

AGENDA
REGULAR MEETING OF THE NEVADA CITY COUNCIL
MONDAY, APRIL 8, 2019 – 6:00 P.M.
NEVADA CITY HALL, COUNCIL CHAMBERS – 1209 6TH STREET

Notice to the Public: The Mayor and City Council welcome comments from the public during discussion on agenda items. If you wish to speak, please complete a card found on the podium near this agenda and hand it to the City Clerk before the meeting. When your name is called, please step to the podium, state your name and address for the record, and speak. The Mayor may limit each speaker to five minutes. If you wish to present written materials and/or a signed petition in addition to your oral presentation, those materials need to be delivered to the City Clerk by noon on the Wednesday prior to the meeting to be included in the Council packet. The normal process on any particular agenda item is that the motion is placed on the floor, input is received from the audience, the Council is given an opportunity to comment on the issue or respond to the audience concerns, and the vote is taken. On ordinances, there is time provided for public input when recognized by the Chair. In consideration of all, if you have a cell phone, please turn it off or put it on silent ring. The use of obscene and vulgar language, hate speech, racial slurs, slanderous comments, and any other disruptive behavior during the Council meeting will not be tolerated and the offender may be barred by the presiding officer from further comment before the Council during the meeting and/or removed from the meeting.

1. Call the Meeting to Order
2. Roll Call
3. Approval of the Agenda
4. Approval of CONSENT AGENDA (Any item on the Consent Agenda may be removed for separate consideration.)
 - A. Approve Minutes of the Regular Meeting held on March 25, 2019
 - B. Approve Payment of Cash Disbursements, including Check Numbers 71106-71174 and Electronic Numbers 603-608 (Inclusive) Totaling \$403,379.87 (See attached list)
 - C. Approve Renewal Class "C" Liquor License, Class "B" Native Wine, Sunday Sales and Catering Privilege Permit, Farmhouse Catering LC, d/b/a Gatherings, 1024 6th Street, Effective April 25, 2019
 - D. Schedule Public Hearing for Fiscal Year 2018/2019 Budget Amendment, #2, May 13, 2019 and Authorize Publication on April 25, 2019
 - E. Nevada Jaycees request to place a banner on the City Hall Campus Fence for their Annual Bike Ride, April 10th through May 4th
 - F. Approve Probationary Nevada Fire Department Members: Kyle Elliott, Chris Reindl, Ashten Arnaud and Corbin Jones
5. MAYOR'S APPOINTMENTS
 - A. Planning & Zoning Commission
 1. Appointment of Michelle Fullerton to replace Janese Milam, term expires 6/30/2024

2. Appointment of Matthew Runge to replace James Stevens, term expires 6/30/2021

B. Historic Preservation Commission

1. Appointment of Jon Augustus to replace Mitzi Alexander, term expires 6/30/2022

6. PUBLIC FORUM: Time set aside for comments from the public on topics of City business other than those listed on the agenda – no action may be taken. (Please keep your comments to five minutes or less.) This is an opportunity for members of the audience to bring to the Council's attention any item not listed on the agenda. Comments are limited to five (5) minutes per citizen, and the City will notify citizens when their time has expired. Speakers may not yield their times to others, and as a general rule this is not a time for exchange of questions. The Mayor has the authority to reduce the time allowed for comment in accordance with the number of persons present and signed up to speak.

A. Mayor Barker to swear in Probationary Nevada Fire Department Members: Kyle Elliott, Chris Reindl, Ashten Arnaud and Corbin Jones

7. OLD BUSINESS

A. Resolution No. 043 (2018/2019): A Resolution authorizing early partial redemption of General Obligation Urban Renewal Library Improvement and Refunding Bonds, Series 2012B

8. NEW BUSINESS

A. Approve Fire Department Installation of Commercial Washing/Extractor Machine

B. 2019 Sidewalk Project, Zone 11

1. Resolution No. 044 (2018/2019): A Preliminary Resolution pursuant to Section 384.42 of the Iowa Code covering Zone 11 of the Nevada Sidewalk Program
2. Schedule Public Hearing for Tuesday, May 28, 2019 at 6:00 p.m. and Authorize Publication of Notice

C. Approve bid for Installation of Playground Equipment at Mardean Park for the Park and Recreation department

D. Approve Change Order No. 19, for the Nevada Community School Baseball Field Project by installing Electrical Conduit Repair/Relocation for Tennis and Basketball Courts at SCORE

E. Resolution No. 045 (2018/2019): A Resolution Approving the Right-Of-Way Management Policy for Small Wireless Facilities within the rights-of-way in the City of Nevada, Iowa

9. REPORTS – City Administrator/Mayor/Council/Staff

10. ADJOURN

The agenda was posted on the official bulletin board on April 4, 2019, in compliance with the requirements of the open meetings law.

Posted _____

E-Mailed _____

W:\OFFICE\COUNCIL\AGENDAS-COUNCIL\2018-2019\2019-04-8.DOC

Council Packet Memo
April 8, 2019

5. MAYOR APPOINTMENTS

A. Planning & Zoning Commission

1. Appointment of Michelle Fullerton to replace Janese Milam, term expires 6/30/2024
2. Appointment of Matthew Runge to replace James Stevens, term expires 6/30/2021

Enclosed you shall find an updated Planning and Zoning Commission member list along with the applications of Michelle Fullerton and Matthew Runge.

B. Historic Preservation Commission

1. Appointment of Jon Augustus to replace Mitzi Alexander, term expires 6/30/2022

Enclosed you shall find an updated Historic Preservation Commission member list along with the application of Jon Augustus.

7. OLD BUSINESS

- A. Resolution No. 043 (2018/2019): A Resolution authorizing early partial redemption of General Obligation Urban Renewal Library Improvement and Refunding Bonds, Series 2012B

Enclosed you shall find Resolution No. 043 (2018/2019) authorizing early partial redemption of General Obligation Urban Renewal Library Improvement and Refunding Bonds, Series 2012B. The resolution was drafted by John Danos with Dorsey and Whitney, LLP for the purpose of paying down the outstanding principle of the bond early. The City of Nevada has been requesting extra TIF Revenues in preparation of paying off the City Hall debt early. This action allows the City of Nevada to save approximately \$93,500 in interest, therefore, it is the recommendation of City Administrator Mardesen to approve the Resolution No. 043 (2018/2019): authorizing early partial redemption of General Obligation Urban Renewal Library Improvement and Refunding Bonds, Series 2012B

8. NEW BUSINESS

- A. Approve Fire Department Installation of Commercial Washing/Extractor Machine

Enclosed you shall find an Action Form providing the historical background information and bids received for the fire department installation of the commercial gear washing/extractor machine.

- B. 2019 Sidewalk Project, Zone 11

1. Resolution No. 044 (2018/2019): A Preliminary Resolution pursuant to Section 384.42 of the Iowa Code covering Zone 11 of the Nevada Sidewalk Program
2. Schedule Public Hearing for Tuesday, May 28, 2019 at 6:00 p.m. and Authorize Publication of Notice

Enclosed you shall find Resolution No. 044 (2018/2019): A Preliminary Resolution pursuant to Section 384.42 of the Iowa Code covering Zone 11 of the Nevada Sidewalk Program. Area 11 consist of two sections within Nevada: Area 1 is Lincolnway to K Avenue from West 1st Street to 3rd Street. Area 2 is 10th Street to 11th Street from F Avenue to H Avenue. Also enclosed is the Notice to Property Owners and a map of each area identifying the squares that need replaced. Provided is a list of the affected property owners with the maximum estimated cost for repairs as it relates to the number of squares needing replaced. The final document is a timeline for the Zone 11 Sidewalk Program. The City of Nevada does budget

for the annual sidewalk improvement plan; therefore, it is the recommendation of City Administrator Mardesen to approve the Resolution No. 044 (2018/2019): authorizing Zone 11 of the Nevada Sidewalk Program and setting a public hearing for Tuesday, May 28, 2019 at 6:00 pm.

- C. Approve bid for Installation of Playground Equipment at Mardean Park for the Park and Recreation department

Enclosed you shall find an Action Form providing the historical background information and bids received for the Installation of Playground Equipment at Mardean Park.

- D. Approve Change Order No. 19, for the Nevada Community School Baseball Field Project by installing Electrical Conduit Repair/Relocation for Tennis and Basketball Courts at SCORE

Enclosed you shall find an Action Form providing the historical background information and bids received for Change Order No. 19, installing Electrical Conduit Repair/Relocation for Tennis and Basketball Courts at SCORE.

- E. Resolution No. 045 (2018/2019): A Resolution Approving the Right-Of-Way Management Policy for Small Wireless Facilities within the rights-of-way in the City of Nevada, Iowa

Enclosed you shall find Resolution No. 045 (2018/2019): approving the Right-Of-Way Management Policy for Small Wireless Facilities within the rights-of-way in the City of Nevada, Iowa. Also enclosed is a Right-of-Way Management Policy for Small Wireless Facilities that was drafted by Larry Stevens and others at HR Green.

Erin Clanton took part in a phone conference on April 2, 2019 in regards to this issue which caught many communities by surprise with the April 15, 2019 deadline for cities to have a policy or ordinance in place. Erin recommended that we get a policy in place for aesthetics purposes rather than being governed by the Federal regulations. Erin has been in communications with Larry Stevens, who sought assistance from other HR Green professionals who had been working on a policy for the City of Clive.

Enclosed are two emails relating to Small Wireless Facilities. 1. Erin Clanton sent me an email with some background information about the new FCC rules and about the upcoming conference call relating to the issue. 2. Larry Stevens sent me an email with some bullet points as to why we should have some type of policy in place for the right of way management for Small Wireless Facilities. There is a lot of information to review and discuss, but the philosophy being that by having a policy in place we can still have some local control and will be able to modify the policy as needed after the April 15th deadline.

In review of our options and the limited time to address this issue, it is the recommendation of City Administrator Mardesen to approve the Resolution No. 045 (2018/2019): approving the Right-Of-Way Management Policy for Small Wireless Facilities within the rights-of-way in the City of Nevada, Iowa.

NEVADA CITY COUNCIL - MONDAY, MARCH 25, 2019 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, March 25, 2019, 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, Barb Mittman, Dane Nealson, Jason Sampson, Luke Spence, Jim Walker. Absent: None.

Staff Present: Matt Mardesen, Erin Clanton, Brandon Mickelson, Kerin Wright, Ric Martinez, Tim Hansen, Shawn Cole, Trey Rouse and Shawn Ludwig.

Also in attendance were: Marlys Barker, Karen Selby, Judy Craven, Marty Chitty, Kalen Petersen, Anne Owens, Korin Kenealy and John Hall.

3. APPROVAL OF AGENDA

Motion by Dane Nealson, seconded by Luke Spence, to approve the agenda. After due consideration and discussion the roll was called. Aye: Nealson, Spence, Walker, Hanson, Mittman, Sampson. 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 Luke Spence, seconded by Jim Walker, to approve the following consent agenda items:

- A. Approve Minutes of the Regular Meeting held on March 11, 2019
- B. Approve Payment of Cash Disbursements, including Check Numbers 71043-71105 and Electronic Numbers 599-602 (Inclusive) Totaling \$197,332.94 (See attached list)
- C. Approve Renewal for Class "LE" Liquor License and Sunday Sales Privileges, White Oak Station LLC, DBA White Oak Station #82, 136 Lincoln Highway, Effective April 1, 2019
- D. Approve Renewal of Class "A" Liquor License and Sunday Sales Privileges, William F. Ball Post No. 48 American Legion d/b/a American Legion Post #48, 1331 6th Street, Effective March 30, 2019

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

5. PUBLIC FORUM

Mayor Barker read the Proclamation for National Volunteer Week April 7-13, 2019.

6. OLD BUSINESS

- A. Resolution No. 042 (2018/2019): A Resolution authorizing and approving a certain Loan Agreement, providing for the issuance of \$2,015,000 General Obligation Corporate Purpose Bonds, Series 2019 and providing for the levy of taxes to pay the same

Motion by Barb Mittman, seconded by Dane Nealson, to **adopt Resolution No. 042 (2018/2019)**. After due consideration and discussion the roll was called. Aye: Mittman, Nealson, Sampson, Spence, Walker, Hanson. Nay: None. The Mayor declared the motion carried.

7. NEW BUSINESS

- A. Approve Bid for Well #6 Rehab for the Water Department

Motion by Brian Hanson, seconded by Dane Nealson, to **approve Bid for Well #6 Rehab for the Water Department from Northway Well Co for \$13,250**. After due consideration and discussion the roll was called. Aye: Hanson, Nealson, Sampson, Spence, Walker, Mittman. Nay: None. The Mayor declared the motion carried.

- B. Approve Bid for Lagoon Dredging for the Water Department

Motion by Jason Sampson, seconded by Dane Nealson, to **approve the Bid for Lagoon Dredging for the Water Department from Wulfekuhle Injection in the amount of \$49,429**. After due consideration and discussion the roll was called. Aye: Sampson, Nealson, Spence, Walker, Hanson, Mittman. Nay: None. The Mayor declared the motion carried.

- C. Approve Amendment to HR Green Agreement for Municipal Engineering Services for W Avenue west of 11th Street (Connecting 10th Street and 11th Street) in an amount not to exceed \$34,700

Motion by Barb Mittman, seconded by Luke Spence, to **approve the Amendment to HR Green Agreement for Municipal Engineering Services for W Avenue west of 11th St in an amount not to exceed \$34,700**. After due consideration and discussion the roll was called. Aye: Mittman, Spence, Walker, Hanson, Nealson, Sampson. Nay: None. The Mayor declared the motion carried.

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

City Administrator reports:

- Met with Story City and Huxley City Administrators to discuss a unified proposal to request assistance from Story County Supervisors for all three cities with their submitted RISE Grants for FY2018/2019.
- March 14th attended the Ames Day at the Capital. The proposed Property Tax bill was discussed and how limiting the 2% cap growth could hurt cities and hinder growth.
- Attended IMMI Conference last week. Began the application process to become an ICMA Credentialed Manager.
- Staff is assessing the Bike Trail on S 8th Street, looking at options to repair or pave the trail. It took a beating this winter.

Mayor Barker advised he also attended the Ames Day at the Capital. A good reception was held for Verbio while at the Capital. The Capstone Committee met again. They are making a local 501(C)3 foundation for any local funding projects. There needs to be a broader scope for fundraising of all projects.

Council Member Nealson advised the next Community Coffee is scheduled for April 13th. The Steering Committee met for the Main Street Nevada. They are meeting twice a month. Council Member Sampson reported the Lincoln Highway Days Committee is still considering moving all events to the fairgrounds. Council Member Mittman noted the Substance Abuse event that was to be held on Wednesday, March 27th will be postponed. One of the Speakers was called out for a family emergency and is unavailable.

Planning and Zoning Administrator Cole reported the Sidewalk program is being prepared.

Water Supervisor Ludwig noted Northway is getting ready to begin their work.

Park and Rec Director Hansen relayed the petition that was received requesting Billy Sunday Field be used for the Jr High Ball games has been given to the Nevada Community School District.

City Clerk Wright reported the FY18 Audit is being finalized. The first meeting in April will set the hearing for the FY19 Budget Amendment #2.

City Engineer Mickelson advised the Plans for S D Avenue have been submitted to the DOT for their 30-day review. HR Green will be working on the design for W Avenue in hopes of bidding the two together for a better bid. Mid-April the Wastewater Facility plan should be completed.

Council Member Barb Mittman wanted the record to show the minutes from the February 25th meeting need amended by adding an "s" in the name of the City Hall green space. It should read "Lincoln-Jefferson Highways Heritage Park". If we could make sure when signs are ordered the "s" is on the Highways.

9. ADJOURNMENT

There being no further business to come before the meeting, motion by Dane Nealson, seconded by Jim Walker, to adjourn the meeting. Following voice vote, the Mayor declared the motion carried at 6:21 p.m. the meeting adjourned.

