
NEVADA CITY COUNCIL - MONDAY, APRIL 13, 2020 6:03 P.M.

1. CALL TO ORDER

The City Council of the City of Nevada, Iowa, met for a meeting via Zoom in accordance with emergency measures as a result of the COVID-19 Pandemic. Mayor Barker, Interim City Administrator Martinez and City Clerk Wright were at Nevada City Hall. Mayor Brett Barker, convened the meeting at 6:03 p.m. on Monday, April 13, 2020, pursuant to the rules of the Council. The agenda was posted on the official bulletin board in compliance with the open meeting law.

Zoom Link: <https://zoom.us/j/599590302?pwd=bDVaZjdVZGdPd09QZmYxS0dUWkoxQT09> was available for the public to enter the meeting.

2. ROLL CALL

The roll was called indicating the following named Council Members present and absent. Present by Zoom Electronic Meeting platform: Barb Mittman, Luke Spence, Sandy Ehrig, Dane Nealson, Jason Sampson, Brian Hanson. Absent: None.

Staff Present by Zoom: Erin Clanton, Larry Stevens, Mike Liska, Ric Martinez, Kerin Wright, Ray Reynolds, Shanna Speer, Shawn Cole and Tim Hansen.

Also in attendance were: Michael Maloney from DA Davidson and MetroNet representatives: Joe Salerno, John Storey and Dan Casciato.

3. APPROVAL OF AGENDA

Motion by Dane Nealson, seconded by Jason Sampson, to **approve the agenda**. After due consideration and discussion the roll was called. Aye: Nealson, Sampson, Spence, Ehrig, Hanson, Mittman. Nay: None. The Mayor declared the motion carried.

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

Motion by Luke Spence, seconded by Barb Mittman, to **approve the following consent agenda items:**

- A. Approve Minutes of the Regular Meeting held on March 27, 2020
- B. Approve Payment of Cash Disbursements, including Check Numbers 73243-73346 and Electronic Numbers 756-763 (Inclusive) Totaling \$655,736.90 (See attached list)

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

5. PUBLIC FORUM

- A. No one wished to address the council.

6. OLD BUSINESS

- A. Resolution No. 047A (2019/2020): A Resolution amending Resolution No. 047 (2019/2020) COVID-19 Emergency Policy-General

Motion by Jason Sampson, seconded by Sandy Ehrig, to **adopt Resolution No. 047A (2019/2020)**. After due consideration and discussion the roll was called. Aye: Sampson, Ehrig, Hanson, Mittman, Nealson, Spence. Nay: None. The Mayor declared the motion carried.

- B. Ordinance No. 1009 (2019/2020): An Ordinance amending Chapter 165.17, Unattached Accessory Buildings, second reading

Motion by Dane Nealson, seconded by Jason Sampson, to **approve Ordinance No. 1009 (2019/2020), second reading**. After due consideration and discussion the roll was called. Aye: Nealson, Sampson, Spence, Ehrig, Hanson, Mittman. Nay: None. The Mayor declared the motion carried.

- C. Resolution No. 048 (2019/2020): A Resolution Providing for the sale and issuance of \$8,905,000 General Obligation Corporate Purpose Bonds, Series 2020, and for the levy of taxes to pay the same

Motion by Brian Hanson, seconded by Barb Mittman, to **adopt Resolution No. 048 (2019/2020)**. After due consideration and discussion the roll was called. Aye: Hanson, Mittman, Nealson, Sampson, Spence, Ehrig. Nay: None. The Mayor declared the motion carried.

- D. South D Avenue Paving Project, Con-Struct Inc.

1. Approve Change Order No. 1 in the amount of \$8,773.00

Motion by Luke Spence, seconded by Dane Nealson, to **approve change Order No. 1 for the South D Avenue Paving Project from Con-Struct, Inc., in the amount of \$8,773.00**. After due consideration and discussion the roll was called. Aye: Spence, Nealson, Sampson, Ehrig, Hanson, Mittman. Nay: None. The Mayor declared the motion carried.

2. Approve Pay Request No. 4 in the amount of \$9,169.87

Motion by Jason Sampson, seconded by Brian Hanson, to **approve Pay Request No. 4 for the South D Avenue Paving Project from Con-struct, Inc., in the amount of \$9,169.87**. After due consideration and discussion the roll was called. Aye: Sampson, Hanson, Mittman, Nealson, Spence, Ehrig. Nay: None. The Mayor declared the motion carried.

