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NEVADA CITY COUNCIL - MONDAY, OCTOBER 28, 2013 6:00 P.M.

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1. Call to Order

The City Council of the City of Nevada, Iowa, met for a regular meeting in the Council Chambers located at City Hall, 1209 6<sup>th</sup> Street, Nevada, Iowa. Mayor Andrew Kelly convened the meeting at 6:00 p.m. on Monday, October 28, 2013, 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, Chris Clark, Ray Schwichtenberg, Jane Heintz, Richard Atwell and Brett Barker. Absent: None.

Staff Present: Elizabeth Hansen, Kerin Wright, Erin Clanton, Larry Stevens, Tim Hansen, Ric Martinez, Beth Williams, Jeremy Huntsman, Mike Neal and Shawn Cole.

Also in attendance were: Lynn Lathrop, Matt Hovar and Kurt Friedrich.

3. APPROVAL OF AGENDA

Motion by Chris Clark, seconded by Ray Schwichtenberg, to **approve the agenda**. After due consideration and discussion the roll was called. Aye: Clark, Schwichtenberg, Barker, Hanson, Heintz and Atwell. Nay: None. The Mayor declared the motion carried.

4. PUBLIC HEARING (S)

A. Urban Renewal Area

1. Public Hearing

At 6:01 p.m. Mayor Kelly announced that this is the time and place set for a **public hearing** as advertised in the Nevada Journal on October 10, 2013. The public hearing is **for the Amendment of the Urban Renewal Plan for the Urban Renewal Area**.

There were **no written or oral objections** to the aforementioned recommendation. With no further comments for or against the proposal, the Mayor declared the hearing terminated at 6:01 p.m.

2. Resolution No. 022 (2013/2014): A Resolution to Amend the Urban Renewal Plan for the Nevada Urban Renewal Area

Motion by Ray Schwichtenberg, seconded by Brett Barker, to **adopt Resolution No. 022 (2013/2014)**. After due consideration and discussion the roll was called. Aye: Schwichtenberg, Barker, Clark, Hanson, Heintz and Atwell. Nay: None. The Mayor declared the motion carried.

B. Urban Revitalization Area

1. Public Hearing

At 6:02 p.m. Mayor Kelly announced that this is the time and place set for a **public hearing** as advertised in the Nevada Journal on October 10, 2013. The public hearing is **for the Amendment to the Urban Revitalization Plan for the Nevada Urban Revitalization Area.**

There were **no written or oral objections** to the aforementioned recommendation. With no further comments for or against the proposal, the Mayor declared the hearing terminated at 6:02 p.m.

2. Resolution No. 023 (2013/2014): A Resolution to Amend the Urban Revitalization Plan for the Nevada Urban Revitalization Area

Motion by Brett Barker, seconded by Brian Hanson, to **adopt Resolution No. 023 (2013/2014).** After due consideration and discussion the roll was called. Aye: Barker, Hanson, Heintz, Atwell, Schwichtenberg and Clark. Nay: None. The Mayor declared the motion carried.

C. Friedrich Development Agreement

1. Public Hearing

At 6:03 p.m. Mayor Kelly announced that this is the time and place set for a **public hearing** as advertised in the Nevada Journal on October 10, 2013. The public hearing is **for the R. Friedrich & Sons, Inc. Development Agreement.**

There were **no written or oral objections** to the aforementioned recommendation. With no further comments for or against the proposal, the Mayor declared the hearing terminated at 6:03 p.m.

2. Resolution No. 024 (2013/2014): A Resolution to Approve a Development Agreement with R. Friedrich & Sons, Inc.

Motion by Ray Schwichtenberg, seconded by Chris Clark, to **adopt Resolution No. 024 (2013/2014).** After due consideration and discussion the roll was called. Aye: Schwichtenberg, Clark, Hanson, Heintz, Atwell and Barker. Nay: None. The Mayor declared the motion carried.

5. CONSENT AGENDA

Motion by Brett Barker, seconded by Brian Hanson, to **approve the following consent agenda items:**

- A. Approve Minutes of the Regular Meeting held on October 14, 2013
- B. Approve Payment of Cash Disbursements, including Check Numbers 57130-57220 (Inclusive) Totaling \$805,474.51 (See attached list)
- C. Approve Financial Report for September 2013
- D. Approve Lien on Property, 765 10<sup>th</sup> Street, Acct #30225-17485, \$381.21 (this is a correction to a previous Lien)
- E. Approve Renewal of Class E Liquor License, Class B Native Wine Permit, and Sunday Sales Privileges for Good & Quick Co., 519 Lincoln Hwy, Effective 12/5/2013

After due consideration and discussion, the roll was called. Aye: Barker, Hanson, Heintz, Atwell, Schwichtenberg and Clark. Nay: None. The Mayor declared the motion carried.