Brett Barker, Mayor

ATTEST:

Kerin Wright, City Clerk

Published: _____

Council Approved: _____

CITY OF NEVADA
CLAIMS REPORT FOR APRIL 8, 2019
3/26/19 THRU 4/8/19

VENDOR	REFERENCE	AMOUNT	CHECK #
ALLIANT	CH/STS/CD-UTILITIES	4,968.78	71106
NEVADA POSTMASTER	UTILITY BILLING POSTAGE	876.23	71107
STAPLES	WTR-SD CARD /INK CART	245.95	71108
WINDSTREAM	ALL-UTILITIES	1,975.18	71109
PRINCIPAL FIN GRP	ALL-LIFE INSURANCE	573.38	71110
IPERS	IPERS	48,445.03	603
TREASURER STATE OF IA	STATE TAXES	12,811.00	604
EFTPS	FED/FICA TAX	22,503.91	605
AMER'N FAMILY LIFE	AFLAC	4,339.92	71114
ICMA	DEFERRED COMP	620.00	71115
UNITED WAY	UNITED WAY	135.00	71116
COLLECTION SERVICES CENTER	CHILD SUPPORT	305.71	71117
WELLMARK	HEALTH 4/2019	25,530.83	71118
DELTA DENTAL OF IA	DENTAL 4/2019	1,186.26	71119
TREASURER STATE OF IA	SALES TAX 3/16-31/2019	923.36	607
TREASURER STATE OF IA	WTR EXCISE TAX 3/16-31/2019	17.50	608
GREAT WESTERN BANK	REC,BB/SB DISPUTED	7,807.89	606
BROWNS SUPPLY	STS-SUPPLIES	28.95	71120
FAREWAY	STS-SUPPLIES	22.97	71121
INDEPENDENT SALT	STS-SALT	7,863.54	71122
ALLIANT	ALL-UTILITIES	31,290.05	71123
NEVADA LUMBER CO	STS-LUMBER (MAPLE AVE)	34.81	71124
QUILL CORP	PD-PRINTING	61.70	71125
VAN WALL EQUIP	STS/PKM/WWT-JD TRCTR/LDR LEASE/SPPLS	1,934.38	71126
NEVADA POSTMASTER	WTR/WWT-1ST CLASS PRESORT	235.00	71127
CAPITAL SANITARY SUPPLY	PKM-SUPPLIES	1,139.76	71128
ARNOLD MOTOR SUPPLY	STS-SUPPLIES	97.18	71129
HACH CO	WTR-CHEMICALS	764.83	71130
LOWE'S	GH/PKM-CASTERS/SOCKET/EXTENSIONS	217.05	71131
STORY CO TREASURER	PD/WTR/WWT-DISPATCH QTR4 18/19	9,976.06	71132
STORY CO MEDICAL CENTER	LIB-EMP HEP B (MORTON)	260.50	71133
NEVADA CHAMBER OF COM	FD-REYNOLDS/F&A MALVEN MEALS	90.00	71134
MECHANICAL COMFORT	WTR-FURNACE RPR	288.11	71135
IA DOT	STS-BLADE GRADER/BOLTS/CURBGUARD/STRAP	509.64	71136
GOOD AND QUICK	FD/PD-OIL CHANGE	101.10	71137
MIDWEST WHEEL CO	FD-#410 WHEELS	1,118.44	71138
STOREY KENWORTHY	WTR-INK CARTRIDGE	36.48	71139
O'HALLORAN INTERNATIONAL	STS-VALVE RETURN/NEXIQ BLUE LINK	37.70	71140
CUMMINS CENTRAL POWER	WTR/WTR-PLANT#1 INPECTION/WELL#1 RPR	1,535.73	71141
TRUE PITCH	PKM-PITCHING RUBBER	558.00	71142
BSN/PASSONS/GSC SPORTS	REC-BB CAPS	3,419.50	71143
GALLS	PD-BROWN UNIFORM	680.00	71144
MIDIOWA NET	PKA/PKM/WWT-INTERNET	120.00	71145
HENDERSON TV & APPLIANCE	PKM-HOSES	12.00	71146

GREAT WESTERN BANK	POOL-PETTY CASH	900.00	71147
INTERSTATE BATTERY	GH-BATTERIES	256.20	71148
HR GREEN	ALL-ENGINEERING	63,650.55	71149
IA STATE TRUCKING	STS-COLD MIX	216.00	71150
GRIMES ASPHALT & PAVING	STS-COLD MIX	2,855.76	71151
BRICK GENTRY	ALL-LEGAL	5,355.00	71152
JAX OUTDOOR GEAR	REC-BB EQUIPMENT	2,883.70	71153
PORTABLE PRO	PKM-PORTABLE TOILET	75.00	71154
DEX MEDIA	GH-PHONE BOOK PUBLICATION	140.00	71155
JOHNSON CONTROLS	WTR-SECURITY	927.82	71156
A TEAM APPAREL	REC-SOCKS	2,380.53	71157
TRANS-IOWA EQPMNT	STS-EQUIPMENT/RPR	2,015.89	71158
G & L CLOTHING	STS-CLOTHING FORTSCH/PRATT	200.00	71159
MEDIACOM	ADM/PD/WTR/LIB-INTERNET	493.80	71160
NEVADA SENIORS	WTR/WWT-APRIL BILLS	225.00	71161
CIZMADIA, JOSH	PD-REIMB	481.61	71162
STEVE'S MOBILE MUSIC	REC-TOURNAMENT CONTRACT	400.00	71163
SHRED-IT	PD-SHREDDING	111.69	71164
FARMHOUSE CATERING	PD-TRAUMA INFORMED INVESTIGATE	516.00	71165
IOWA INTERACTIVE	WTR-PP RETURNS/FEEs	66.66	71166
RACOM CORP	EMS-BELT CLIP	33.00	71167
BOUND TREE MEDICAL	EMS-MEDICAL SUPPLIES	50.47	71168
CHOCOLATE STAM	PD-CHOCOLATES	437.85	71169
FIRE SERVICE TRNG BUREAU	FD-HUTTON TRNG	375.00	71170
CORE & MAIN	WTR-COUPINGS	1,043.12	71171
ADVANCE MARKING SYSTEMS	EMS-ACCOUNTABILITY BOARDS	78.95	71172
R&M FIRE APPARATUS	FD-#410 TANKER	55,000.00	71173
THE DAM FOOLS	FD-ELLIOTT/REYMAN/HUTTON/ARNAUD	525.00	71174
	TOTAL ACCOUNTS PAYABLE	337,394.01	
	PAYROLL CHECKS	65,985.86	
	***** PAID TOTAL *****	403,379.87	
	GENERAL	147,514.55	
	ROAD USE TAX	49,039.14	
	LOCAL OPTIN SALES TAX	13,647.09	
	NORTH STORY BASEBALL	6,491.49	
	PARK OPEN SPACE	624.08	
	2019 SOUTH D AVE PAVING	20,191.33	
	CBD DOWNTOWN IMPR	19,835.37	
	2017 STS/WT/SE/STRM PROJ	2,263.00	
	LINC HWY-W 18TH ST INTSCT	2,033.53	
	WATER	35,830.09	
	SEWER	34,565.80	
	SEWER CAP IMP PROJECT	16,343.00	
	STORM WATER	1.40	
	REVOLVING FUND	55,000.00	
	***** PAID TOTAL *****	403,379.87	

GREAT WESTERN PURCHASING "P" CARD TRANSACTIONS
PRESENTED AT COUNCIL MEETING 04/08/2019 WITH CLAIMS LIST

<u>Tran Date</u>	<u>Merchant Name</u>	<u>Description</u>	<u>Amount</u>	<u>Invoice #</u>	<u>ACCOUNT</u>
2/25/2019	LittleLeagueStore	REC, North Story BB	299.99	3511182	174-470-6599
2/25/2019	Iowa Park & Recreation	POOL, CEU Workshop	150.00	20190225	001-435-6240
3/8/2019	Epic Sports	REC, BB/SB (DISPUTED, Have not rec'd)	1,802.10	3977426	001-477-6599
3/8/2019	JustBats.com	REC, BB/SB	699.93	5307588	001-470-6599
3/11/2019	Furman Aquatic Center	POOL, Rental fees	135.00	10082896	001-435-6240
3/14/2019	Walmart Ames	PKA, Program advertising	49.45	3661	001-430-6599
3/17/2019	Amazon	PKA, Advertising	30.97	112-8905877-2857061	001-430-6599
3/19/2019	GIH Global Industrial Equipment	GH, Utility scoop	80.97	15230021	001-460-6599
3/20/2019	GIH Global Industrial Equipment	GH, Utility caddy	48.6	15230021	001-460-6599
3/21/2019	USA Blue Book	WWT, Electrode/Cap kit	389.94	118961	610-816-6392
2/26/2019	Iowa League of Cities	CA, IMMI	350.00	16382	600-814-6240
3/6/2019	Ames Chamber of Commerce	CA, Chamber event	15.00	9515	610-818-6230
3/12/2019	Mi Casita	CA, Website	50.51	79054767	001-613-6240
3/19/2019	Kryterion Web Assessor	CA, Credentialing program	75.00	8707	001-613-6240
2/27/2019	Breakout Incorporated	LIB, Breakout platform	50.00	29324	001-410-6595
2/25/2019	Industrial Bearing Supply	ST, Gates Belt	601.13	IN181523	110-210-6331
2/25/2019	Iowa League of Cities	ADM, IMFOA Conference	125.00	16357	610-818-6230
2/26/2019	Get Me Registered	ADM, IA Employment Conference	310.00	Q7113293	600-814-6240
3/1/2019	GoDaddy	ADM, Website	13.12	1454221590	121-613-6431
3/4/2019	IAMU	WTR, H2O Workshop, McLaughlin/Borton	400.00	432019	600-811-6240
3/10/2019	GoDaddy	ADM, Website	18.17	1459052596	121-613-6431
2/28/2019	United	PD, Training, EVAWI Int'l Conference	540.01	CXG77C	001-110-6240
2/28/2019	United	PD, Training, EVAWI Int'l Conference	540.01	CXG77C	001-110-6240
3/1/2019	American Airlines	PD, Training, EVAWI Int'l Conference	215.99	PVXZFT	001-110-6240
3/1/2019	United	PD, Training, EVAWI Int'l Conference	227.00	E2GEHT	001-110-6240
3/8/2019	Associated Advertisers	PD, Officer ad	590.00	5568	001-110-6491
			7,807.89		

POSTING & PAYMENT DATE:

March 22, 2019



City Administrator

Applicant License Application (LC0041676)

Item # 4C
Date: 4/8/19

Name of Applicant: Farmhouse Catering LC

Name of Business (DBA): Gatherings

Address of Premises: 1024 6th St.

City Nevada

County: Iowa

Zip: 50201

Business (515) 230-2717

Mailing 1024 6th St.

City Nevada

State IA

Zip: 50201

Contact Person

Name Evie Peterson

Phone: (515) 230-2717

Email

farmhousecatering@gmail.com

Classification Class C Liquor License (LC) (Commercial)

Term: 12 months

Effective Date: 04/25/2019

Expiration Date: 04/24/2020

Privileges:

Catering Privilege

Class B Native Wine Permit

Class C Liquor License (LC) (Commercial)

Sunday Sales

Status of Business

BusinessType: Limited Liability Company

Corporate ID Number: XXXXXXXXXX

Federal Employer ID XXXXXXXXXX

Ownership

Evie Hall

First Name: Evie

Last Name: Hall

City: Nevada

State: Iowa

Zip: 50201

Position: Manager

% of Ownership: 100.00%

U.S. Citizen: Yes

Insurance Company Information

Insurance Company: Scottsdale Insurance Company

Policy Effective Date: 04/25/2019

Policy Expiration 04/25/2020

Bond Effective

Dram Cancel Date:

Outdoor Service Effective

Outdoor Service Expiration

Gatherings

POLICE CHECK FOR CITY OF NEVADA BEER/LIQUOR LICENSE APPLICATIONS

This application will be on the April 8, 2019 Council Agenda

A Police Department check has been run on Farmhouse Catering LLC
d/b/a Gatherings (business) at 1024 6th St (street address)
Nevada, Iowa.

The Police Department recommends ☒ approval _____ denial of a beer or liquor license to this business.

If denied, reason: _____

_____ (write on back or other sheet if needed)

Date: 3/27/19 Police Signature [Signature] 85-602

**NOTICE OF PUBLIC HEARING
AMENDMENT OF FY2018-2019 CITY BUDGET**

Item #

40

Date:

4/8/19

The City Council of Nevada in STORY County, Iowa
will meet at Nevada City Hall Council Chambers
at 6:00 p.m. on 5/13/2019
(hour) (Date)

, for the purpose of amending the current budget of the city for the fiscal year ending June 30, 2019
by changing estimates of revenue and expenditure appropriations in the following functions for the reasons given.
Additional detail is available at the city clerk's office showing revenues and expenditures by fund type and by activity.

		Total Budget as certified or last amended	Current Amendment	Total Budget after Current Amendment
Revenues & Other Financing Sources				
Taxes Levied on Property	1	3,054,505		3,054,505
Less: Uncollected Property Taxes-Levy Year	2	0		0
Net Current Property Taxes	3	3,054,505	0	3,054,505
Delinquent Property Taxes	4	0		0
TIF Revenues	5	3,210,316		3,210,316
Other City Taxes	6	985,021		985,021
Licenses & Permits	7	89,300		89,300
Use of Money and Property	8	123,255		123,255
Intergovernmental	9	2,480,089		2,480,089
Charges for Services	10	3,896,365		3,896,365
Special Assessments	11	1,000		1,000
Miscellaneous	12	291,950	34,396	326,346
Other Financing Sources	13	4,500,500		4,500,500
Transfers In	14	6,343,549		6,343,549
Total Revenues and Other Sources	15	24,975,850	34,396	25,010,246
Expenditures & Other Financing Uses				
Public Safety	16	1,760,301		1,760,301
Public Works	17	832,722		832,722
Health and Social Services	18	80,155		80,155
Culture and Recreation	19	2,385,523	80,700	2,466,223
Community and Economic Development	20	992,518	10,000	1,002,518
General Government	21	581,104		581,104
Debt Service	22	3,721,713	2,275,300	5,997,013
Capital Projects	23	3,331,000	115,000	3,446,000
Total Government Activities Expenditures	24	13,685,036	2,481,000	16,166,036
Business Type / Enterprises	25	2,793,151	80,000	2,873,151
Total Gov Activities & Business Expenditures	26	16,478,187	2,561,000	19,039,187
Transfers Out	27	6,343,549	2,200,000	8,543,549
Total Expenditures/Transfers Out	28	22,821,736	4,761,000	27,582,736
Excess Revenues & Other Sources Over (Under) Expenditures/Transfers Out Fiscal Year	29	2,154,114	-4,726,604	-2,572,490
Beginning Fund Balance July 1	30	13,044,302		13,044,302
Ending Fund Balance June 30	31	15,198,416	-4,726,604	10,471,812

Explanation of increases or decreases in revenue estimates, appropriations, or available cash:

Payoff CH Debt (portion of 2012B Bond), Increase for additional projects, nuisance abatement, hail damage and unexpected repairs.

There will be no increase in tax levies to be paid in the current fiscal year named above related to the proposed budget amendment. Any increase in expenditures set out above will be met from the increased non-property tax revenues and cash balances not budgeted or considered in this current budget.

Kerin Wright

City Clerk/ Finance Officer Name

P.14

2,234,396.00

Kerin Wright

From: Jennifer Meier <jennmeier82@gmail.com>
Sent: Tuesday, March 26, 2019 4:39 PM
To: Kerin Wright; nevadajaycees@gmail.com
Subject: Re: Items for City Council approval
Attachments: NABR - Event Flyer and Online Registration Info 2019.docx.pdf

Hello Kerin,

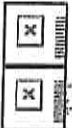
We spoke a few days ago about the Nevada Jaycees - Nevada's Annual Bike Ride (NABR). There were a few items the Jaycees will need to obtain approval for in promoting the ride. This includes:

1. City marquee board event announcement (Sent info earlier this week)
2. City Water Bill event announcement (Already listed, thank you!)
3. City's green space fence - securing a banner to advertise the event (similar to the Lincoln Hwy Days banner the Chamber adhered to the fence) April 10th- May 4th This would allow for a few weeks of marketing before the event.

Please let me know if there are any questions or if you need something different.

Best regards,
Jennifer Meier

I have also attached a preliminary flyer and route map should the city need additional information. This is saved as 2018, but it is the same map. [Preview attachment NABR Route Map 2018 \(1\).pdf](#)



[NABR Route Map 2018 \(1\).pdf](#)
[289 KB](#)

19th Nevada's Annual Bike Ride (NABR) Jaycees of Nevada, Iowa

EVENT DESCRIPTION:

The Nevada Jaycees are proud to present the 19th Nevada's Annual Bike Ride.

Participants have their choice of a 14, 32, or 43-mile loop on paved county highways, starting and ending in Nevada with routes thru McCallsburg, Roland and Story City. With the different length routes and many rest stops provided, the ride is appropriate for all levels of riders. The ride will be held regardless of weather.

With the cost of registration comes the official NABR 2019 t-shirt, snacks at rest stops along the route and a meal at the end of the ride. Support and Gear Services (SAG) truck will also run throughout the ride to provide rider relief, bike supplies and first aid.

EVENT REGISTRATION: <https://www.eventbrite.com>

Type NABR in the *search events or categories* field, click search and the following result should appear:

SATURDAY May 4th 10am

9am-10am Registration

NABR: Nevada Jaycees 19th Annual Bike Ride

Starting location: Nevada Senior Community
Center (1231 6th Street Nevada, IA)

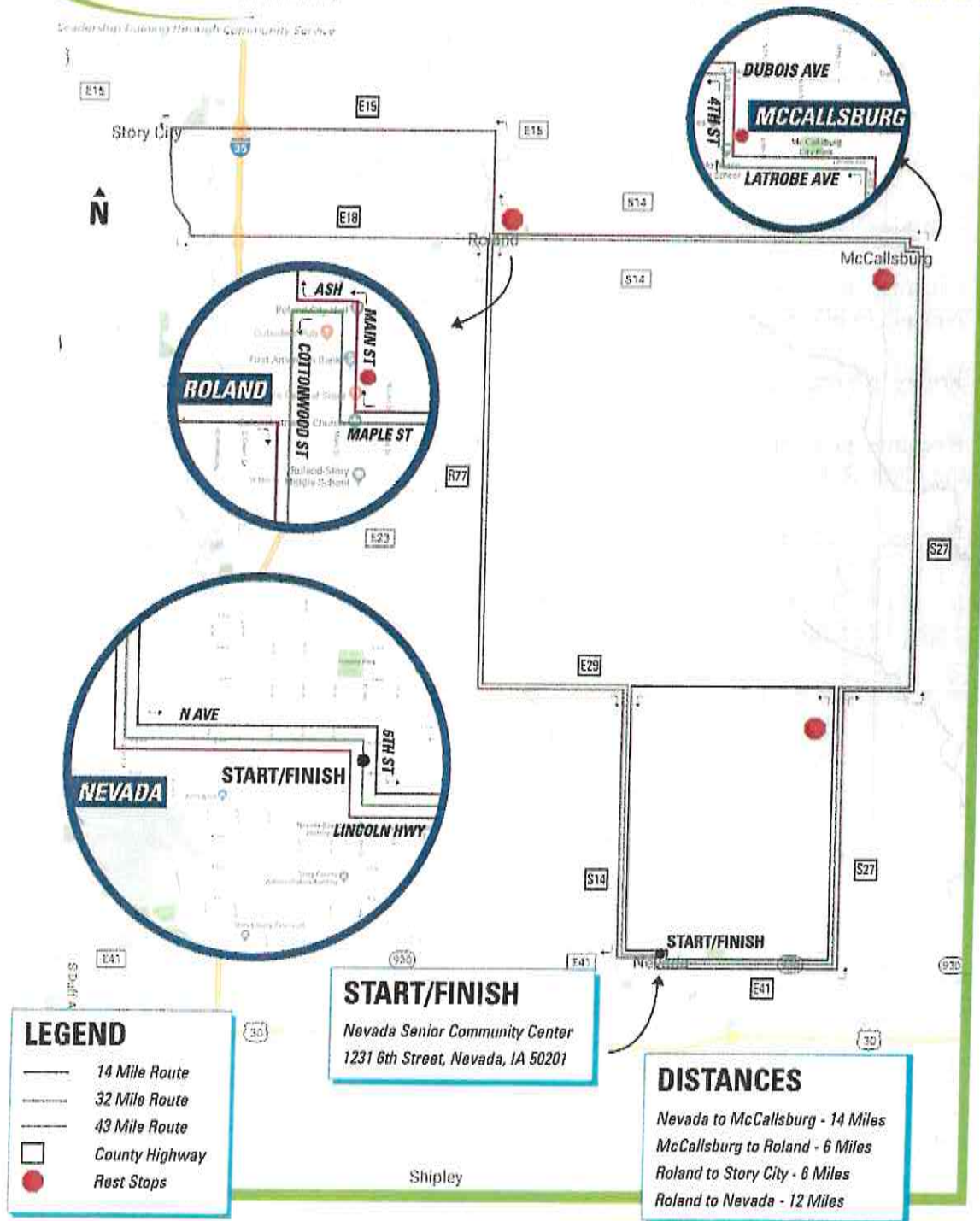


Early Bird Registration ends on 04/19/2019; and goes up ten dollars effective 04/20/18 thru the day of the ride.

