payment of Cash Disbursements, including Check Numbers 69656-69779 and Electronic Numbers 519-522 (Inclusive) Totaling \$391,690.94 (See attached list)
- C. Approve Financial Reports for month of July, 2018

- ~~D. Approve Class "LC" Liquor License and Sunday Sales Permit for Charles Schadt d/b/a/ George's Pizza, 1220 6th Street, Effective August 22, 2018~~
- ~~E. Approve New Outdoor Service Area Permit for Charles Schadt d/b/a/ George's Pizza, 1220 6th Street, Effective on August 25, 2018~~
- F. Resolution No. 007 (2018/2019): A Resolution approving Year End Transfers for FY2017/2018 #2
- G. Approve Tax Abatement:
1. #BP2018-0075, 526 Q Avenue (single family attached)
 2. #BP2018-0076, 524 Q Avenue (single family attached)
 3. #BP2018-0086, 915 G Avenue (unattached garage)
 4. #BP2018-0088, 219 Hogan (unattached garage)

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

Motion by Brian Hanson, seconded by Dane Nealson, to **approve consent agenda item No. D, George's Pizza Liquor License Renewal, removed for separate consideration.** After due consideration and discussion the roll was called. Aye: Hanson, Nealson, Sampson, Spence, Walker, Mittman. Nay: None. The Mayor declared the motion carried.

Motion by Dane Nealson, seconded by Jason Sampson, to **approve consent agenda item No. E, George's Pizza-Outdoor Service Area-Liquor License, removed for separate consideration.** After due consideration and discussion the roll was called. Aye: Nealson, Sampson, Spence, Walker, Hanson, Mittman. Nay: None. The Mayor declared the motion carried.

6. MAYOR'S APPOINTMENT:

- A. Appointment to Library Board, David Morris-term expires 6/30/2021

Motion by Jim Walker, seconded by Luke Spence, to **approve the Mayor's Appointment of David Morris to the Library Board, term expires 6/30/2021.** After due consideration and discussion the roll was called. Aye: Walker, Spence, Hanson, Mittman, Nealson, Sampson. Nay: None. The Mayor declared the motion carried.

- B. Appointment to Historic Preservation Commission, John Hall – term expires 6/30/2021

Motion by Brian Hanson, seconded by Jim Walker, to **approve the Mayor's Appointment of John Hall to the Historic Preservation Commission, term expires 6/30/2021.** After due consideration and discussion the roll was called. Aye: Hanson, Walker, Mittman, Nealson, Sampson, Spence. Nay: None. The Mayor declared the motion carried.

7. PUBLIC FORUM

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

8. OLD BUSINESS

- A. Fire Station Pavement Project

1. Approve Pay Request No. 1 from Caliber Concrete LLC in the amount of \$59,307.66

Motion by Jim Walker, seconded by Dane Nealson, to **approve Pay Request No. 1 for the Fire Station Pavement Project from Caliber Concrete in the amount of \$59,307.66.** After due consideration and discussion the roll was called. Aye: Walker, Nealson, Sampson, Spence, Hanson, Mittman. Nay: None. The Mayor declared the motion carried.

2. Resolution No. 008 (2018/2019): A Resolution Accepting the Fire Station Pavement Project as Substantially Complete

Motion by Luke Spence, seconded by Barb Mittman, to **adopt Resolution No. 008 (2018/2019).** After due consideration and discussion the roll was called. Aye: Spence, Mittman, Nealson, Sampson, Walker, Hanson. Nay: None. The Mayor declared the motion carried.

- B. Approve Pay Request for the 2018 Trail Repair Project from Harrison Concrete Construction in the amount of \$15,973.68

Motion by Brian Hanson, seconded by Jim Walker, to **approve Pay Request No. 1 for the 2018 Trail Repair Project from Harrison Concrete Construction in the amount of \$15,973.68.** After due consideration and discussion the roll was called. Aye: Hanson, Walker, Mittman, Nealson, Sampson, Spence. Nay: None. The Mayor declared the motion carried.