6. PUBLIC FORUM

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

7. OLD BUSINESS

- A. Second Reading - Ordinance No. 977 (2013/2014): An Amendment of Ordinance No. 970, to provide PSD may act as Police Chief.

Motion by Brett Barker, seconded by Ray Schwichtenberg, to **adopt Second Reading of Ordinance No. 977**. After due consideration and discussion the roll was called. Aye: Barker, Schwichtenberg, Clark, Hanson, Heintz and Atwell. Nay: None. The Mayor declared the motion carried.

- B. Library Addition and Remodel – Larson & Larson Construction: Pay Request No. 7 in the amount of \$161,087.23.

Motion by Richard Atwell, seconded by Brett Barker, to **approve Pay Request No. 7 to Larson & Larson Construction for the Library Addition and Remodel in the Amount of \$161,087.23**. After due consideration and discussion the roll was called. Aye: Atwell, Barker, Clark, Hanson, Heintz and Schwichtenberg. Nay: None. The Mayor declared the motion carried.

- C. Approve Purchase of Library Shelf Canopies.

Motion by Brian Hanson, seconded by Richard Atwell, to **approve the purchase of Library Shelf Canopies in the amount of \$3,171.12**. After due consideration and discussion the roll was called. Aye: Hanson, Atwell, Schwichtenberg, Barker, Clark and Heintz. Nay: None. The Mayor declared the motion carried.

- D. 2013 Sidewalk Program – Harrison Concrete:

1. Pay Request No. 2 in the Amount of \$12,310.48 (Final)

Motion by Brian Hanson, seconded by Jane Heintz, to **approve Pay Request No. 2 from Harrison Concrete in the amount of \$12,310.48**. After due consideration and discussion the roll was called. Aye: Hanson, Heintz, Atwell, Schwichtenberg, Barker and Clark. Nay: None. The Mayor declared the motion carried.

2. Resolution No. 025 (2013/2014): A Resolution accepting the 2013 Sidewalk Project as substantially complete

Motion by Brett Barker, seconded by Richard Atwell, to **adopt Resolution No. 025 (2013/2014)**. After due consideration and discussion the roll was called. Aye: Barker, Atwell, Schwichtenberg, Clark, Hanson and Heintz. Nay: None. The Mayor declared the motion carried.

3. Pay Request No. 3 in the Amount of \$1,096.48 (Release Retainage on November

27, 2013)

Motion by Ray Schwichtenberg, seconded by Brian Hanson, to **approve Pay Request No. 3 to Harrison Concrete for the 2013 Sidewalk Program in the amount of \$1,096.48.** After due consideration and discussion the roll was called. Aye: Schwichtenberg, Hanson, Heintz, Atwell, Barker and Clark. Nay: None. The Mayor declared the motion carried.

4. Resolution No. 026 (2013/2014): A Resolution adopting a Final Assessment Schedule for the 2013 Sidewalk Improvement program and confirming and levying assessments stating the number of annual installments and setting the time when assessments are due

Motion by Brett Barker, seconded by Jane Heintz, to **adopt Resolution No. 026 (2013/2014).** After due consideration and discussion the roll was called. Aye: Barker, Heintz, Schwichtenberg, Clark, Hanson and Atwell. Nay: None. The Mayor declared the motion carried.

## 8. NEW BUSINESS

- A. Ordinance No. 978 (2013/2014): An Ordinance amending Chapter 102 of the City of Nevada Code of Ordinances regarding an increase to the Storm Water Utility Fees.

Motion by Brian Hanson, seconded by Richard Atwell, to **adopt First Reading of Ordinance No. 978 (2013/2014).** After due consideration and discussion the roll was called. Aye: Hanson, Atwell, Schwichtenberg, Barker, Clark and Heintz. Nay: None. The Mayor declared the motion carried.

- B. Resolution No. 027 (2013/2014): A Resolution approving Permanent Public Storm Sewer Easements for Airport Road Industrial Park.