Sponsor and in-kind donations are also accepted by clicking 'Tickets' and scrolling to the bottom of the ticket sales page.



NABR Route





NEVADA PUBLIC SAFETY DEPARTMENT

1209 6th Street - P.O. Box 530 Nevada, Iowa 50201 Tele: 515-382-4593

Ricardo Martinez II
Public Safety Director
Chief of Police

Item # 4F
Date: 4/8/19



Josh Cizmadia
Police Sergeant

Chris Brandes
Police Sergeant

Ray Reynolds
Director of Fire & EMS

Cathy Jager
Chief's Assistant

Nevada Public Safety Department – Fire & EMS

TO: Nevada City Council

FROM: Ricardo Martinez II
Nevada Public Safety Director

DATE: Friday, March 22, 2019

RE: Recommendation for Probationary Firefighter/EMT status- Ashten Arnaud, Kyle Elliott, Corbin Jones, and Chris Reindl.

An application has been received from Ashten Arnaud, Kyle Elliott, Corbin Jones, and Chris Reindl for membership with the Nevada Fire and EMS. A background has been completed. Per department Standard Operating Guideline 13-2, *Volunteer Members*, it is the recommendation of the Director of Fire and EMS Ray Reynolds, and myself, all four be approved as a probationary members of Nevada Fire and EMS.

The candidates will be at the April 8, 2019, Nevada City Council meeting to be sworn in. Please contact me should you have questions regarding this memorandum.

Respectfully,

Ricardo Martinez II
Public Safety Director

Item # 5
Date: 4/8/19

CITY OF NEVADA, IOWA
1209 SIXTH STREET
PHONE: 382-5466 FAX: 382-4502
BOARD/COMMISSION MEMBER APPLICATION

NAME: Michelle Lea Fullerton OTHER NAMES USED: Peterson
First, Middle, Last

ADDRESS: [REDACTED] EMAIL: [REDACTED]

PHONE # HOME: N/A WORK: [REDACTED] CELL: [REDACTED]

PLACE OF BIRTH: [REDACTED] DATE OF BIRTH: [REDACTED]

Please indicate your areas of interest by prioritizing them, with 1 being the highest interest, etc.

CHOICE	NAME OF BOARD	CURRENT MEETING TIMES
<u> </u>	Board of Appeals	As needed
<u> </u>	Parks and Recreation Board	3 rd Wednesday 5:15 p.m.
<u> X </u>	Planning and Zoning Commission	1 st Monday 6:15 p.m.
<u> </u>	Gates Hall Board	As needed
<u> </u>	Board of Adjustment (as called)	2 nd Tuesday 10:00 a.m.
<u> </u>	Library Board	3 rd Monday 5:00 p.m.
<u> </u>	Historic Preservation Commission	As needed
<u> </u>	Nevada Senior Community Center Commission	As needed 8:30 a.m.
<u> </u>	Re-Development Incentive Fund Committee	As needed
<u> </u>	City Council Member	2 nd and 4 th Mondays 6:00 p.m.
<u> </u>	Community Betterment Committee	As needed

Boards meet on a monthly basis and are occasionally called in for special meetings or work sessions, please note if this would cause a problem and/or what times do not work for you?

With notice I should be available to attend.

Please explain why you feel qualified to serve the City of Nevada as a member of this board.

I've served on boards in many capacities for 20 years. I also previously served for the city.

If appointed to this board, what would be some of your goals and objectives in helping this board move forward? To simply help Nevada grow responsibly.

If you have any other comments you would like to share regarding your application or about yourself, please use the back of this page. N/A

If there is no opening for a position on your board of choice, would you be interested in being considered in the future. (Circle One) (Yes) No

**A Background check will be required before an appointment is made. Any results from such background check may be subject to open records law.*

F:\Office\Forms\Board Application.doc

CITY OF NEVADA, IOWA
1209 SIXTH STREET
PHONE: 382-5466 FAX: 382-4502
BOARD/COMMISSION MEMBER APPLICATION

NAME: Matthew John Runge OTHER NAMES USED: Matt Runge
First, Middle, Last

ADDRESS: [REDACTED] EMAIL: [REDACTED]

PHONE # HOME: [REDACTED] WORK: [REDACTED] CELL: [REDACTED]

PLACE OF BIRTH: [REDACTED] DATE OF BIRTH: 9-13-1978

Please indicate your areas of interest by prioritizing them, with 1 being the highest interest, etc.

CHOICE	NAME OF BOARD	CURRENT MEETING TIMES
	Board of Appeals	As needed
	Parks and Recreation Board	3 rd Wednesday 5:15 p.m.
<u>1</u>	Planning and Zoning Commission	1 st Monday 6:15 p.m.
	Gates Hall Board	As needed
	Board of Adjustment (as called)	2 nd Tuesday 10:00 a.m.
	Library Board	3 rd Monday 5:00 p.m.
	Historic Preservation Commission	As needed
	Nevada Senior Community Center Commission	As needed 8:30 a.m.
	Re-Development Incentive Fund Committee	As needed
	City Council Member	2 nd and 4 th Mondays 6:00 p.m.
	Community Betterment Committee	As needed

Boards meet on a monthly basis and are occasionally called in for special meetings or work sessions, please note if this would cause a problem and/or what times do not work for you?

Not a problem

Please explain why you feel qualified to serve the City of Nevada as a member of this board.

I am a Nevada homeowner as well as a Nevada business owner.

Smart growth & good judgement are at the forefront of my mind with all my decisions.
If appointed to this board, what would be some of your goals and objectives in helping this board move forward? My goal would be to make sound decisions that would benefit our community as well as existing & new businesses

If you have any other comments you would like to share regarding your application or about yourself, please use the back of this page.

If there is no opening for a position on your board of choice, would you be interested in being considered in the future. (Circle One) Yes No

*A Background check will be required before an appointment is made. Any results from such background check may be subject to open records law.

F:\Office\Forms\Board Application.doc

CITY OF NEVADA, IOWA
1209 SIXTH STREET
PHONE: 382-5466 FAX: 382-4502
BOARD/COMMISSION MEMBER APPLICATION

NAME: Jon L. Augustus OTHER NAMES USED: _____
First, Middle, Last

ADDRESS: [REDACTED] EMAIL: [REDACTED]

PHONE # HOME: _____ WORK: _____ CELL: [REDACTED]

PLACE OF BIRTH: Ames DATE OF BIRTH: [REDACTED]

Please indicate your areas of interest by prioritizing them, with 1 being the highest interest, etc.

CHOICE	NAME OF BOARD	CURRENT MEETING TIMES
_____	Board of Appeals	As needed
_____	Parks and Recreation Board	3 rd Wednesday 5:15 p.m.
_____	Planning and Zoning Commission	1 st Monday 6:15 p.m.
_____	Gates Hall Board	As needed
_____	Board of Adjustment (as called)	2 nd Tuesday 10:00 a.m.
_____	Library Board	3 rd Monday 5:00 p.m.
<u>1</u>	Historic Preservation Commission	As needed
_____	Nevada Senior Community Center Commission	As needed 8:30 a.m.
_____	Re-Development Incentive Fund Committee	As needed
_____	City Council Member	2 nd and 4 th Mondays 6:00 p.m.
_____	Community Betterment Committee	As needed

Boards meet on a monthly basis and are occasionally called in for special meetings or work sessions, please note if this would cause a problem and/or what times do not work for you?

3rd Monday
2nd Tuesday } Evenings Thursday Evening in summer.

Please explain why you feel qualified to serve the City of Nevada as a member of this board.

I am really interested in older buildings. I grew up in a house built in 1890, my current house was built in 1926. Last owner of downtown building built in 1884. Looking to help keep downtown a historic feel.

If appointed to this board, what would be some of your goals and objectives in helping this board move forward?

Revitalizing downtown look. Brick fronts + boarded up windows, Residential units above commercial floor.

If you have any other comments you would like to share regarding your application or about yourself, please use the back of this page.

If there is no opening for a position on your board of choice, would you be interested in being considered in the future. (Circle One) Yes No

*A Background check will be required before an appointment is made. Any results from such background check may be subject to open records law.

F:\OfficeForms\Board Application.doc

MINUTES TO AUTHORIZE PARTIAL
REDEMPTION OF BONDS

420131-65

Nevada, Iowa

April 8, 2019

The City Council of the City of Nevada, Iowa, met on April 8, 2019, at 6:00 o'clock p.m., at the Nevada City Hall Council Chambers, Nevada, Iowa. The Mayor presided and the roll was called showing the following members of the City Council present and absent:

Present: _____

Absent: _____.

After due consideration and discussion, Council Member _____ introduced the following resolution and moved its adoption, seconded by Council Member _____. The Mayor put the question upon the adoption of said resolution, and the roll being called, the following Council Members voted:

Ayes: _____

Nays: _____

Whereupon, the Mayor declared the resolution duly adopted, as hereinafter set out.

• • • •

At the conclusion of the meeting and upon motion and vote, the City Council adjourned.

Brett Barker, Mayor

Attest:

Kerin Wright, City Clerk

RESOLUTION NO. 043 (2018/2019)

Resolution authorizing early partial redemption of General Obligation Urban
Renewal Library Improvement and Refunding Bonds, Series 2012B

WHEREAS, the City of Nevada, in Story County, State of Iowa (the "City") previously issued its \$7,320,000 General Obligation Urban Renewal Library Improvement and Refunding Bonds, Series 2012B, dated September 27, 2012 (the "2012B Bonds"), a portion of which currently remain outstanding as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Interest Rate Per Annum</u>
2019	\$715,000	2.00%
2020	\$725,000	2.00%
2021	\$745,000	2.00%
2022	\$755,000	2.00%
2023	\$265,000	2.00%
2026	\$275,000	2.15%

; and

WHEREAS, pursuant to the resolution authorizing the issuance of the 2012B Bonds, the City reserved the right to call part or all of the 2012B Bonds for optional early redemption on June 1, 2019 or on any date thereafter, on terms of par and accrued interest; and

WHEREAS, it has been proposed that the City Council authorize the partial early redemption (the "Redemption") of the outstanding principal of certain of the 2012B Bonds (the "Call Maturities") on June 1, 2019 (the "Redemption Date") as follows:

- a) partial refund \$80,000 of the June 1, 2020 maturity;
- b) partial refund \$85,000 of the June 1, 2021 maturity;
- c) partial refund \$85,000 of the June 1, 2022 maturity; and
- d) partial refund \$90,000 of the June 1, 2023 maturity;

NOW, THEREFORE, It Is Resolved by the City Council of the City of Nevada, Iowa, as follows:

Section 1. Bankers Trust Company, as Registrar and Paying Agent for the 2012B Bonds, is hereby authorized to take all action necessary to call outstanding principal, in the amounts set forth in the preamble hereof, of the Call Maturities for early redemption on the Redemption Date. Bankers Trust Company is further authorized and directed to give notice of such redemption by sending written notice by electronic means or regular mail to the registered owners of the Call Maturities to be redeemed at the addresses shown on the City's registration books, not less than thirty (30) days prior to the Redemption Date.

Section 2. All resolutions and orders or parts thereof in conflict with the provisions of this resolution, to the extent of such conflict, are hereby repealed.

Section 3. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved April 8, 2019.

Brett Barker, Mayor

Attest:

Kerin Wright, City Clerk

STATE OF IOWA
COUNTY OF STORY SS:
CITY OF NEVADA

I, the undersigned, City Clerk of the City of Nevada, do hereby certify that attached hereto is a true and correct copy of the proceedings of the City Council relating to the City Council's intention to call and redeem a portion of the City's outstanding General Obligation Urban Renewal Library Improvement and Refunding Bonds, Series 2012B.

WITNESS MY HAND this _____ day of _____, 2019.

Kerin Wright, City Clerk

April 3, 2019

Via Email

Kerin Wright
City Clerk/City Hall
Nevada, IA

Re: Partial Redemption of General Obligation Urban Renewal Library Improvement
and Refunding Bonds, Series 2012B
Our File No. 420131-65

Dear Kerin:

We have prepared and attach proceedings for use at the April 8, 2019 City Council meeting in order to authorize a partial early redemption of the City's outstanding General Obligation Urban Renewal Library Improvement and Refunding Bonds, Series 2012B on June 1, 2019.

The proceedings attached include the following items:

1. Resolution of the City Council authorizing the partial redemption of the City's outstanding General Obligation Urban Renewal Library Improvement and Refunding Bonds, Series 2012B on June 1, 2019.
2. Certificate attesting transcript.

As these proceedings are completed, please return one fully executed copy to our office. Also, please forward (by scan and email) an executed copy of this resolution to Diana VanVleet at Bankers Trust as soon as possible after its adoption so that she may send notice of early redemption.

If you have any questions, please contact Emily Hammond or me.

Best regards,

John P. Danos

cc: Diana VanVleet
Monell Crawford
Michael Maloney

COUNCIL ACTION FORM

AGENDA ITEM: Fire department Installation of commercial gear washing/extractor machine

HISTORY: The council approved the purchase of a commercial grade bunker gear washing machine on 11-23-2015. The wash machine is needed to remove cancer causing toxins from firefighter bunker gear. The wash machine has remained in storage awaiting the final phases of renovation to the mechanical/utility room and rest rooms. These phases will tie both plumbing drains together allowing an appropriate sized drain for the washer and to move the existing toilet away from the wall for ADA compliance. This will require a section of concrete boring and the installation of a special washer frame already purchased to absorb the vibration caused by a commercial washer. A minimum three inch drain is needed for commercial grade washers and there are only two drains of adequate size located in the west half of the station. All other drains are two inches in diameter.

The department has researched trained installers for the Continental commercial washer and found only four people in the state who are certified to install this heavy duty washer to manufacturer's specifications. Kelly Plumbing and Repair is the closest trained plumber who is a certified installer of the Continental commercial washer. The department researched locally what other departments have spent to install a similar wash machine. Many departments are currently planning on \$40,000 per unit as the cost of purchase and installation.

The department further sought bids for running the drain under the concrete as a separate project. Efforts were made on more than one occasion to obtain bids from Newsome Plumbing and Vansickel Plumbing. Neither plumber returned our requests for bids. A bid was submitted by Andy Kelly as a worst case scenario to cover his unexpected costs trying to navigate the plumbing in a 40+ year old building. The bid amount was \$7260. If approved, the department would have spent approximately \$14,500 for purchase and installation of this critically needed equipment.

The initial examination of the drains at the fire department suggest the project may be less than submitted with a little luck. The department has budgeted capital for this installation and the correction of plumbing issues as this project nears completion. The final phase will include paint, lighting, and bathroom appliances scheduled after July 1.

The fire service is experiencing a growing epidemic of firefighters developing cancer as a work related injury. One worker's comp or disability claim will most assuredly cost more than the entire cost of this project. The fire department looks forward to getting this washer in service so they can adequately maintain the new bunker gear recently purchased.

Quotes were obtained from the following suppliers:

Vendor	Cost
1) Nevada Hardware- Kelly Plumbing and Repair	\$7260.00

OPTIONS:

1. Accept the bid from Kelly Plumbing and repair.
2. Reject all bids and ask staff to look into other alternatives.
3. Reject all bids, doing nothing at this time and rebid next year.

STAFF'S RECOMMENDED ACTION: The fire department and Director of Fire and EMS recommend approval of the bid and complete the gear washer installation.

Therefore, it is the recommendation of the City Administrator that Council approves Option #1, accepting the lowest bid from Kelly Plumbing and Repair to install the specialized commercial washer.