9. NEW BUSINESS

- A. Approve Purchase of an Ultra High Pressure Conversion Unit for the Fire Department

Motion by Jim Walker, seconded by Luke Spence, to **approve the Purchase of an Ultra High Pressure Conversion Unit for the Fire Department from HMA-Deery Brothers at a cost of \$28,900.00.** After due consideration and discussion the roll was called. Aye: Walker, Spence, Hanson, Mittman, Nealson, Sampson. Nay: None. The Mayor declared the motion carried.

10. REPORTS:

City Administrator Mardesen reported:

- Staff met to discuss the DuPont Wastewater Treatment Agreement. The meter is reading that usage is still going through.
- Mardesen and Director of Fire/EMS Reynolds will be presenting at the Iowa League of Cities Conference on the Ultra High Pressure Units for Fire Departments.
- Assistant Public Works Director job has been posted. The timeline for hire is coming soon.

Council Member Spence gave an update on the Story County Drug Task Force meeting. Council Member Nealson noted the next coffee is scheduled for Saturday, August 18th at 10:30 a.m. at Starbucks. With the low recent turn out at the coffees it was suggested to only host one a month. Nealson also advised the video is getting close to being completed.

Director of Fire/EMS Reynolds thanked council for their support of the UHP Unit and invited them to a training Fire.

Planning and Zoning Supervisor Cole updated council on the sidewalk project. Cole was thanked for his part in Ragbrai. Comments were very good from the riders.

Library Director Speer advised there were new students and custodian at the library. Staff is planning new programs at the library. They are working with the school to get more youth involved.

Park and Rec Director Hansen noted staff is working on park projects and preparing for fall programs. The pool will be closing on Sunday and summer staff will be leaving.

Public Safety Director Martinez advised Josie Bailey is graduating from the Academy on Wednesday. They will begin the hiring process for two new candidates this week. Keeping volunteers on the fire department is a struggle. Staff is looking at ways to fill this gap.

City Clerk Wright reported the State Auditors will be starting on Monday. Staff is preparing what they need. The Street Finance Report is due September 30th and will be presented to council in the coming weeks.

City Engineer Stevens updated council on Lincoln Highway and W. 18th Street. At the pre-construction meeting it was discussed that work would begin within the next couple weeks. If the contractors did an aggressive shut down it might be quicker and safer. Message boards could be used on Lincoln Highway and Airport Road to alert drivers the road was closed ahead. Staff is also working on where utilities are and how to get into buildings to evaluate them for the Central Business District (CBD) Project.

City Attorney Clanton advised council recent legislation negates the City's ability to enforce the Sump Pump Ordinance. Staff will be looking at other ways to regulate hook ups.

Council Member Jim Walker left the meeting.

11. **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 Dane Nealson, seconded by Barb Mittman, to **go INTO Closed Session, pursuant to Iowa Code Section 21.5 (1) (i).** After due consideration and discussion the roll was called. Aye: Nealson, Mittman, Sampson, Spence, Hanson. Nay: None. The Mayor declared the motion carried.

Motion by Dane Nealson, seconded by Barb Mittman, to **go OUT of Closed Session, pursuant to Iowa Code Section 21.5 (1) (i).** After due consideration and discussion the roll was called. Aye: Nealson, Mittman, Sampson, Spence, Hanson. Nay: None. The Mayor declared the motion carried.

12. 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.

Motion by Dane Nealson, seconded by Brian Hanson, to **approve a salary of \$83,500 for the city clerk at the completion of her annual review.** After due consideration and discussion the roll was called. Aye: Nealson, Hanson, Mittman, Sampson, Spence. Nay: None. The Mayor declared the motion carried.

13. ADJOURNMENT

There being no further business to come before the meeting, motion by Barb Mittman, seconded by Luke Spence, to **adjourn the meeting.** Following voice vote, the Mayor declared the motion carried at 7:50 p.m. the meeting adjourned.

Brett Barker, Mayor

ATTEST:

Kerin Wright, City Clerk

Published: _____

Council Approved: _____