3. Resolution No. 049 (2019/2020): A Resolution approving the South D Avenue Paving Project as Complete and release retainage

Motion by Sandy Ehrig, seconded by Luke Spence, to **adopt Resolution No. 049 (2019/2020)**. After due consideration and discussion the roll was called. Aye: Ehrig, Spence, Hanson, Mittman, Nealson, Sampson. Nay: None. The Mayor declared the motion carried.

- E. Approve Pay Request No. 1 for the Central Business District Project from Con-Struct, Inc. in the amount of \$213,808.43

Motion by Brian Hanson, seconded by Luke Spence, to **approve Pay Request No. 1 for the Central Business District Project from Con-Struct, Inc., in the amount of \$213,808.43.** After due consideration and discussion the roll was called. Aye: Hanson, Spence, Ehrig, Mittman, Nealson, Sampson. Nay: None. The Mayor declared the motion carried.

- F. Approve Pay Request No. 4 for the W Avenue Paving Project from Absolute Concrete, Inc. in the amount of \$16,754.20

Motion by Barb Mittman, seconded by Jason Sampson, to **approve Pay Request No. 4 for the W Avenue Paving Project from Con-Struct, Inc., in the amount of \$16,754.20.** After due consideration and discussion the roll was called. Aye: Mittman, Sampson, Spence, Ehrig, Hanson, Nealson. Nay: None. The Mayor declared the motion carried.

- G. 2019 Sidewalk Program, Milam Construction

1. Approve Change Order No. 1 in the amount of (\$1,730)

Motion by Luke Spence, seconded by Sandy Ehrig to **approve Change Order No. 1 for the 2019 Sidewalk Program from Milam Construction in the deduction amount of \$1,730.** After due consideration and discussion the roll was called. Aye: Spence, Ehrig, Hanson, Mittman, Nealson, Spence. Nay: None. The Mayor declared the motion carried.

2. Approve Pay Request No. 4 in the amount of \$6,825.75

Motion by Brian Hanson, seconded by Barb Mittman, to **approve Pay Request No. 4 for the 2019 Sidewalk Program from Milam Construction in the amount of \$6,825.75.** After due consideration and discussion the roll was called. Aye: Hanson, Mittman, Nealson, Sampson, Spence, Ehrig. Nay: None. The Mayor declared the motion carried.

3. Resolution No.050 (2019/2020): A Resolution approving 2019 Sidewalk Project Substantially complete, releasing retainage in 30 days

Motion by Dane Nealson, seconded by Luke Spence, to **adopt Resolution No. 050 (2019/2020).** After due consideration and discussion the roll was called. Aye: Nealson, Spence, Ehrig, Hanson, Mittman, Sampson. Nay: None. The Mayor declared the motion carried.

7. NEW BUSINESS

- A. Resolution No. 051 (2019/2020): A Resolution Approving an Agreement with Metro Fibernet, LLC (MetroNet) for the purposes of providing fiber voice, video and Internet services

Motion by Jason Sampson, seconded by Brian Hanson, to **adopt Resolution No. 051 (2019/2020).** After due consideration and discussion the roll was called. Aye: Sampson,

Hanson, Mittman, Nealson, Spence, Ehrig. Nay: None. The Mayor declared the motion carried.

- B. Resolution No. 052 (2019/2020): A Resolution setting a public hearing to consider adding New Chapter 114, Cable Franchise Fees, to the City of Nevada Municipal Code

Motion by Luke Spence, seconded by Sandy Ehrig, to **adopt Resolution No. 052 (2019/2020)**. After due consideration and discussion the roll was called. Aye: Spence, Ehrig, Hanson, Mittman, Nealson, Sampson. Nay: None. The Mayor declared the motion carried.

- C. Request for banner at the Lincoln-Jefferson Highways Heritage Park fence, Nevada Historic Society's event, Music at the Mansion

Motion by Dane Nealson, seconded by Jason Sampson, to **approve a banner for the Nevada Historic Society's, Music at the Mansion, to be placed on the Lincoln-Jefferson Highways Heritage Park fence**. After due consideration and discussion the roll was called. Aye: Nealson, Sampson, Spence, Ehrig, Hanson, Mittman. Nay: None. The Mayor declared the motion carried.