NEVADA HARDWARE
123 LINCOLN HIGHWAY
NEVADA IA 50201
515-382-2184

THIS IS AN ESTIMATE FOR:
NEVADA FIRE STATION
935 LINCOLN HWY, NEVADA IA 50201

**JOB DESCRIPTION: INSTALL COMMERCIAL
WASHING MACHINE AT FIRE STATION**

THIS IS AN ESTIMATE ONLY

ESTIMATE DOES NOT INCLUDE SALES TAX

DESCRIPTION	COST
1) PVC PIPE + FERNCO	\$ 500.00
2) PEX FITTINGS	\$ 200.00
3) COPPER + LAUNDRY BOX	\$ 200.00
4) EQUIPMENT USE	\$ 250.00
5) DISPOSAL	\$ 50.00
6) CONCRETE + FILL NEEDED.....	\$ 150.00
7) DFS CONCRETE ANCHOR.....	\$ 350.00
8) MISC	\$ 100.00
9) LABOR = 84 HOURS @ \$65.00.....	\$ 5,460.00

ESTIMATE SUBTOTAL.....\$ 7,260.00

IMPORTANT NOTES

**** MUST BE ABLE TO LOCATE GOOD 3" OR 4" CAST IRON
WITHIN 4' OF BATHROOM WALL.**

**** WALL IS ON A PIER, NOT A FULL FOOTING.**

**** NEED AT LEAST 5" OF CONCRETE FOR PROPER
INSTALLATION OF COMMERCIAL MACHINE**

**** NEED A MINIMUM OF 20 AMP CIRCUIT FOR CONCRETE
SAW.**

RESOLUTION NO. 044 (2018/2019)

**Preliminary Resolution Pursuant to Section 384.42 of the Iowa Code Covering
Zone 11 of the Nevada 2019 Sidewalk Program**

WHEREAS, it is deemed advisable by the City Council of the City of Nevada, Iowa (the “City”), that certain public improvements be constructed in the City in accordance with the provisions of Chapter 384 of the Code of Iowa, and a portion of the cost be assessed to the property benefited thereby; and

WHEREAS, the City has arranged for engineering services with Howard R. Green Company in connection with said improvement;

NOW, THEREFORE, It Is Resolved by the City Council of the City of Nevada, Iowa, as follows:

Section 1. Work on Zone 11 of the Nevada Sidewalk Program shall consist of the construction of new sidewalks and the repair of existing sidewalks, and other work incidental thereto, for sidewalks located on the following properties:

Zone 11: The 2019 Sidewalk Project will take place in two areas:

Area 1: Lincolnway to K Avenue from West 1st Street to 3rd Street

Area 2: 10th Street to 11th Street from F Avenue to H Avenue

See Exhibit A (attached)

It is considered that all property listed above will be specially benefited by this improvement and should be specially assessed for all costs of improvement.

Section 2. The Project Engineers are hereby ordered to prepare preliminary plans and specifications, an estimated total cost of the work, and a plat and schedule and to file the same with the City Clerk.

Section 3. The improvement shall be known as “Nevada Sidewalk Program—Zone 11,” and shall be so referred to in all subsequent proceedings.

Section 4. All resolutions, parts of resolutions, or actions of the Council in conflict herewith are hereby repealed, to the extent of such conflict.

Passed and approved the 8th day of April, 2019.

Brett Barker, Mayor

Attest:

Kerin Wright, City Clerk

Moved by Council Member __, seconded by Council Member __, that Resolution No. 044 (2018/2019) be adopted.

AYES: —
NAYS: —
ABSENT: —

The Mayor declared Resolution No. 044 (2018/2019) adopted.

I hereby certify that the foregoing is a true copy of a record of the adoption of Resolution No. 044 (2018/2019) at the regular Council Meeting of the City of Nevada, Iowa, held on the 8th day of April, 2019.

Kerin Wright, City Clerk

w:\office\council\resolutions\2018-2019\044-preliminary 2019 sidewalk resolution.doc

2019 Sidewalks 1



2019 Sidewalks 2



PARCELID	Count	Cost	First_Owner	First_Name	Legal
1107100255	3	600	KEY COOPERATIVE	KEY COOPERATIVE	SECTION 07 TOWNSHIP 83 RANGE 22
1107100280	3	600	HENDERSON, DENNIS & DENISE	HENDERSON, DENNIS & DENISE	SECTION 07 TOWNSHIP 83 RANGE 22
1107100300	1	200	MITCHELL, JERRY L & KAREN LYNN	MITCHELL, JERRY L & KAREN LYNN	SECTION 07 TOWNSHIP 83 RANGE 22
1107100320	7	1400	MITCHELL, JERRY L & KAREN LYNN	MITCHELL, JERRY L & KAREN LYNN	SECTION 07 TOWNSHIP 83 RANGE 22
1107100340	13	2600	CARLSON, DONALD R TRUST	CARLSON, DONALD R TRUST	SECTION 07 TOWNSHIP 83 RANGE 22
1107100360	2	400	SWITZER, DENNIS A & DEBORAH L	SWITZER, DENNIS A & DEBORAH L	SECTION 07 TOWNSHIP 83 RANGE 22
1107125110	3	600	ARC WOONHNE001 LLC	ARC WOONHNE001 LLC	BRIGGS 5D LOTS 1 & 2
1107125130	6	1200	FRY, JENNY L	ADELMUND, JENNY	BRIGGS 5D LOTS 1 & 2
1107125150	4	800	MASON, JEFFREY ALAN & CHARLYN ANNE	MASON, JEFFREY ALAN & CHARLYN ANNE	BRIGGS 5D LOTS 1 & 2
1107125200	5	1000	ROBINSON, SANDRA	ROBINSON, SANDRA	BRIGGS 5D LOTS 1 & 2
1107125240	17	3400	ANGELL, KENNETH JOHN & CORTNEY	ANGELL, KENNETH JOHN & CORTNEY	BRIGGS 5D LOTS 1 & 2
1107130110	4	800	RUOPP, APRIL N	RUOPP, APRIL N	BRIGGS 5D LOTS 1 & 2
1107130165	6	1200	CARGO, JASON & HEATHER	CARGO, JASON & HEATHER	BRIGGS 5D LOTS 1 & 2
1107130600	3	600	SKELTON, KIMBERLEE	SKELTON, KIMBERLEE	BRIGGS 5D LOTS 1 & 2
1107130630	7	1400	SEABOCH, CHRISTOPHER L & MOLLY M	SEABOCH, CHRISTOPHER L & MOLLY M	BRIGGS 5D LOTS 1 & 2
1107130660	14	2800	LURICH, LUKE T	LURICH, LUKE T	BRIGGS 5D LOTS 1 & 2
1107130680	6	1200	LANG, LOUIS A TRUST	LANG, LOUIS A TRUST	BRIGGS 5D LOTS 1 & 2
1107285110	15	3000	ROSENBERG, NICHOLAS N & AMY L	ROSENBERG, NICHOLAS N & AMY L	BRIGGS 5D LOTS 1 & 2
1107285120	15	3000	COLE, HEATHER A	COLE, HEATHER A	BRIGGS 5D LOTS 1 & 2
1107285140	1	200	ALLSHOUSE, STEPHEN O & MARILYN K	ALLSHOUSE, STEPHEN O & MARILYN K	BRIGGS 5D LOTS 1 & 2
1107285160	2	400	GRISHORE, JAY JR II & CYNTHIA L	GRISHORE, JAY JR II & CYNTHIA L	BRIGGS 5D LOTS 1 & 2
1107288140	5	1000	BIERSCHENK, DOROTHY IRENE	BIERSCHENK, DOROTHY IRENE	BRIGGS 5D LOTS 1 & 2
1107288160	3	600	SWANSON, CALEB J	SWANSON, CALEB J	BRIGGS 5D LOTS 1 & 2
1107288205	1	200	BOCHMANN, PAUL B	BOCHMANN, PAUL B	BRIGGS 5D LOTS 1 & 2
1107292120	6	1200	THOMPSON, GREGORY L	THOMPSON, GREGORY L	BRIGGS 5D LOTS 1 & 2
1107292140	1	200	APPELGATE, RHONDA L & WILLIAM L	APPELGATE, RHONDA L & WILLIAM L	BRIGGS 5D LOTS 1 & 2
1107292180	26	5200	SAMPSON, DOUGLAS R & KELLI M	SAMPSON, DOUGLAS R & KELLI M	BRIGGS 5D LOTS 1 & 2
1107292190	4	800	BOHLEN, KRIS E	BOHLEN, KRIS E	BRIGGS 5D LOTS 1 & 2
1107292205	3	600	HATHAWAY, MICHAEL R	HATHAWAY, MICHAEL R	BRIGGS 5D LOTS 1 & 2
1107292240	5	1000	MC MILLLEN, DONALD J	MC MILLLEN, DONALD J	BRIGGS 5D LOTS 1 & 2
		0			
		38200			
		191			

NOTICE TO PROPERTY OWNERS

Notice is given that there is now on file for public inspection in the office of the Nevada City Clerk of Story County, Iowa, a proposed resolution of necessity, an estimate of cost and a plat and schedule showing the amounts proposed to be assessed against each lot and the valuation of each lot within a district approved by the council of Nevada, Iowa, for a sidewalk improvement of the type(s) and in the location(s) as follows:

Zone 11: The 2019 Sidewalk Project will take place in two areas:

Area 1: Lincolnway to K Avenue from West 1st Street to 3rd Street

Area 2: 10th Street to 11th Street from F Avenue to H Avenue

Replacement of defective sidewalk squares with 4 inch (4") thick sidewalk and 6 inch (6") thick sidewalk squares within driveways

The council will meet at 6 o'clock p.m., on Tuesday, May 28, 2019 at the Nevada City Hall, at which time the owners of property subject to assessment for the proposed improvement or any other person having an interest in the matter may appear and be heard for or against the making of the improvement, the boundaries of the district, the cost, the assessment against any lot, or the final adoption of a resolution of necessity. A property owner will be deemed to have waived all objections unless at the time of hearing the property owner has filed objections with the clerk.

Kerin Wright, Clerk

Publish in the Nevada Journal - May 9 and May 16, 2019

Send Property Owners notice – May 9, 2018

w:\office\journal publication\ph, 2019 sidewalk.doc

Zone 11 Sidewalk Program Timeline

4/09/18	Preliminary Resolution with list of affected properties, an estimate of the cost, and a map showing the boundary of the project. Set Public Hearing for 5/28/19 meeting.
5/09/19	Publish public hearing in paper – at least 10 days before PH
5/09/19	Mail notices to affected property owners
5/16/19	Publish public hearing in paper – at least 10 days before PH
5/28/19	Public Hearing with Resolution of Necessity & Resolution Ordering Plans & Specs be prepared
5/29/19	Certify with County Resolution of Necessity Plat Map & Schedule of Assessments. Send out Plans to Bidders
6/19/19	Open Bids at 3:00 p.m.
6/24/19	Council awards contract
10/28/19	Staff files Certificate of final cost and work done
10/28/19	Council reviews Resolution Accepting Work and amount to be assessed
11/12/19	Resolution to adopt Final Assessment Schedule and direct staff to publish notice
11/14/19	Publish notice in paper and mail letters to property owners
11/21/19	Publish notice in paper
12/19/19	Special Assessment on taxes to County

Created
4/6/2019 4:23 PM

COUNCIL ACTION FORM

AGENDA ITEM: Mardean Park Playground Equipment - Installation

HISTORY: Below is the Action Form that was presented to Council last fall for the purchase of new playground equipment at Mardean Park. As indicated at that time, we felt it was necessary to budget for the installation of the equipment by a professional crew. Our staff is planning to do the demolition of the existing piece and prepare the site so the install crew from Cunningham Recreation can come in and complete the install. The install price is the same as was quoted last fall - \$8,030.00.

The playground equipment at Mardean Park is quite old (25+ years), and it has started to deteriorate to the point that it should be considered for replacement. Earlier this summer we addressed some safety concerns that have been corrected; however, the piece is old enough that we most likely can't get replacement parts for it should something major need to be replaced and it looks very used with peeling and faded paint. Also, new/updated playground guidelines have been implemented since this piece was put in at the park.

We had a playground representative evaluate the piece for rehabbing it, but the cost to do that was almost as much as new equipment. Everything would have to be replaced except eleven (11) support poles, but they would have costs involved to sandblast and repaint. At that point, we began to look at replacement alternatives. In looking at replacement, we are able to achieve a significant savings if we purchase now and take delivery before the end of the calendar year.

I talked with 4 different playground suppliers (Cunningham Recreation, Boland Recreation, Outdoor Recreation Products, All Inclusive Rec); each one providing at least two different designs for consideration. The goal is to replace the existing equipment with a similar size piece and stay in the range of \$20,000 - \$25,000 for the cost of the equipment. We will need to budget for installation of the new equipment in our FY 2019/2020 budget; this is projected to be \$8,030.00. I hope that we could do the demolition in-house, if not, that cost is projected at \$4,338.00. Our goal would be to have it in place by the end of next summer.

The Board looked through many designs and settled on a piece manufactured by Game Time Equipment and sold by Cunningham Recreation. We have worked with Cunningham Recreation on previous projects (SCORE) and have been very pleased with the Game Time product. I have included the selected design in your packet for your review. If you would like to see the other options that the Board looked at, I will have those at the meeting, but it was too much to put in the packet.

Financing:

The install is a budgeted item in the new 2019-2020 Fiscal Year Budget.

OPTIONS:

1. Accept the quote from Cunningham Recreation for the installation of playground equipment at Mardean Park at a cost of \$8,030.00.
2. Do the installation in-house.
3. Do nothing at this time.

STAFF RECOMMENDATION:

Park Board and staff recommend that the City Council accept the quote from Cunningham Recreation for the installation of playground equipment at Mardean Park at a cost of \$8,030.00.

Therefore, it is the recommendation of the City Administrator that Council approves Option #1, accepting the quote from Cunningham Recreation for the installation of playground equipment at Mardean Park at a cost of \$8,030.00.



Cunningham Recreation
PO Box 240981
Charlotte, NC 28224
800.438.2780
704.525.7356 FAX
www.cunninghamrec.com

QUOTE
#139141

03/01/2019

Mardean Park Playgorund - Installation

Nevada Parks & Recreation - IA
Attn: Tim Hansen
445 11th Street
Nevada, IA 50201
Phone: 515-382-4352
thansen@cityofnevadaiaowa.org

Project #: P96654
Ship To Zip: 50201

Quantity	Part #	Description	Unit Price	Amount
1	INSTALL	MISC - Installation of Equipment from Order # 8297003	\$8,030.00	\$8,030.00

* Site must be clear, level, free of obstructions, and accessible. Site should permit installation equipment access. Purchaser shall be responsible for unknown conditions such as buried utilities, tree stumps, bedrock or any concealed materials or conditions that may result in additional costs.

SubTotal: \$8,030.00
Total Amount: \$8,030.00

* Taxes, if applicable, will be applied at the time of invoice. Please provide a copy of your tax exempt certificate to avoid the addition of taxes.

TERMS & CONDITIONS:

- * **PRICING:** Prices are firm for 30 days unless otherwise noted. Request updated pricing when purchasing from quotes more than 30 days old.
- * **PAYMENT TERMS:** Net 30 days subject to approval by Credit Manager. A signed P.O. made out to Cunningham Recreation or this signed quotation is required for all orders unless otherwise noted. Equipment shall be invoiced separately from other services and shall be payable in advance of those services and project completion. Checks should be made payable to Cunningham Recreation unless otherwise directed.
- * **FINANCE CHARGE:** A 1.5% monthly finance charge (or as permitted by law) will be added to invoices over 30 days past due.
- * **TAXES:** Taxes will be shown as a separate line item when included. Any applicable taxes not shown will be added to final invoice. A copy of your tax exemption certificate must be submitted at time of order or taxes will be added to your invoice.
- * **SHIPMENT:** Multiple shipments may be required based on point of origin. Above costs assume one shipment for each vendor quoted.
- * **LEAD TIME:** Standard orders shipped 4 weeks after receipt of order and acceptance of your purchase order, color selections, approved submittals (if required) unless otherwise noted. Custom equipment and shades may require a longer lead times. Surfacing lead time is approximately 2 weeks after scheduling request.
- * **DELIVERY:** It is the responsibility of the owner to offload and inventory equipment, unless other arrangements have been made. Missing or damaged equipment must be reported within 60 days of acceptance of delivery.

INSTALLATION CONDITIONS:

- * **ACCESS:** Site should be clear, level and allow for unrestricted access of trucks and machinery.
- * **STORAGE:** Customer is responsible for providing a secure location to off-load and store the equipment during the installation process. Once equipment has delivered to the site, the owner is responsible should theft or vandalism occur unless other arrangements are made and noted on the quotation.
- * **FOOTER EXCAVATION:** Installation pricing is based on footer excavation through earth/soil only. Customer shall be responsible for unknown conditions such as buried utilities (public & private), tree stumps, rock, or any concealed materials or conditions that may result in additional labor or materials cost.
- * **UTILITIES:** Installer will contact Miss Utility to locate all public utilities prior to layout and excavation of any footer holes. Owner is responsible for locating any private utilities.
- * **ADDITIONAL COSTS:** Pricing is based on a single mobilization for installation unless otherwise noted. Price includes ONLY what is stated in this quotation. If additional site work or specialized equipment is required, pricing is subject to change.



Cunningham Recreation
PO Box 240981
Charlotte, NC 28224
800.438.2780
704.525.7356 FAX
www.cunninghamrec.com

QUOTE
#139141

03/01/2019

Mardean Park Playgorund - Installation

ACCEPTANCE OF QUOTATION:

Acceptance of this proposal indicates your agreement to the terms and conditions stated herein.