Motion by Brett Barker, seconded by Brian Hanson, to **adopt Resolution No. 027 (2013/2014).** After due consideration and discussion the roll was called. Aye: Barker, Hanson, Heintz, Atwell, Schwichtenberg and Clark. Nay: None. The Mayor declared the motion carried.

- C. Resolution No. 028 (2013/2014): A Resolution approving Temporary Construction Easements for Airport Road Industrial Park.

Motion by Ray Schwichtenberg, seconded by Brett Barker, to **adopt Resolution No. 028 (2013/2014).** After due consideration and discussion the roll was called. Aye: Schwichtenberg, Barker, Clark, Hanson, Heintz and Atwell. Nay: None. The Mayor declared the motion carried.

- D. Approve Amendment to Agreement with HR Green, Inc. for Municipal Engineering Scope and Fee Services for Construction Phase for Water and Wastewater Services.

Motion by Brett Barker, seconded by Chris Clark, to **approve Amendment to Agreement with HR Green for Municipal Engineering Scope and Fee Services for Construction Phase for Water and Wastewater Services.** After due consideration

and discussion the roll was called. Aye: Barker, Clark, Hanson, Heintz, Atwell and Schwichtenberg. Nay: None. The Mayor declared the motion carried.

## 9. REPORTS

Mayor Kelly and Ray Schwichtenberg reported the NEDC meeting went well. There are some good prospects that may need additional ground. It is good to see the membership growing.

Elizabeth Hansen – City Administrator

- David Weber was added to the NEDC Executive Board.
- Mayor Kelly and Hansen met with Ames Resource Recovery to discuss the upcoming agreement. The 20-year agreement should be ready in the next 30 days for staff review.
- NEDC has retained 52 members and added 9 new members. This will allow them to receive the full match from the City of \$25,000.
- The joint City and School meeting will be held next Monday, November 4.
- The Budget Committee Meeting will be held Monday, December 2.
- Downtown Trick or Treat will be on Tuesday, October 29<sup>th</sup>. Park and Rec and the Public Safety Department will be in City Hall parking lot handing out treats.
- Hansen reported staff has been meeting with Ruan Securities to plan for the future.

Mayor Kelly reported it appeared the Resource Recovery agreement should stay the same as in the past.

Jane Heintz inquired about the vent that was placed in the new Street Maintenance Facility.

Mike Neal advised it is supposed to ventilate the fumes from the equipment.

Brian Hanson inquired whether the city should look into the speed limit on Airport Road.

Larry Stevens advised a traffic study was completed for Airport Road, but they did not look at speed.

Mike Neal reported he is trying to get caught up to speed after being out for medical. They will be jetting sewers. Also, staff will be gearing up for snow removal and looking at other departments for help. Equipment is being serviced preparing for snow.

Ric Martinez reported the Explorers are in and will be equipped and ready by mid November. Officer Brandes will be handing out treats in the City Hall parking lot on Tuesday. A Police and Fire Truck will be in the parking lot as well.

Tim Hansen advised staff is buttoning up the parks for fall. New programs will begin soon. Gates Hall is busy with the school renting the facility and rentals on the weekends are keeping them busy.

Beth Williams reported the library was closed on Monday, Tuesday and Wednesday this week in order to move into the new space at the library. Beth also thanked city Administrator Elizabeth Hansen and the Rotarians for their help on Saturday moving books and for the grant that was received for the children's section furnishings. There is a new construction supervisor for Larson & Larson.

Shawn Cole reported there are still more sidewalk projects that will be needed in the future; about half of the community has been replaced.

Kerin Wright reminded City Council the next meeting will be Tuesday, November 12<sup>th</sup> because of the Veteran's holiday. Staff is working on Equipment Revolving and Budget worksheets preparing for the upcoming budget. Staff is still working with the State Auditor's office on the new TIF report.

Larry Stevens reported the projects are coming to a close. He gave credit to Shawn Cole for his work this season inspecting all the projects. Airport Road and the turn lane for DuPont may not get paved until the next week or so, depending on the weather. He also advised there is an upcoming bid for the 2013 Streets project on November 6<sup>th</sup>. They have had a lot of inquiries so are hoping for good bids to come in under budget.

#### ADJOURNMENT

There being no further business to come before the meeting, motion by Richard Atwell, seconded by Brett Barker, to **adjourn the meeting**.

Following voice vote, the Mayor declared the motion carried at 7:00 p.m. the meeting adjourned.

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Andrew Kelly, Mayor

ATTEST:

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Kerin Wright, City Clerk

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