- D. Resolution No. 053 (2019/2020): A Resolution Approving HR Green, Inc. Professional Services Agreement for GIS Services

Motion by Brian Hanson, seconded by Luke Spence, to **adopt Resolution No. 053 (2019/2020)**. After due consideration and discussion the roll was called. Aye: Hanson, Spence, Ehrig, Mittman, Nealson, Sampson. Nay: None. The Mayor declared the motion carried.

- E. Resolution No. 054 (2019/2020): A Resolution Approving HR Green, Inc., Geospatial Non-Disclosure Agreement

Motion by Sandy Ehrig, seconded by Barb Mittman, to **adopt Resolution No. 054 (2019/2020)**. After due consideration and discussion the roll was called. Aye: Ehrig, Mittman, Nealson, Sampson, Spence, Hanson. Nay: None. The Mayor declared the motion carried.

- F. Resolution No. 055 (2019/2020): A Resolution Approving the Agreement with Pepsi Beverage Distributor to Provide Beverages at SCORE

Motion by Brian Hanson, seconded by Luke Spence, to **adopt Resolution No. 055 (2019/2020)**. After due consideration and discussion the roll was called. Aye: Hanson, Spence, Ehrig, Mittman, Nealson, Sampson. Nay: None. The Mayor declared the motion carried.

9. REPORTS: (This item was moved before the closed session.)

Interim City Administrator Martinez updated the council on the decision to continue moving north on 6th Street for the Central Business District Project.

Mayor Barker reported on the first Virtual Community Coffee. The coffee was streamed to Facebook and has over 1700 views. Mayor has been dealing with the lingering issues

regarding the COVID-19 Pandemic. He also relayed that the Nevada Foundation has decided to pause the Capital Campaign for the Fieldhouse.

Planning and Zoning Administrator Cole updated the council on the 6th Street progress. Several have been hooked up to sanitary sewer. If all goes well 6th Street could be completed by late summer. He also noted the 2020 Sidewalk Project will be delayed this year due to the COVID-19 Pandemic.

City Clerk Wright advised the FY2019/2020 Budget Amendment will be presented at the next council meeting. She also attended the Iowa Employment Conference last Wednesday and Thursday by Zoom. The conference is typically held in Altoona.

Director of Fire/EMS Reynolds reported on the fire departments birthday parades and the Easter Bunny ride on the Fire Truck. He also shared several Iowa businesses that have transitioned to making face shields and hand sanitizer to help with the COVID-19 Pandemic. He is also requesting more N95 masks and surgical masks for the department.

Library Director Speer noted staff is working from home and participating in continuing education. They are holding story times and Zoom meetings. They have set up online registration for residents to get a library card so they could use the digital resources. Curbside pickup was offered again last week. There were 967 items checked out.

Council Member Nealson thanked Mayor Barker for his efforts with the first virtual Community Coffee, it was a great event with Story County, Nevada School, NEDC and Main Street Nevada. Council Member Mittman relayed her concern with staff riding two in a vehicle. Council Member Spence also expressed concern with a lot of the community still out and about. He urged everyone that we need to be staying home and following the CDC guidelines and wearing masks. Mayor Barker also noted the interviews for the Communications Specialist interviews are being delayed due to one of the applicants in quarantine due to possible exposure to COVID-19.

City Engineer Stevens reported there will be modifications to the downtown project because of the street light poles. He is very pleased with the progress to date. Because of the changes to the staging of the project there could also be a slight increase in the pedestrian barricades.

G. **CLOSED SESSION:** Closed Session pursuant to Iowa Code Section 21.5 (1) (i) to evaluate the professional competency of an individual whose appointment, hiring, performance or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session.

At 7:21 p.m. Motion by Dane Nealson, seconded by Brian Hanson, to **Go INTO Closed Session**. After due consideration and discussion the roll was called. Aye: Nealson, Hanson, Mittman, Sampson, Spence, Ehrig. Nay: None. The Mayor declared the motion carried.

At 8:00 p.m. Motion by Dane Nealson, seconded by Jason Sampson, to **Go OUT OF Closed Session**. After due consideration and discussion the roll was called. Aye: Nealson, Sampson, Spence, Ehrig, Hanson, Mittman. Nay: None. The Mayor declared the motion carried.

The meeting was ended immediately after coming out of Closed Session at 8:00 p.m. without any additional discussion or action in Open Session. The Zoom link for the Open Session was inadvertently terminated when the Council preceded to the Closed Session Zoom link and there was no means to return to Open Session.

Brett Barker, Mayor

ATTEST:

Kerin Wright, City Clerk

Published: _____
Council Approved: _____