Accepted By (printed): _____ Title: _____

Telephone: _____ Fax: _____

P.O. Number: _____ Date: _____

Purchase Amount: **\$8,030.00**

SALES TAX EXEMPTION CERTIFICATE #: _____

(PLEASE PROVIDE A COPY OF CERTIFICATE)

Salesperson's Signature

Customer Signature

BILLING INFORMATION:

Bill to: _____

Contact: _____

Address: _____

Address: _____

City, State: _____ Zip: _____

Tel: _____ Fax: _____

E-mail: _____

SHIPPING INFORMATION (IF DIFFERENT FROM ABOVE):

Ship to: _____

Contact: _____

Address: _____

Address: _____

City, State: _____ Zip: _____

Tel: _____ Fax: _____

E-mail: _____

COUNCIL ACTION FORM

AGENDA ITEM: Electrical Conduit Repair/Relocation for Tennis Courts and Basketball Court at SCORE

HISTORY:

During the grading process for the new baseball field at SCORE, the electrical conduits that feed the tennis courts and the basketball court were exposed and damaged. When the conduits were put in during the construction of those courts years ago, they were put in at a very shallow depth. The final grade that is necessary for the exterior drainage of baseball field would leave the conduits just below the surface of the sod, which is not deep enough.

After discussion with the engineer and contractor it was determined the best course of action is to relocate the conduits and repair the damage. The electrical contractor has provided two options for this work.

One is to trench in new lines back to the electrical panel at a depth of 18" - 24". The trenching method will leave some additional surface restoration and some settling issues over time. I don't believe that is a big issue.

The other option is to direct bore the lines straight back to the electrical panel, thus eliminating some of the surface restoration and settling, and putting the lines at a deeper depth.

OPTIONS:

1. Approve Change Order 19: Trench in new electrical conduits for the tennis courts and basketball court at a cost of \$5,097.00.
2. Approve Change Order 19 – (Alternate Option 1): Direct bore new electrical conduit for the tennis courts and basketball court at a cost of \$7,155.20.
3. Coordinate this work with an outside vendor.

STAFF RECOMMENDATION:

Park Board and staff recommend that the City Council accept Option 1: Trench in new electrical conduit for the tennis courts and basketball court at a cost of \$5,097.00.

Therefore, it is the recommendation of the City Administrator that Council approves Option #1, approve Change Order 19: Trench in new electrical conduits for the tennis courts and basketball court at a cost of \$5,097.00.

If you have any questions, please feel free to contact me at 382-4352 (office) or by email at thansen@cityofnevadaiaowa.org.



3050 SE Enterprise Dr., Ste. A
Grimes, IA 50111-5055
Ph : (515)986-5500

Change Request

To: Clay Schneckloth
SNYDER & ASSOCIATES
2727 SW Snyder Boulevard
PO Box 1159
Ankeny, IA 50023
Ph: (515)964-2020

Number: 19
Date: 11/27/2018
Job: 18-017 Nevada Baseball Facility
Phone:

Description: Repair Sports Court Conduit & Wire Feeders

We are pleased to offer the following specifications and pricing to make the following changes:

Existing 1" and 1 1/2" conduits feeding the N.W. sports courts were damaged during the grading process. Based on grading levels indicated for this area the conduits would fall at or just under grade, leaving them at a unsafe depth. We propose to trench in the conduit back to the existing conduits on the eastside of the sidewalk, reconnect conduits, backfill all conduits and replace the wiring from the electrical panel to the existing handhole.

Alternate Option 1:

We proposed the option to bore new conduits from panel to existing quazite box, installing new #10 wire in the 1" conduit and #4 conductors in the 1 1/2" conduit. Reworking existing quazite box will be required for proper installation of conduits during boring process.....\$7,155.20

The total direct cost to perform this work is \$5,097.00
(Please refer to attached sheet for details.)

Total: \$5,097.00

If you have any questions, please contact me at (515)986-5500.

Submitted by: Kurt Umthum
KOESTER CONSTRUCTION COMPANY

Approved by: _____
Date: _____

JOB COST ESTIMATE

Nevada Baseball Facility

Phase	Description	Sub Name	Takeoff Quantity	Labor Price	Labor Amount	Material Price	Material Amount	Sub Price	Total Cost/Unit	Total Amount
ELECTRICAL										
1600	Electrical									
1	Quota		1.00	LS				4,805.30	4,805.30	4,805

Estimate Totals

Description	Amount	Totals	Hours	Rate	Cost E	Cost per Unit	nt of Total
Labor							
Material							
Subcontract	4,805						94.28%
Equipment							
Other							
	4,805	4,805				94.27	94.27%
OH&P on Selfperform				10.000 %	C		
OH&P on Subs	240			5.000 %	C	4.71%	
Bond	52			1.029 %	T	1.03%	
Total		5,097					

Van Maanen *Electric Inc.*

627 N 19th Ave E
PO Box 1131
Newton, IA 50208
641-791-9473 Office
641-791-9484 Fax

Change Order

Contractor: Koester

Project Name: Nevada Baseball

CO: Repair Damage by Grading

Project Address: Nevada, IA

Scope: Existing 1" and 1 1/2" conduits feeding the N.W. courts were damaged by grading contractor. This price includes trenching from panel to edge of sidewalk, installing 6 #10 conductors in 1" conduit and 4 #4 conductors in 1 1/2" conduit. This price excludes any winter conditions - frost, etc. Final grading abd seeding excluded.

Material:

150' - 1" Innerduct
150' - 1 1/2" Innerduct
1 - 1" Innerduct coupling
1 - 1 1/2" Innerduct coupling
1,746' - #10 THHN
1,164' - #4 THHN
1 - Wire lubricant
3 - Phase tape
560' - Jetline
6 - #10 WP splices
4 - #4 WP splices
150' - Trenching
4hrs. - Backhoe and Operator

Labor:

26.5 Hours x \$60.00

Material: \$	1,688.52
Labor: \$	1,590.00
Trenching: \$	600.00
Backhoe & Operator: \$	300.00
15% O&M: \$	626.78
Total: \$	4,805.30

Approved by

Date

Approved by

Date

RESOLUTION NO. 045 (2018/2019)

A RESOLUTION APPROVING THE RIGHT-OF-WAY MANAGEMENT POLICY FOR SMALL WIRELESS FACILITIES WITHIN THE RIGHTS-OF-WAY IN THE CITY OF NEVADA, IOWA, STORY COUNTY

WHEREAS, the City Council recognizes its responsibilities under the Federal Telecommunications Act of 1996 and state law (Senate File 431: Act Relating to the Siting of Small Wireless Facilities) and believes that it is acting consistent with Senate File 431 Act of the law in ensuring that development activity does not endanger public health, safety, or welfare; and

WHEREAS, it is in the best interest of the City to ensure that the installation, augmentation and relocation of small wireless facility installations in the public rights-of-way are conducted in such a manner as to lawfully balance the legal rights of applicants under the federal Telecommunications Act and Senate File 431: Act Relating to the Siting of Small Wireless Facilities with the rights, safety, privacy, property and security of residents of the City; and

WHEREAS, the attached Right-Of-Way Management Policy for Small Wireless Facilities has been established to define the general requirements for the installation of small wireless facilities with the rights-of-way in the City of Nevada, IA;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NEVADA, IOWA,

1. That the Right-Of-Way Management Policy for Small Wireless Facilities (Exhibit A) attached is hereby approved.

PASSED and APPROVED this 8th day of April, 2019, by the City Council of the City of Nevada, Iowa.

Brett Barker, Mayor

ATTEST:

Kerin Wright, City Clerk

Moved by Council Member __, seconded by Council Member __, that Resolution No. 045 (2018/2019) be adopted.

AYES: —
NAYS: —
ABSENT: —

The Mayor declared Resolution No. 045 (2018/2019) adopted.

I hereby certify that the foregoing is a true copy of a record of the adoption of Resolution No. 045 (2018/2019) at the regular Council Meeting of the City of Nevada, Iowa, held on the 8th day of April, 2019.

Kerin Wright, City Clerk

W:\OFFICE\COUNCIL\RESOLUTIONS\2018-2019\045-ADOPT ROW MANAGEMENT POLICY-SM WIRELESS FAC.DOCX

CITY OF NEVADA

RIGHT-OF-WAY MANAGEMENT POLICY FOR Small Wireless Facilities

PURPOSE:

1. This policy has been established to define the general requirements for the installation of small wireless facilities within the rights-of-way in the City of Nevada. The policy creates requirements for the siting and design of wireless communication structures, facilities, and related utilities. As such the provisions of this policy are intended to regulate and guide the installation of small wireless facility antennas and related accessory structures on infrastructure and to regulate and guide the installation of new communication towers when needed. It is the desire of the City to encourage the development of an aesthetically pleasing local environment. It is also the intent of the City to encourage the expansion of wireless technology, as it provides a valuable service to City residents and businesses. It is not the City's goal to unreasonably discriminate among providers of functionally equivalent services nor to have the effect of prohibiting, either directly or indirectly, the provisions of small wireless services. It is the City's goal to encourage wireless providers to construct new facilities disguised through techniques of camouflage design, as defined in this Policy. It is the intent of this Policy to achieve the following objectives:
 - 1) To minimize the adverse visual effects of communication structures through careful design, siting, locating and screening.
 - 2) To locate and engineer communications support structures in a manner which minimizes potential damage to adjacent properties from structural failure.
 - 3) To allow for the reasonable location and efficient use of communication structures through the co-location of carriers.
2. The City currently regulates all wireless telecommunications facilities in the public rights-of-way through a permit process. The City's existing code is in the process of being updated to reflect current telecommunications trends or necessary legal requirements. Further, the existing code provisions were not specifically designed to address the unique legal and practical issues that arise in connection with multiple small wireless facility installations deployed in the public rights-of-way.
3. A recent FCC Order suggests that all local jurisdictions comply with various rules and recommendations on the exercise of local aesthetic, zoning, public works, and fee schedules when dealing with small cell (**Small Wireless Facility**) installations. The FCC Order also concludes that local governments function as regulators of their rights-of-way. The FCC's Declaratory Rule and Third Order

Rights concluded that when local governments regulate, they do so as a regulatory function. This section is supporting The Declaratory Ruling and Third Order Rights view of local governments acting as regulators. Thus, Nevada Iowa is in clear need of policies that support their role as a regulator of their rights-of-way.

4. The City recognizes its responsibilities under the federal Telecommunications Act of 1996 and state law (Senate File 431: Act Relating to the Siting of Small Wireless Facilities) and believes that it is acting consistent with Senate File 431 Act of the law in ensuring that development activity does not endanger public health, safety, or welfare. The City intends this Policy to ensure that the installation, augmentation and relocation of **small wireless facility** installations in the public rights-of-way are conducted in such a manner as to lawfully balance the legal rights of applicants under the federal Telecommunications Act and ***Senate File 431: Act Relating to the Siting of Small Wireless Facilities*** with the rights, safety, privacy, property and security of residents of the City.
5. This chapter is not intended to, nor shall it be interpreted or applied to: (1) prohibit or effectively prohibit any wireless telecommunications service provider's ability to provide wireless services; (2) prohibit or effectively prohibit any entity's ability to provide any interstate or intrastate telecommunications service; (3) unreasonably discriminate among providers of functionally equivalent services; (4) deny any request for authorization to place, construct or modify wireless telecommunications service facilities on the basis of environmental effects of radio frequency emissions so long as such wireless facilities comply with the FCC's regulations concerning such emissions; (5) prohibit any collocation or modification that the City may not deny under federal or state law; or (6) otherwise authorize the City's to preempt any applicable federal or state law.
6. Based on the foregoing, Nevada finds and determines that the preservation of public health, safety and welfare requires that this Policy be enacted and be effective immediately upon adoption.

POLICY:

A. Application for License:

An applicant must submit an application for a license to install a **Small Wireless Facility**, in, over or under Nevada City rights-of-way. Upon issuance of a license by the city, the applicant agrees to abide by the terms and conditions of a license agreement to be approved by the City.

B. License Fee:

Before any **Small Wireless Facility** license is issued, the applicant may be required to pay a license fee in accordance with a fee schedule established from time to time and approved by the City Council. The City reserves the right to do a rate study at a future date to establish the License Fee for a Small Wireless Facility license.

- (a) The fee permissible in the most current FCC regulations but not less than \$500 for non-recurring fees, including a single up-front application for collocation applications that includes up to five Small Wireless Facilities, with an additional \$100 or the fee permissible in the most current FCC regulations, for each Small Wireless Facility beyond five;

- (b) The fee permissible in the most current FCC regulations but not less than \$1,000 for non-recurring fees for a new pole (*i.e.*, not a collocation) intended to support one or more Small Wireless Facilities; and
- (c) The fee permissible in the most current FCC regulations but not less than \$270 per Small Wireless Facility per year for all recurring fees, including any possible ROW access fee or fee for attachment to municipally-owned structures in the ROW.

C. Definitions:

Authority Used as a noun, means a state, county, or city governing body, board, agency, office or commission authorized by law to make legislative, quasi-judicial, or administrative decision relative to an application.

“Authority” does not include any of the following:

- a. State courts having jurisdiction over land use, planning, or zoning decisions made by an authority.
- b. Any departments of the City
- c. Any entities, including municipally owned utilities established under or governed by Title IX, subtitle 4 of the Code, that do not have zoning or permitting jurisdiction

Alternative Antenna Structure An existing pole or other structure within the public rights-of-way that can be used to support an antenna and is not a utility pole or a City-owned infrastructure.

Antenna means communications equipment that transmits and/or receives electromagnetic radio frequency signals used in the provision of Wireless Services. This definition does not apply to broadcast antennas, antennas designed for amateur radio use, or satellite dishes for residential or household purposes.

Applicant means the person submitting an application.

Application means the process by which a person submits a request to perform construction activity and/or indicates a desire to be granted permission in any way to utilize the rights-of-way of all, or a part, of the City. An application includes all written documentation, in whatever form or forum, made by a person to the City concerning: the installation of any type of public improvements, public utility facilities, the construction of a cable system or any type of information or telecommunications system over, under, on or through the rights-of-way.

Attached wireless facilities are those affixed to a structure except optical fiber, wires, coaxial cable and the mounting hardware used to attach optical fiber, wires, and coaxial cable. Examples of attached facilities include but are not limited to antennas, telephone boxes, power boxes, and other equipment boxes and cabinets on structures located on the ground.

Base Station a structure other than a tower that supports or houses an antenna, transceiver, or other associated equipment that constitutes part of a “base station” at the time the relevant application is filed with the City, even if the structure was not built for the sole or primary purpose of providing such support, but does not include structures that do not at that time support or house base station components.

Camouflage Design Structures and associated equipment taking on the appearance of a piece of art, a natural feature, an architectural structural component or other similar element and which aesthetically blends with the surrounding building environment. Examples of camouflage design include, but are not limited to: architecturally screened roof-mounted antennas; antennas integrated into architectural elements; antennas designed to look other than an antenna; antennas integrated into existing buildings, sports field lights, highway signs, water towers, etc; and towers designed to blend into the surrounding environment or to look other than a tower, such as flag poles, trees, clock towers, monuments, and church steeples. All such designs are subject to the review and approval of the Public Works Department.

City-Owned Infrastructure Infrastructure in public right-of-way within the boundaries of the City, including, but not limited to, streetlights, traffic signals, towers, structures, or buildings owned, operated or maintained by the City.

Collocate means to install or mount a Small Wireless Facility in the Public ROW on an existing Support Structure, an existing Tower, or on an existing Pole to which a Small Wireless Facility is attached at the time of the Application. "Collocation" has a corresponding meaning.

Collocated Small Wireless Facility Installation means a single telecommunication tower, pole, mast, cable, wire or other structure supporting multiple antennas, dishes, transmitters, repeaters, or similar devices owned or used by more than one public or private entity.

- A. A single ground or building mounted receive-only radio or television antenna including any mast, for the sole use of the tenant occupying the residential parcel on which the radio or television antenna is located; with an antenna height no higher than the height of the poles and antennas in the surrounding area;
- B. A ground or building mounted citizens band radio antenna, including any mast, if the height (post and antenna) does not exceed the height of the poles and antenna in the surrounding area;
- C. A ground or building mounted receive-only radio or television satellite dish antenna, which does not exceed thirty-six inches in diameter, for the sole use of the resident occupying a residential parcel on which the satellite dish is located; provided the height of said dish does not exceed the height of the ridgeline of the primary structure on said parcel.
- D. Mobile services providing public information coverage of news events of a temporary nature.
- E. Hand-held devices such as cell phones, business-band mobile radios, walkie-talkies, cordless telephones, garage door openers and similar personal-use devices.
- F. Government-owned and operated receive and/or transmit telemetry station antennas for supervisory control and data acquisition (SCADA) systems for water, flood alert, traffic control devices and signals, storm water, pump stations and/or irrigation systems, with heights no higher than the height of the poles and antennas in the surrounding area.

- G. Telecommunication facilities, including multiple antennas, in compliance with the applicable sections of this chapter, located on an industrial parcel and utilized for the sole use and purpose of a research and development tenant of said parcel, where it is found by the planning director to be aesthetically compatible with the existing and surrounding structures

Communications Facility means collectively, the equipment at a fixed location or locations within the Public ROW that enables Communications Services, including: (i) radio transceivers, Antennas, coaxial, fiber-optic or other cabling, power supply (including backup battery), and comparable equipment, regardless of technological configuration; and (ii) all other equipment associated with any of the foregoing. A Communications Facility does not include the Pole, Tower or Support Structure to which the equipment is attached.

Communication Structure any communications tower, antenna, and related accessory structure used in the transmission or reception of microwave energy, analog data transfer techniques, radio frequency energy, and other digital data transfer techniques.

Communications Structure Site a tract or parcel of land that contains the wireless communication structure, accessory building(s), on-site parking, and may include other uses associated with and necessary for wireless communication and transmission.

Distribute Antenna System (DAS) A type of **small wireless facility** consisting of a network of spatially separated antenna nodes connected to a common source via a transport medium that provides wireless service within a geographic area. Generally, serves multiple carriers.

Eligible Facilities Request any request for modification of any existing wireless tower or base station that involves (a) collocation of new transmission equipment; (b) removal of transmission equipment; or (c) replacement of transmission equipment.

Eligible Support Structure any tower or base station, as defined in this section, provided that it is existing at the time the relevant application is filed to the City.

Equipment Concealed Whenever technically feasible, antennas, cabling, and equipment shall be fully concealed within a Pole, or otherwise camouflaged to appear to be an integrated part of a Pole.

Facilities means any and all equipment, structures, materials or tangible components located in the rights-of-way and used to provide a service, including without limitation: all plants, whether inside or outside, fiber strands or optic lines, electronic equipment, amplification equipment, optic equipment, transmission and distribution structures, antennas of any type, lines, termination equipment, pipes, poles, ducts, mains, conduits, inner ducts, regenerators, repeaters, underground lines, vaults, manholes, pull boxes, splice closures, wires and cables, and all other like equipment, fixtures and appurtenances used in connection with transmitting, receiving, distributing, offering, and/or providing such service. Facilities shall include, as the context dictates, wireless telecommunication facilities, as defined herein.

Height means maximum height of the small wireless facility, including antenna, above established grade measured at the base of the structure

Lattice Tower an antenna support tower that is self-supporting with multiple legs and cross-bracing of structural steel

License Area Locations in city zones where **small wireless facilities** are permitted to be installed and operated pursuant to the requirements of this policy.

Major Wireless Telecommunications Facility means telecommunication towers, poles or similar structures greater than 50 feet in height, including accessory equipment such as transmitters, repeaters, microwave dishes, horns, and other types of equipment for the transmission or receipt of such signals, as well as support structures, equipment buildings and parking areas.

Micro Wireless Facility means a **small wireless facility** with dimensions no larger than twenty-four inches in length, fifteen inches in width, and twelve inches in height and that has an exterior antenna, if any, that is no more than eleven inches in length.

Minimum Height- the lowest vertical distance at which the structure can still operate at an efficient level of service. An efficient level of service is deemed to be 95% or greater of possible service levels.

Modification Includes collocation, removal, or replacement of an antenna or any other transmission equipment associated with the supporting structure.

Monopole A structure composed of a single spire, pole or tower designed and used to support antennas or related equipment and that is not a utility pole, an alternative antenna structure, or a City-owned infrastructure.

Provider means any person including a franchisee who is providing or is in the process of seeking permission to provide a service to citizens of the City through the placement of facilities or structures either owned or leased in and thereby occupying the rights-of-way, as defined herein.

Replacement exchanging of transmission equipment; not to include the structure on which the equipment is located.

Rights-of-way or ROW means the surface and space above and below any real property in which the City has a real property interest and/or which have been dedicated to the public or is hereafter dedicated to the public and maintained under public City or by others at the direction of the public City and located within the City including, but not limited to, public: streets, roadways, highways, avenues, lanes, alleys, bridges, sidewalks, easements, public ways and similar public property and areas.

Signage Signage is prohibited on all small wireless facilities and wireless support structures, including stickers, logos, and other non-essential graphics and information unless required by the FCC, except for a small placard identifying the service provider and contact information, which shall be placed at 6-feet above grade, facing away from the public rights-of-way.

Small Wireless Facility(ies) are low powered antennas that provide cellular and data coverage to small geographic areas supplementing the larger cellular network. It includes all equipment required for the operation and maintenance of radio-frequency communications systems that transmit and/or receive signals but are not "major wireless telecommunications facilities," including antennas, electronics, and other types of equipment required for the transmission or receipt of such signals.

Alternatively, Small Wireless Facility means either of the following:

- (a) Micro wireless facilities that are no larger in dimension than twenty-four (24) inches in length, fifteen (15) inches in width, and twelve (12) inches in height

and that have an exterior antenna, if any, of no more than eleven (11) inches in length; or

- (b) A wireless service facility where each antenna is located inside an enclosure of no more than 6 cubic feet in volume and where primary equipment enclosures associated with the small wireless facility is cumulatively no more than twenty-eight cubic feet in volume and shall be placed underground unless it is integrally incorporated inside the customary pole structure or base.

For purposes of this subparagraph, volume shall be measured by the external displacement of the primary equipment enclosure, not the internal volume of each enclosure. An associated electric meter, concealment, telecommunications, demarcation box, ground-based enclosures, battery backup power systems, grounding equipment, power transfer switch, cutoff switch, cable, conduit and any equipment that is concealed from public view within or behind an existing structure or concealment may be located outside of the primary equipment enclosure and shall not be included in the calculation of the equipment volume.

For the purposes of this chapter, a **small wireless facility** does not include the following:

- A. Wireline backhaul facility, which shall mean a facility used for the transport of communications data by wire from wireless facilities to a network.
- B. Coaxial or fiber optic cables that are not immediately adjacent to or directly associated with a particular antenna or collocation.
- C. Underlying vertical infrastructure, which shall mean poles or similar facilities owned or controlled by the City that are in the public rights-of-way or public utility easements and meant for, or used in whole or in part for, communications service, electric service, lighting, traffic control, or similar functions

Small Wireless Facility Installation means all equipment required for the operation and maintenance of so-called "small cell" wireless communications systems that transmit and/or receive signals but are not "Major Telecommunications Facilities," including antennas, microwave dishes, power supplies, transformers, electronics, and other types of equipment required for the transmission or receipt of such signals.

Stealth Facility Any commercial wireless communications facility that is designed to blend into the surrounding environment by means of screening, concealment, or camouflage. The antenna and supporting antenna equipment are either not readily visible beyond the property on which they are located, or, if visible, appear to be part of the existing landscape or environment rather than identifiable as a wireless communications facility. Stealth facilities may be installed, but such installation methods are not limited to, undergrounding, partially undergrounding and landscaping.

Structure means anything constructed or erected with a fixed location below, on, or above grade, including, without limitation, service cabinets, junction boxes, foundations, fences, retaining walls, awnings, balconies, and canopies.

Structure Height the vertical distance measured from the base of the antenna support structure at grade to the highest point of the structure. If the support structure is on a sloped grade, then the average between the highest and lowest grades of the cell site shall be used in calculating the height.

Tower Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, or monopole towers, and that is not a utility pole, an alternative antenna structure, or a City-owned infrastructure. Except as otherwise provided for by this Policy, the requirements for a tower and associated antenna facilities shall be those required in this Policy.

Utility Pole the City of Nevada, Iowa currently maintains three Corridors with decorative lighting. An upright pole or similar structure owned and utilized in a whole or in part by a public utility, municipality. It is designed and used to support electric cables, telephone cables, telecommunication cables, cable service cables, which are used to provide lighting, traffic control, signage, or a similar function.

Variance or Variation A grant of relief by the City.

Wi-Fi Antenna An antenna used to support Wi-Fi broadband Internet access service based on the IEEE 802.11 standard that typically uses unlicensed spectrum to enable communication between devices.

D. Standards and Regulations:

Small Wireless Facilities will be permitted to be placed in right-of-way within the jurisdiction of the City as attachments to existing utility poles, alternative antenna structures, or City-owned infrastructure subject to the following regulations.

- A. Aesthetics.** A small wireless facility shall reasonably match the aesthetics of an existing utility pole or wireless support structure in the area that incorporates decorative elements. Furthermore, a small wireless facility will allow retroactive aesthetic or placement requirements.
- B. Number Limitation and Co-Location.** The City may regulate the number of **small wireless facilities** allowed on each utility pole or unit of City-owned infrastructure. Up to **three (3) small wireless facilities** will be permitted on utility poles or Alternative Antenna Structure. This Policy does not preclude or prohibit co-location of **small wireless facilities** on towers or monopoles that meet the requirements as set forth elsewhere in this section or as required by federal law.
- C. Separation and Clearance Requirements for Existing Decorative Poles.** **Small wireless facilities** may be attached to a utility pole, alternative antenna structure, monopole, or City-owned infrastructure including decorative only where such pole, structure or infrastructure is located evenly behind the curb. This supports The FCC Order that creates a One-Touch-Make-Ready ("OTMR") regiment for pole attachments.
- D. Separation and Clearance Requirement New Small Wireless Facilities.** For new **small wireless facilities** between existing decorative street lights no closer than a distance equal to one hundred (100) per cent of the height of such facility to any residential building and no closer than **Five Hundred (500)** feet from any other **small wireless facility** for each carrier. A new small wireless facility shall be installed on the nearest lot line and not in front of the building or structure on the lot. A separation or lesser clearance may be allowed by the City as an administrative variance to this Policy when the Applicant establishes that the lesser separation or clearance is necessary to close a significant coverage or

capacity gap in the Applicant's services or to otherwise provide adequate services to customers, and the proposed antenna or facility is the least intrusive means to do so within the right-of-way.

- E. City-Owned Infrastructure.** The City's preference is that **Small Wireless Facilities be installed on non-City-owned infrastructure.** If the facility is attached to City-owned infrastructure, then the **Small Wireless Facilities** can only be mounted to City-owned infrastructure including, but not limited to, streetlights, towers or buildings, if authorized by a license or other agreement between the owner and the City.
- F. Construction Requirements.** All **Small Wireless Facility** installations shall comply with the following:
1. All needed traffic control shall comply with the most recent version of the Manual on Uniform Traffic Control Devices.
 2. Any needed lane closures on arterial roadways shall not start before 9:00 A.M. and end no later than 3:00 P.M.
 3. Small Wireless Facilities shall be installed on non-decorative facilities/poles wherever possible.
 4. Once new pole designs have been approved in an area, all providers shall use the same pole design.
 5. Installations shall foster an aesthetically pleasing environment, prevent visual blight, protect and preserve public safety and general welfare, and maintain the character of residential and nonresidential areas consistent with the adopted plans and compliance of applicable State and Federal legislation.
 6. All disturbed or damaged ROW shall be hydro-seeded, seeded with erosion mat or replaced with sod as soon as completed.
 - a) If seeding or hydro-seeding, prepare the area by hand raking to a depth of 3-4 inches and proper grade. When hydro-seeding, scarify the seedbed to facilitate lodging and germination of the seed.
 - b) If sodding, sod shall be rolled immediately after laying to create firm contact with the ground.

Areas shall be maintained by the permittee until satisfactory growth is established. Permittee shall water all seeded or sodded areas once per day for the first 15 days and as needed until established growth and signed off by the city. Any day that there is $\frac{1}{4}$ " or more rainfall in that 24-hr. period, watering does not need to take place.
 7. It will be the responsibility of the Permittee to work with property owners to identify location of any existing lawn irrigation system within the public right of way. Any damage to these systems is the responsibility of the Permittee to repair.
 8. Installations shall maintain a minimum distance of 15 feet from existing trees in the ROW.

9. Only equipment necessary for the installation of Small Wireless Facilities can sit on the right of way. Large trucks must stay on a hard surface at all times. No equipment can be left on the right of way overnight.
 10. Work **cannot** take place during City snow/ice removal operations.
 11. The City reserves the right to deny any future projects with the Permittee if the Permittee has failed to follow the aforementioned Construction Requirements on a previous permit.
- G. New Towers.** A new monopole shall be installed on the nearest lot line and not in front of the building or structure on the lot. No new monopole or other tower to support **small wireless facilities** shall be installed in rights-of-way that exceeds the height of surrounding existing poles within the jurisdiction of the City unless the City finds, based on clear and convincing evidence provided by the applicant, that locating the **small wireless facilities** on the rights-of-way is necessary to close a significant coverage or capacity gap in the Applicant's services or to otherwise provide adequate services to customers, and the proposed new monopole or other tower within the rights-of-way is the least intrusive means to do so.
- H. Attachment Limitations.** No small wireless telecommunication antenna or facility within the rights-of-way will be attached to a utility pole, alternative antenna structure, tower, or City-owned infrastructure unless all of the following conditions are satisfied:
- a. **Surface Area of Antenna:** The small wireless telecommunication antenna, including antenna panels, whip antennas or dish-shaped antennas, cannot have a surface area of more than **six (6)** cubic feet in volume.
 - b. **Size of Above-Ground Small Wireless Facility:** The total combined volume of all above-ground equipment and appurtenances comprising a **small wireless facility**, exclusive of the antenna itself, cannot exceed **twenty-eight (28)** cubic feet.
 - c. **Small Wireless Facility Equipment:** The operator of a **Small wireless facility** must, whenever possible, locate the base of the equipment or appurtenances at a height of no lower than **twelve (12)** feet above grade.
 - d. **Small Wireless Facility Services Equipment Mounted at Grade:** No equipment or appurtenances are to be installed at grade, they must be installed below grade. Pedestals at grade are allowed. In the event that the operator of a **small wireless facility** proposes to install a facility where equipment or appurtenances are to be installed at grade, screening must be installed to minimize the visibility of the facility. Screening must be installed at least **three (3)** feet from the equipment installed at-grade and **eight (8)** feet from a roadway.
 - e. **Height:** The top of the highest point of the antenna cannot extend more than **three (3)** feet above the highest point of the utility pole, alternative antenna support structure, tower or City-owned infrastructure. If necessary, the replacement or new utility pole, alternative support structure or City-owned infrastructure located within the public rights-of-

way may not be higher than existing poles adjacent to the replacement or new pole or structure.

- f. **Color:** A **small wireless facility**, including all related equipment and appurtenances, must be a color that blends with the surroundings of the pole, structure tower or infrastructure on which it is mounted and use non-reflective materials which blend with the materials and colors of the surrounding area and structures. Any wiring must be covered with an appropriate cover.
- g. **Antenna Panel Covering:** A **small wireless facility** antenna may include a radome, cap or other antenna panel covering or shield, to the extent such covering would not result in a larger or more noticeable facility and, if proposed, such covering must be of a color that blends with the color of the pole, structure, tower or infrastructure on which it is mounted.
- h. **Wiring and Cabling:** Wires and cables connecting the antenna to the remainder of the facility must be installed in accordance with the electrical code currently in effect. No wiring and cabling serving the facility will be allowed to interfere with any wiring or cabling installed by a cable television or video service operator, electric utility or telephone utility.
- i. **Grounding:** The **small wireless facility** must be grounded in accordance with the requirements of the electrical code currently in effect in the City.
- j. **Guy Wires:** No guy or other support wires will be used in connection with a **small wireless facility** unless the facility is to be attached to an existing utility pole, alternative antenna support structure, tower or City-owned infrastructure that incorporated guy wires prior to the date that an applicant has applied for a permit.
- k. **Pole Extensions:** No pole extensions to utility poles, alternative support structures, towers and City-owned infrastructure are allowed.
- l. **Structural Integrity:** The **small wireless facility**, including the antenna, and all related equipment must be designed to withstand a wind force and ice loads in accordance with applicable standards established in Chapter 25 of the National Electric Safety Code for utility poles, Rule 250-B and 250-C standards governing wind, ice, and loading forces on utility poles, in the American National Standards Institute (ANSI) in TIA/EIA Section 222-G established by the Telecommunications Industry Association (TIA) and the Electronics Industry Association (EIA) for steel wireless support structures and the applicable industry standard for other existing structures. For any facility attached to City-owned infrastructure or, in the discretion of the City, for a utility pole, tower, or alternative antenna structure, the operator of the facility must provide the City with a structural evaluation of each specific location containing a recommendation that the proposed installation passes the standards described above. The evaluation must be prepared by a professional structural engineer licensed in the State of Iowa.

- m. **Signage.** Other than signs required by federal law or regulations or identification and location markings, installation of signs on a **small wireless facility** is prohibited.
- n. **Screening.** If screening is required, it must be natural landscaping material or a fence subject to the approval of the City and must comply with all regulations of the City. Appropriate landscaping must be located and maintained and must provide the maximum achievable screening, as determined by the City, from view of adjoining properties and public or private streets. Notwithstanding the foregoing, no such screening is required to extend more than **six (6)** feet in height. Landscape screening when permitted in the rights-of-way must be provided with a clearance of three (3) feet in all directions from the facility. The color of housing for ground-mounted equipment must blend with the surroundings. For a covered structure, the maximum reasonably achievable screening must be provided between such facility and the view from adjoining properties and public or private streets.
- I. **Permission to Use Utility Pole or Alternative Antenna Structure.** The operator of a **small wireless facility** must submit to the City written copies of the approval from the owner of a utility pole, monopole, or an alternative antenna structure, to mount the **small wireless facility** on that specific pole, tower, or structure, prior to issuance of the City permit.
- J. **Licenses and Permits.** The operator of a **small wireless facility** must verify to the City that it has received all concurrent licenses and permits required by other agencies and governments with jurisdiction over the design, construction, location and operation of said facility have been obtained and will be maintained within the corporate limits of the City.
 - a. The City currently maintains decorative street lighting within its Central Business District. The City maintains that it reserves to determine accessibility to the street lighting.
 - b. The City reserves the right to deny any future projects with the Licensee if the General Terms and Conditions or Special Provisions of this License have not been stratified.
- K. **Abandonment and Removal.** Any **small wireless facility** located within the corporate limits of the City that is not operated for a continuous period of twelve (12) months, shall be considered abandoned and the owner of the facility must remove same within ninety (90) days of receipt of written notice from the City notifying the owner of such abandonment. Such notice shall be sent by certified or registered mail, return-receipt-requested, by the City to such owner at the last known address of such owner. In the case of **small wireless facilities** attached to City owned infrastructure, if such facility is not removed within ninety (90) days of such notice, the City may remove or cause the removal of such facility through the terms of the applicable license agreement or through whatever actions are provided by law for removal and cost recovery.
- L. **NOISE AND EMISSION STANDARDS.**

- a. **Noise.** The incorporation of ambient noise suppression measures is required and/or it is required to place the equipment in locations less likely to impact adjacent residences or businesses to ensure compliance with all applicable noise regulations. The maximum allowable noise emitted by the Small Wireless Facility shall not exceed 30 dB measured at a distance of 3 feet from any portion of the facility.

The only exception is during emergencies or periodic routine maintenance which requires the use of a back-up generator, where the noise standards may be exceeded temporarily.

- b. **Emissions.** The Federal Telecommunications Act of 1996 gives the FCC sole jurisdiction to regulate radio frequency emissions. Facilities that meet the FCC standards shall not be conditioned or denied on the basis of emissions impacts. Applicants for tower sites shall be required to provide information on the projected power density of the facility and how this meets the FCC standards.

M. New Technologies Should, within the term of any lease, developments within the field for which the grant was made to the holder of the lease, present the opportunity to the holder of the lease to be more effective, efficient and economical through the use of a substance or material other than those for which the lease was originally made, the holder of the lease may petition the Public Works Department which, with such requirements or limitations as it deems necessary to protect public health, safety and welfare, may allow the use of such substances under the terms and conditions of the lease.

N. Safety Requirements

- a. **Prevention of failures and accidents.** Any Person who owns a Small Wireless Facility and/or Wireless Support Structure sited in the ROW shall at all times employ ordinary and reasonable care and install and maintain in use industry standard technology for preventing failures and accidents which are likely to cause damage, injury, or nuisance to the public.
- b. **Compliance with fire safety and FCC regulations.** Small Wireless Facilities, wires, cables, fixtures, and other equipment shall be installed and maintained in substantial compliance with the requirements of the National Electric Code, all FCC, state, and local regulations, and in such manner that will not interfere with the use of other property.
- c. **Changes in state or federal standards and regulations.** If state or federal standards and regulations are amended, the owners of the Small Wireless Facilities and/or Wireless Support Structures governed by this chapter shall bring any facilities and/or structures into compliance with the revised standards and regulations within six months of the effective date of the standards and regulations, unless a different compliance schedule is mandated by the regulating agency. Failure to bring Small Wireless Facilities and/or Wireless Support Structures into compliance with any revised standards and regulations shall constitute grounds for removal at the owner's expense.

- d. **Indemnification** Any Person who owns or operates Small Wireless Facilities or Wireless Support Structures in the ROW shall indemnify, protect, defend, and hold the City and its elected officials, officers, employees, agents, and volunteers harmless against any and all claims, lawsuits, judgments, costs, liens, losses, expenses, fees to include reasonable attorney fees and costs of defense, proceedings, actions, demands, causes of action, liability and suits of any kind and nature, including personal or bodily injury or death, property damage or other harm for which recovery of damages is sought, to the extent that it is caused by the negligence of the Operator who owns or operates Small Wireless Facilities and wireless service in the ROW, any agent, officer, director, representative, employee, affiliate, or subcontractor of the Operator, or their respective officers, agents, employees, directors, or representatives while installing, repairing, or maintaining facilities in the Rights-of-Way.
- e. **Surety bond or equivalent financial tool for cost of removal.** All owners must procure and provide to the City a bond, or must provide proof of an equivalent financial mechanism, to ensure compliance with all provisions of this chapter. The bond must be maintained for as long as the owner has Small Wireless Facilities and/ or Wireless Support Structures located in the ROW. The bond or equivalent financial method must specifically cover the cost of removal of unused or Abandoned Small Wireless Facilities and/ or Wireless Support Structures or damage to City property caused by an Operator or its agent of each Small Wireless Facility and/ or Wireless Support Structure in case the City has to remove or pay for its removal. Two acceptable alternatives to a bond include a funds set-aside and a letter of credit.
- O. **Severability** The various parts, sentences, paragraphs, Sections and clauses of this Chapter are hereby declared to be severable. If any part, sentence, paragraph, Section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Chapter shall not be affected thereby.

Conflict of Laws

Where the conditions imposed by any provisions of this Chapter regarding the siting and installation of **small wireless facilities** are more restrictive than comparable conditions imposed elsewhere in any other local law, policy, resolution, rule or regulation, the regulations of this Policy will govern.

Date of Policy: X/XX/19
Approved by Council: X/XX/19

Revised:

Matthew Mardesen

From: Erin Clanton <Erin.Clanton@brickgentrylaw.com>
Sent: Tuesday, April 02, 2019 1:36 PM
To: Matthew Mardesen; Kerin Wright
Subject: Fwd: Small Wireless Facility rules deadline is April 15
Attachments: Small_Wireless_Facilities Policy Draft.pdf

Matt and Kerin-

I'm sure you have received this circulation, but I wanted to let you know that I participated in this conference call today. Let me know if you have a few minutes and would like to discuss?

From: John Edwards <john.edwards@drake.edu>
Subject: **Small Wireless Facility rules deadline is April 15**
Date: March 30, 2019 at 10:21:11 AM CDT
Cc: "Reindl, Kandi P." <KPREindl@dmgov.org>

To: MAC List

We wanted to make sure all of our members were aware of the impending April 15 deadline to adopt rules concerning small wireless facilities (SWF). SWF will be added to the agenda for our April 9 meeting (7:30 a.m. at the Botanical Gardens) but since cities that do not take action by April 15 will be precluded from doing so, we thought it important enough to get word out earlier.

The draft ordinance from the City of Clive is enclosed for your information. Below is a summary of the issues prepared by Clive city attorneys followed by information on the Tuesday webinar for city attorneys.

Summary of the issues:

In September 2018, the FCC released an order (Declaratory Ruling and Third Report and Order) that limits state and local management of small wireless infrastructure (SWF). The National League of Cities appealed the order, but the FCC denied its petition and the order took effect January 14, 2019. US cities are currently required to be in compliance with part of the order which caps fees related to SWF and imposes "shot clocks" for timing of a City's review of an application and on April 15, 2019, the remainder of the FCC Order goes into effect. After April 15th, a city, may no longer have aesthetic standards of review that are not: (1) reasonable; (2) more burdensome than those applied to other types of infrastructure deployment; or (3) objective and published in advance of a small wireless facilities permit application. Given Iowa's existing laws governing SWF permitting (Iowa Code Chapter 8C) and local ordinances and policies that may already be in place there is no "one-size-fits-all" solution, but any local jurisdiction that wants to enforce aesthetic requirements on SWF must have some policy or ordinances approved and published by April 15th in order to comply with the FCC order.

Next Tuesday, April 2, 2019, Kristina Stanger and Colleen MacRae of the Nyemaster Goode Law Firm, along with other city attorneys in Iowa plan to discuss the ways cities are complying, or are planning to comply, with the FCC order. Please see the agenda below for reference. The League distributed the information to Iowa Municipal Attorneys Association members via e-mail on Friday.

"Don't Hate the Internet - A practical discussion of Iowa municipalities' compliance with Small Wireless Facilities laws and regulations."

1. The Background of Small Wireless Facilities law and regulations: FCC September 2018 order; Iowa Code 8C
2. Shot Clock – April 15 and 90 day approval period
3. How to implement: Policy v. Ordinance - Waive Readings
4. Specific Policy/Ordinance provisions:
 - a. Permit v. License
 - b. Severability
 - c. Abandonment
 - d. Relocation
 - e. Costs/Fees - capped
 - f. Other recommendations
5. Conclusion

John Edwards
MAC Chair
jedwards@cityofclive.com

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Matthew Mardesen

From: Stevens, Larry <lstevens@hrgreen.com>
Sent: Wednesday, April 03, 2019 3:35 PM
To: Matthew Mardesen
Cc: Kerin Wright; Erin Clanton (Brick Gentry)
Subject: RE: City of Nevada - Small Wireless Facilities Policy -Draft 040319

Matt,

Here are some bullet point items to provide information to the Council and Mayor.

Bullet Points for Strategy and Discussion with Council and Mayor:

- **5G/Small Cell:** At a very high level, this section is an overview of why 5G/small cell has become so important. Bandwidth needs are increasing consistency and exponentially – and there is no end in sight. One of the most significant industry responses to that is 5G/small cell. Cell towers have traditionally been macro tower that covered large geographic areas. In this macro approach, there are limits on how much data they can receive. 5G/small cells are much more condensed (300-500 feet apart). Very simply, more cells equals more capacity. These small cells are mostly connected to fiber (some can be a form of repeater), but the goal is to receive the data and get it into fiber (again, that means more capacity). Along with the cell system and the fiber they are connected to, they also need power. The 5G refers to the technology and protocols that are being developed that will utilize this will function over this excess capacity.
- The FCC has made a ruling and the State of Iowa has passed a law that both limit City's ability to control their ROW and charge fees that will cover their costs regarding 5G/small cell.
- In several important areas, the FCC and State left room for cities to make policies that define aspects of 5G/small cell like aesthetics, reasonable rates, safety, corridors, what cannot be attached to, etc. These have to be reasonable and consistently applied.
- By the FCC Declaratory Ruling, the City has until April 15 to enact these policies. After April 15, the City might lose the ability to regulate these aspects (they will have to approve applications with very little control.
- The City wants to encourage 5G/small cell, but wants to do it in a way that is mutually beneficial and that protects Nevada.
- The policy does not eliminate the ability of a provider to have a master agreement with the City.
- The providers' master agreements aren't exclusive - there will likely be a number of providers (possible examples being companies like AT&T, T-Mobile, Sprint (maybe those together if they merge) and "middle companies" like American Tower, Mobilitie, Crown Castle and possibly other smaller companies) who might come to Nevada with their 5G/small cell infrastructure – so Nevada has the opportunity to have a managed ROW and fees that cover costs when all of this might hit.
- As the City works through these policies, this will be an excellent learning experience for the entire Nevada team in what these issues are and how policies can provide an inviting atmosphere and also protect the City

Larry J. Stevens, PE, PWLF
Municipal Services Manager – Governmental Services
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From: Stevens, Larry

Sent: Wednesday, April 3, 2019 3:24 PM

To: Matthew Mardesen (mmardesen@cityofnevadaiaowa.org) <mmardesen@cityofnevadaiaowa.org>

Cc: Kerin Wright <KWright@cityofnevadaiaowa.org>; Erin Clanton (erin.clanton@brickgentrylaw.com) <erin.clanton@brickgentrylaw.com>

Subject: City of Nevada - Small Wireless Facilities Policy -Draft 040319

Matt,

I left a voice message for you in regard to preparation of a Small Cell Policy for Nevada. We have been working with a number of Western DM Cities to create 5G/Small Cell policies and design guidelines. Erin called me earlier today wondering if we had done something like this for Nevada. It was my presumption cell providers, such as Verizon and AT&T, would be pursuing this technology in the larger metro areas first, and Nevada would have time to deal with it later. While the FCC deadline for establishment of the policies is April 15, that may not be hard and fast. However, I have prepared a draft policy for Nevada, which is based on others we have prepared. If you determine this is a policy you'd like to have in place by April 15, it should be considered at the next Council meeting.

Larry J. Stevens, PE, PWLF

Municipal Services Manager – Governmental Services
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**City Administrator's Report
as of April 4, 2019**

Department Head Meeting: Department Head meeting was held on Monday, April 1st at City Hall. Enclosed is a copy of the staff agenda in the council packet.

Iowa League of Cities Service Committee Meeting: On Tuesday, March 26th, I attended my first meeting after being asked to serve on this committee. The purpose of this committee is to provide feedback to the Iowa League of Cities when evaluating the potential partnerships with the League. The committee heard a presentation from POLCO which is a civic engagement product that would like to partner with the league to assist cities improve in communications with citizens. I am in the process of providing the feedback to the league so they can discuss the possibility at the next executive board meeting.

NEDC Board meeting: On Wednesday, March 27th, I attended the NEDC meeting at the Boulders Inn and Suites in Boone. The presentation and tour of the newly opened hotel and conference center was led by Kurt Phillips with the Boone Co. Economic Development and Tim Stuart with Boulders Development. The hotel has a conference center that was a partnership with Fareway, and is being utilized very frequently. John Hall wanted the NEDC Board to get a personal feel for what Boulders Development is capable of providing to communities the size of Nevada. Lauris Olson was also at the meeting to provide us with an overview from Story County.

Main Street Iowa Steering Committee Meetings: On March 27th, I attended the local Main Street Iowa Steering Committee meeting at George's Pizza to continue the planning and discussion about applying to become a Main Street Iowa Community. This would involve a financial commitment from the City of Nevada, which will be explored as part of the application process. The group continues to build momentum and has established a positive support base to move this forward.

Story County Housing Trust Fund Meeting: On March 28th, Brenda Dyer, John Hall and I met to discuss the continued support of the Story Housing Trust Fund by the City of Nevada. We originally pledged \$3,666.43 in funds for their FY17 and FY18. We are evaluating other opportunities for Nevada residents to apply for this funding and look to present this to the council within the next month for support.

Insurance Committee Meeting: On March 28th, the City of Nevada Insurance Committee met with Tim Alexander with Cottingham and Butler to discuss what insurance options they could provide the City. If we elected to go with Cottingham and Butler, we would be able to join the Iowa Community Trust which is a group benefit program with local governments. The ICT is a 28E agreement with Iowa cities and counties with a fully insured health plan with Wellmark. The options with the ICT would allow for leveraging plan designs that fit the city's and employee's needs. This is one of the providers we will be meeting with as we evaluate our options moving forward next year.

Iowa League of Cities Site Selection Committee Meeting: On March 28th, I attended my first meeting after being asked to serve on this committee. The committee met to review the proposals and evaluate their presentation for hosting the 2023 Iowa League of Cities Annual Conference. The committee evaluated five presentations and selected Sioux City as the recommendation to be presented to the Iowa League of Cities Executive Board in April.

City/School Joint Board Meeting: On April 1, Mayor Barker, Councilman Walker, Councilman Hanson and I met with representatives from the Nevada School Board. The main topic of discussion was the option of Billy Sunday Field as the location for Middle School Baseball. After receiving the petition, the School Board will be discussing the issue and determining what is best for their student athletes. In the meeting, there was discussion about what improvements would be

needed at Billy Sunday in the future and at Harrington Park as it relates to hosting middle school baseball. We also discussed the options looking ahead for High School Baseball as the new facility is expected to be completed by May 26th.

2019 Main Street Iowa Application Workshop: On April 3rd, five representatives with the local Main Street Iowa Steering Committee attended the 2019 Main Street Iowa Application Workshop in State Center. The day consisted of an overview of the expectations that becoming a Main Street Community could provide to a community; tour of some of the improved properties in State Center; and an overview of the application process. The application process is very intensive and will take input from all twelve of the steering committee members in order to reach the completion. There are several requirements that the City of Nevada will have to consider as it relates to supporting the application which will be presented in the next couple months.

In review of the workshop, I was impressed how many of the Main Street Communities were able to leverage second story housing and how that revenue source was able to fund almost all of the building renovations for that particular building. The opportunity we have to share that story and increase our housing in the downtown area is one of the most attractive concepts to apply to become a Main Street Iowa Community. There is a great deal of work to be done before the application deadline of June 24, 2019 but I believe this group is capable of getting it done.

Upcoming Events when I am not in the office...

April 10th to 12th – Renew Rural Iowa Summit in Grinnell

April 15th-16th - Vacation

April 24th – Out of the office in the afternoon

STAFF MEETING AGENDA

Monday, April 1, 2019

9:00 A.M.

City Hall – Conference Room

A. Welcome/Handouts:

B. Council Meeting Agenda: All packet materials and agenda items are due by **noon on Wednesday**. If not received, the item will be postponed until the following meeting.

1. Staff Reports – **Include meeting minutes and permits with packet and reports**
 - a. 1st Meeting – Shanna, Ric and Kerin
 - b. 2nd Meeting – Shawn, Mike and Tim
2. Memo vs. Action Form –
 - a. Memo – Updates, Old Business, Resolutions
 - b. Action Form – Discussion, New Business, and Purchases
3. Council Meeting Attendance – If you have an item on the agenda, you are expected to attend the Council meeting, unless pre-excused

Old Business

A. One Organization – How have you helped another department this last week? How can you help in the next few?

Note worthy – Anyone gone above and beyond to create a team working environment, or included someone or another department on a project, that is worthy of receiving a thank you note: *Ray thanked the Street Dept for the helping with the live burn training area.*

B. Newsletter articles for May 2019 are due May 15th

- a. Park and Recreation – Tim and Rhonda-
- b. Library News–Shanna
- c. Chamber and Community Events – Donna
- d. Coffee with the Council – Dane
- e. Summer Trail work
- f. Spring burning end

C. Waste Water Operator Opening update – *received 8 applications, will be reviewing this week, interviews 4-19.*

D. Teen Maze Volunteers still needed – *if you or staff have time to volunteer on Wednesday, please see Barb's email.*

New Business

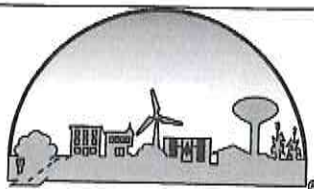
- A. Appendix update - *please review the appendix in the next 2 weeks if you believe it needs changes for city services.*
- B. Bike Trail on 8th Street – *8' wide would be about \$2,000, have funds in new trail reserve, will get it completed asap.*
- C. Property Valuations – *Verbio valuation is \$5.1M, heard that valuations are up, which increased taxes; City levy unchanged last 5 years.*
- D. Orcutt Case – *The UPRR accident on 6th St case has dismissed the City from the lawsuit.*
- E. Baseball field update – *work is started, completion date is May 26th. About 3 weeks of concrete work left on site.*
- F. City / School Meeting – *Monday at 5pm; discussions about the petition to keep Middle School baseball at Billy Sunday. School Reps will be discussing this option with the soccer club. Will see what options are feasible for the school.*
- G. 1st Amendment Auditors – *PSD Martinez explained that a citizen has been to the Boone County Courthouse and the City of Ames to video the buildings. If it would happen, be courteous, polite and allow them in the general public area. We will be posting signs at several doors with Authorized Personnel Only in order to clearly make those areas.*

Updates

- A. Public Safety-Police – Ric: *Officer Chris Brown will graduate April 19th.*
 - a. Fire – Ray: *Open Burning starts April 1st; Oil issue at the former Georges Pizza is cleaned up.*
- B. Library – *Beginning the student hiring process, 3 openings; Meeting with Rotary to discuss benches at Patton Park; holding a fundraiser on Friday for Special Events funding for tickets to local attractions.*
- C. Park and Rec/Wellness – *Have an electric issue at the cemetery, lost power, computer went down. Lost power at Gates on Saturday afternoon, restored power for the event; Rotary helping clean the pool on 4-17th, opening 1st weekend in June.*
- D. Public Works – *planning to review the WWTF applications reviewed this week.*
- E. Streets Department – *repaired Maple St, only 5 inches thick concrete; pot hole filling; planning bike trail concrete work.*
- F. Water Plant – *lime softener went bad, needed replaced; pulled the well pump last week, should be here this week to fix.*
- G. P&Z/Projects Update – *Burke water flow test on Sunday; Burke is looking to put a temporary parking area at Hertz.*
- H. City Clerk – *planning for the budget amendment; would like to develop an incident report for property damage information.*

P. 66

1209 6th Street
P.O. Box 530
Nevada, IA 50201-0530



City of Nevada

Kerin Wright
City Clerk
Phone: (515) 382-5466
Fax: (515) 382-4502
kwright@cityofnevadalowa.org

April 2019

TO: Mayor
City Council Members
City Administrator Matt Mardesen

FROM: Kerin Wright, City Clerk

You shall find the Proposed 2nd FY2018/2019 Budget Amendment in the packet. This will set the public hearing for May 13th.

Also, in the council packet is the authorization for the process to pay off the City Hall portion of the 2012B Bonds. The other portion of the 2012B Bond is from the Library Addition/Remodel. This portion of the bond is paid for by the Capital Improvement Levy (CIP).

I attended the Iowa Employment Conference in Altoona on Wednesday and Thursday, April 3rd and 4th and then I will be attending the Iowa Municipal Finance Officers Conference on April 11th and 12th.

You all should have received the FY2017/2018 Audit by email from the Auditor's office. We are scheduling a time for them to come and give a brief summary of their findings.



For April 8, 2019 Council Meeting

To: Mayor
Nevada City Council
City Administrator

From: Shanna Speer, Library Director

Nevada Public Library Council Report

Tax Appointments:

For several years, we have assisted AARP volunteers who come to offer tax preparation. We schedule appointments and provide space for them to meet with people. This year, they will meet with almost 200 people by April 15th. Requests for appointments continue to come in, but unfortunately, the time slots have been full for over two weeks.

Student Hiring Update:

We began reviewing our applicants for the student clerk positions. The library board agreed to a rate increase for the position that will fit within our current budget. This will allow us to be more competitive with other local businesses when recruiting high school employees. Amanda and I will be conducting interviews in the next few weeks. Once chosen, the new hires will start work in July.

Staff Conferences:

Amanda is attending the Iowa Library Association Kids Matter Conference in Ames on April 5. I am attending the Driftless Libraries LINC-Up Conference in Dubuque on April 12. Amanda attended the State Library Summer Library Program Roundtable in Ames on March 12. Cindy attended the Story County Summer Reading Planning Roundtable in Slater on March 26. Both roundtables provided good ideas for our summer programs.

LIBRARY BOARD OF TRUSTEES MONDAY, MARCH 25, 2019, 5:00 P.M.

Chairperson Adam Riedell presided and convened the regular meeting of Nevada Library Board of Trustees on Monday, March 25, 2019 at 5:01 p.m. at the Nevada Public Library, 631 K Avenue, Nevada, Iowa. The agenda was posted on the official bulletin board in compliance with the open-meeting law.

The roll was called indicating that the following named Trustees were present and absent. Present: Chad Bauman, Rebecca Funke, Lisa Johnson, David Morris, Barb Parker, and Adam Riedell. Absent: Peter Korsching.

Others in attendance were Library Director Shanna Speer, Assistant Library Director Amanda Bellis, and Donna Mosinski.

Motion by Board Member Lisa Johnson, seconded by Board Member Chad Bauman, to approve the agenda as posted. The roll being called, the following named members voted. Ayes: Johnson, Bauman, Funke, Morris, Parker, and Riedell. Nays: None. Chairperson Adam Riedell declared the motion carried.

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

Motion by Board Member Barb Parker, seconded by Board Member David Morris, to approve the following consent agenda items as submitted:

- (1) Approve **minutes** of the February 18, 2019 regular meeting
- (2) Approve March 2019 **claims** totaling \$8,719.72(see attached list)
- (3) Accept and place on file the Director's **memo** dated March 21, 2019
- (4) Accept and place on file the February 2019 **financial report**

The roll being called, the following named board members voted. Ayes: Parker, Morris, Riedell, Bauman, Funke, and Johnson. Nays: None. Chairperson Adam Riedell declared the motion carried.

Motion by Board Member Barb Parker, seconded by Board Member Rebecca Funke, to raise the Student Clerk beginning wage at \$8.50 per hour with yearly increases of \$0.25 starting July 1, 2019. The roll being called, the following named board members voted. Ayes: Parker, Funke, Johnson, Morris, Riedell, and Bauman. Nays: None. Chairperson Adam Riedell declared the motion carried.

The board discussed the Circulation Policy and the Miscellaneous Operations Policy. They discussed adding inclement weather to the hours and holiday schedule policy, age requirements for parental signature, temporary cards, home school and in-home daycare cards. Shanna will bring the revisions back to the next meeting.

The board discussed the Sex Offender Policy and how to include programs to that policy.

The Board Continuing Education: Advocacy video was postponed until the next meeting.

Library Director Shanna Speer reported on:

- Shanna will attend a conference in Dubuque on April 12.
- The Friends are raising money for benches for the garden area. Rotary also has been raising money for benches. It was suggested to give them the plan that was designed for that area.
- There are three trustees leaving at the end of June.

The next meeting will be held at 5:00 p.m. Monday, **April 15, 2019** in the Library Meeting Room.

There being no further business to come before the Board, it was moved by Board Member Barb Parker, seconded by Board Member Chad Bauman, to **adjourn the meeting**. The roll being called, the following board members voted. Ayes: Parker, Bauman, Funke, Johnson, Morris, and Riedell. Nays: None. Chairperson Adam Riedell declared the motion carried. At 6:20 p.m. he adjourned the meeting.

ATTEST:

Lisa Johnson, Secretary

Adam Riedell, Chairperson



NEVADA PUBLIC SAFETY DEPARTMENT

1209 6th Street - P.O. Box 530 Nevada, Iowa 50201 Tele: 515-382-4593

Ricardo Martinez II
Public Safety Director
Chief of Police



Josh Cizmadia
Police Sergeant

Chris Brandes
Police Sergeant

Ray Reynolds
Director of Fire & E.M.

Cathy Jager
Chief's Assistant

To: Mayor and City Council

From: Ricardo Martinez II, Public Safety Director/Chief of Police

Date: Tuesday, April 2nd, 2019

Ref: Report for City Council Meeting for Monday, April 8th, 2019

Staffing

Christopher Brown is scheduled to graduate April 19th, 2019. Chris Brown did not sustain a tear and is at full duty, but did not qualify in some areas of his training. ILEA Staff is working with him. If he cannot accomplish this before graduation, he will be allowed to go through the graduation ceremony but arrangements will be made to certify him in areas he was unable to test because of his injury.

Physical Fitness testing for applicants take place on Saturday, April 13th, 2019. Officer Cory Morrissey is expected to be hired by Ames PD late spring or early summer. With this likelihood there are two slots reserved for NPSD in the fall basic academy.

Sex Offender Registry Verification

Compliance checks are done on monthly by the NPSD as staffing and calls for service allow.

Records Management System {RMS}

Cathy Jager and I have been researching a new Records Management System for the last couple of years. The primary vendor recently was sold to another and this has stalled the process. The goal is to have RFP put together this summer, a vendor selected, and implementation when practical for all parties involved. One of the requirements of a new RMS is to be able to expand into in car computers as well.

Respectfully submitted,

Ricardo Martinez II
Public Safety Director
Chief of Police



NEVADA PUBLIC SAFETY DEPARTMENT

1209 6th Street – P.O. Box 530 Nevada, Iowa 50201 Tele: 515-382-4593

Ricardo Martinez II
Public Safety Director
Chief of Police



Josh Cizmadia
Police Sergeant

Ray Reynolds
Director of Fire & EMS

Chris Brandes
Police Sergeant

Cathy Jager
Chief's Assistant

MEMORANDUM

TO: Ricardo Martinez, Public Safety Director

FROM: Ray Reynolds, Director of Fire and EMS

DATE: April 2, 2019

REF: Activity report for Trustees, City Council and Honorable Mayor.

Total Calls to date for 2019: 187

Fire calls for March 2019: 1

EMS calls for March 2019: 39

Good intent calls for March 2019: 6

Community Events for March 2019: 1

Narcan administered this month: 0

GRANTS

The Nevada Firefighters Association is completing the Union Pacific grant application to equip our department with wildland lightweight gear for all members who currently lack the wildland fire gear. The grant is due by the beginning of May. The grant request is for leather boots, pants, and tops.

As for the AFG FEMA grant, our application is still being considered and there is a projected award date starting in late May if selected. The department is seeking a minimum two pair of firefighting gloves and nomex hoods for every firefighter.

FIRE TRAINING CONEX

The department has been working with the street department to haul steel and other supplies donated from the new Verbio plant. The plant has scrap metals left over from Dupont. The plant is trying to get rid of all the metal and decided to donate the steel for the fire department use. The department is using the steel to line the floor and wall of one of the conex containers. One room will be a connected live fire room and the other conex will be made up like a house with living room, dining room, and child's

bedroom. The trailer will allow our members to conduct search and rescue activities in smoke and heat environments to simulate a real house fire under controlled conditions.



The three rooms will have partial walls to mimic a real home. This level of realism is great for any department to experience and will take our training to a new level. It is my intention to hold UHP training nights to get our members comfortable using UHP.

NEXT UHP SUMMIT

We have been working with Bondurant Fire to host another ultra high pressure summit May 31-June 2. Bondurant was one of the first departments to use UHP after the Nevada summit. They currently deploy two units. Chief Kreuder and I want to provide training to many departments who have UHP and to use the opportunity to educate the departments on the changing threats to the fire service. I have been able to use my IAFC connection to help Bondurant invite top national speakers like past president Tom Jenkins of the IAFC. The agenda of the summit is as follows:

ULTRA HIGH PRESSURE BONDURANT IOWA SUMMIT

"The ultimate science, health, and live-fire experience."

Friday May 31:

19:00 - Social Mixer /Meet and Greet -- Reclaimed Rails and Founders in Bondurant
(Charitable collection for The National Fallen Firefighters Foundation (NFFF) to fund a LODD family in their travel expenses to Emmitsburg, Maryland during the memorial weekend.)

Saturday June 1:

07:00 – 08:00 - light breakfast (pastries, fruit, milk and juice) and sign in for CEH's
08:00 – 08:15 – Welcome/Kickoff – Chief Aaron Kreuder, Bondurant Emergency Services
08:15 – 09:45 – Accountability on the fire scene; controlling the chaos – AJ Mumm, Polk County EMA
10:00 – 11:30 – KEY NOTE: "The YOU and US in Occupational Cancer"- Chief Tom Jenkins,

Rogers, Ark Past President of the International Association of Fire Chiefs (IAFC)

11:30 – 12:30 – Lunch (catered in)

1230– 14:00 – “But We’ve Always Done It That Way” - Derek Robinson, Deputy Chief
Westerville, OH.

14:15- 18:15 - The Science behind UHP and Fire Scene Processing with UHP fought fires –
Middleton Fire Department (Middleton Fire/HMA)

17:30 – Ultra High Pressure demonstration of a UHP response (live fire
BES staff) ATF support Thermocouple temperature measurement.

Sunday June 2:

08:00 – 10:00 – Static display of UHP units and mounted platforms.

08:00 – 11:00 – Live fire attack 19 independent fires (at co-op lot behind the station)

08:00 – 10:00 – Hands-on dry wall prop.

08:00 – 10:00 – Hands-on Penetration of Hay bales with UHP systems

11:00 – 13:00 – lunch (sack lunch available for attendees to grab as desired)

11:00 – 14:00 – live fire demonstration(s) on residential structure.

14:30-- 15:00 - fully engulfed house fire stop.



In September 2004, the Polk County Emergency Management Commission appointed A.J. Mumm to lead the countywide agency responsible for preparing for, responding to, and recovering from natural and man-made disasters. He originally began his service with the Polk County Emergency Management Agency in January 1999 as a disaster mitigation planner and went on to join the State of Iowa's Homeland Security and Emergency Management Division in July 2001 where he was eventually promoted to the position of Chief Planner.

Mumm, a graduate of Drake University (BA – Biology and Geography) and Iowa State University (Master of Community and Regional Planning), is also an alumnus of the 2005 Greater Des Moines Leadership Institute's Transformational Leadership Program. He has taught as an Adjunct Instructor at Drake University, Des Moines Area Community College, and Texas A&M University's Engineering Extension Service (TEEX).

He has been published and regularly speaks on the topics of hazard analysis and risk assessment, critical asset protection, and comprehensive emergency planning. A.J. is a recipient of the 2008 Iowa State Association of Counties' Individual Excellence Awards for Polk County's response to the severe weather and flooding of 2008. Mumm is a Past-President of the Iowa Emergency Management Association and serves as Past-Chair of the Board of Directors for the Safeguard Iowa Partnership; a public-private

partnership focused on disaster preparedness, response, and recovery. He currently serves on the Iowa State Association of Counties Board of Directors.

Mumm is a Certified Emergency Manager through the International Association of Emergency Managers. A native of Westside, Iowa, A.J. and his wife Sabetha live in Ankeny, Iowa with their two children and enjoy sports, boating, outdoor recreation, and travel.



Tom Jenkins was appointed Fire Chief for the City of Rogers on January 16, 2009. In his current capacity he is responsible for over 140 career employees in eight fire stations. Under Tom's leadership, the Rogers Fire Department has become accredited by the Center for Public Safety Excellence (since 2011), Commission on Accreditation of Ambulance Services (since 2012) and earned an Insurance Service Officer Public Protection Classification of ONE in 2015.

Chief Jenkins has been appointed by the Governor to three state councils or commissions and still currently serves in two of those posts. He testified in front of a congressional committee in 2018 on the effects of the devastating wildfires and is a regular presenter at conferences and workshops worldwide. Chief Jenkins has served as a professor for Northwest Arkansas Community College and Oklahoma State University teaching topics that range from leadership and administration, to fire hydraulics and suppression tactics. Since 2015 Chief Jenkins has served on the Board of Directors for the International Association of Fire Chiefs and served as President from 2017 to 2018. He currently serves on the NFPA 1710 Committee and is on the board for the PulsePoint Foundation and International Fire Service Training Association (IFSTA).



Derek Robinson, Deputy Chief Westerville, OH.

Derek Robinson currently serves as the Deputy Chief of Operations with the Westerville Division of Fire. This small progressive community borders Columbus, Ohio on the northeast side and serves a population of nearly 40,000 residents.

Responding to approximately 8,000 calls for emergency and fire services annually, the Westerville Division of Fire operates from three fire stations with a combination of full-time and paid part-time personnel. Deputy Chief Robinson's responsibilities include facilitating the needs associated with the Division's stations, apparatus, equipment, personnel and training.

Derek has over 25 years of fire service experience. He obtained his Associate's degree in EMS/Fire Science from Columbus State Community College and his Bachelor's in Business Management from Ohio Christian University. Certified as a Fire Instructor in the State of Ohio, Deputy Chief Robinson has over 15 years as an Adjunct Faculty member at Columbus State Community College and previously served 5 years with the Ohio Fire Academy. Derek has also completed many leadership and supervisory classes along with Fire Officer I, Fire Officer II, Fire Safety Officer and he is a Certified Fire Safety Inspector. Deputy Chief Robinson's passion is Firefighter mental health and safety. Serving on many local and state committees such as the Ohio F.A.C.E Team, the Franklin County Best Practices Committee, the Central Ohio Fire Chief's Wellness Committee and the Central Ohio Trauma System Advisory Board, Derek strives to promote awareness, training and policy that benefit the Fire and EMS profession.

INTERNATIONAL ASSOCIATION OF FIRE CHIEFS- FIRE AND LIFE SAFETY SECTION

I have been elected for another three year term as a board member of the FLSS of the IAFC. The board recently met in Reno and hosted the first ever Community Risk Reduction Conference. I previously served on the board for a three year term and a one year term prior to the recent election. Participation on the board is important because it allows our department to address important fire code issues affecting our community. Last year while serving on the Fire Code Action Committee we were able to introduce a fire code to address large uncontrolled storage sites. This code was approved and will become part of the 2021 International Fire Code. In the near future some fire code issues rearing up will include mass battery storage, building high rise structures from cross laminate timber (wood), aluminum truss and supports for commercial and residential buildings, mobile refueling in residential areas, valet trash services in hallways, plastic designer benches and trash cans under store awnings, and exterior finish requirements for buildings.



All of these issues present unique fire load problems for fighting fires. This board has allowed me to stay in front of many of these issues and demand research data from product manufacturers before unsafe products come into our community.

