
NEVADA CITY COUNCIL - MONDAY, OCTOBER 26, 2020 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 of Nevada City Hall located at 1209 6th Street, Nevada, Iowa. Mayor Brett Barker, convened the meeting at 6:00 p.m. on Monday, October 26, 2020, 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, Jason Sampson, Dane Nealson, Sandy Ehrig, Luke Spence, Barb Mittman. Absent: None.

Staff Present: Erin Clanton, Jordan Cook, Kerin Wright, Ric Martinez, Larry Stevens, Mike Roth, Jeremy Rydl, Tim Hansen, Shawn Cole, Marlys Barker and Ray Reynolds.

Also in attendance were: Keith Morgan, Karen Selby and Apryl DeLange.

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. PUBLIC HEARING(S)

A. Public Hearing, Flood Plain Ordinance Amendment

At 6:01 p.m. Mayor Barker announced that this is the time and place set for a **public hearing** as advertised in the Nevada Journal on **October 15, 2020**. The public hearing is **Flood Plain Ordinance Amendment**.

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

B. Ordinance No. 1015 (2020/2021): An Ordinance adopting FEMA Floodplain Management

Motion by Barb Mittman, seconded by Luke Spence, to **approve Ordinance No. 1015 (2020/2021) through the first reading**. After due consideration and discussion the roll was called. Aye: Mittman, Spence, Ehrig, Hanson, Nealson, Sampson. Nay: None. The Mayor declared the motion carried.

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

Motion by Sandy Ehrig, seconded by Dane Nealson, to **approve the following consent agenda items**:

A. Approve Minutes of the Regular Meeting held on October 12, 2020

- B. Approve Payment of Cash Disbursements, including Check Numbers 74560-74644 and Electronic Numbers 847-853 (Inclusive) Totaling \$996,849.76 (See attached list)
- C. Approve Financial Reports for Month of September, 2020
- D. Approve Renewal of Class E Liquor License, Class B Native Wine Permit, and Sunday Sales Privileges for Good & Quick Co., 519 Lincoln Hwy, Effective December 5, 2020
- E. Approve 2021 Wellness program

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

6. PUBLIC FORUM

- A. Keith Morgan, Story County Emergency Management Coordinator, briefed the council on how the County is processing the data in regards to the COVID-19 Pandemic

7. OLD BUSINESS

- A. Ordinance No. 1014 (2020/2021): An Ordinance Amending Original Ordinance No. Designating an Area of Nevada, Iowa as the Nevada Urban Revitalization Area, third and final reading

Motion by Jason Sampson, seconded by Luke Spence, to **approve Ordinance No. 1014 (2020/2021) third and final reading.** After due consideration and discussion the roll was called. Aye: Sampson, Spence, Ehrig, Hanson, Mittman, Nealson. Nay: None. The Mayor declared the motion carried.

- B. Resolution No. 035 (2020/2021): A Resolution approving Development Agreement with On Track Construction, LLC, Authorizing Annual Appropriation Tax Increment Payments Pledging Certain Tax Increment Revenues to the Payment of the Agreement

Motion by Dane Nealson, seconded by Jason Sampson, to **adopt Resolution No. 035 (2020/2021).** 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. 036 (2020/2021): A Resolution approving Development Agreement with Mid-States Material Handling & Fabrication, Inc., Authorizing Annual Appropriation Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement

No action of the council was taken.

- D. Resolution No. 037 (2020/2021): A Resolution approving Development Agreement with South Glen, LLC, Authorizing Annual Appropriation Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement

Motion by Dane Nealson, seconded by Sandy Ehrig, to **adopt Resolution No. 037 (2020/2021).** After due consideration and discussion the roll was called. Aye: Nealson, Ehrig, Hanson, Mittman, Sampson, Spence. Nay: None. The Mayor declared the motion carried.

- E. Resolution No. 040 (2020/2021): A Resolution approving the Final Plat for West F Avenue Industrial Park Subdivision

Motion by Brian Hanson, seconded by Dane Neelson, to **adopt Resolution No. 040 (2020/2021)**. After due consideration and discussion the roll was called. Aye: Hanson, Neelson, Sampson, Spence, Ehrig, Mittman. Nay: None. The Mayor declared the motion carried.

- F. Discussion and Appropriate Follow-up on 30-day Review of previous Resolution No. 047C, Revised (2020/2021): A Resolution taking Appropriate Emergency Measures during the COVID-19 Pandemic

After consideration and review there was no action of the council.

- G. Approve support amount of \$7,500 for the Community Vision 2050 Planning

Motion by Brian Hanson, seconded by Dane Neelson, to **approve \$7,500 Support for the Community Visioning from Institute for Decision Making, University of Northern Iowa**. After due consideration and discussion the roll was called. Aye: Hanson, Neelson, Sampson, Ehrig, Mittman. Nay: Spence. The Mayor declared the motion carried.

8. NEW BUSINESS

- A. Resolution No. 041 (2020/2021): A Resolution Adopting the Procurement Policy

Motion by Brian Hanson, seconded by Luke Spence, to **adopt Resolution No. 041 (2020/2021)**. After due consideration and discussion the roll was called. Aye: Hanson, Spence, Ehrig, Mittman, Neelson, Sampson. Nay: None. The Mayor declared the motion carried.

- B. Resolution No. 042 (2020/2021): A Resolution Adopting the Segregation of Duties Policy

Motion by Barb Mittman, seconded by Sandy Ehrig, to **adopt Resolution No. 042 (2020/2021)**. After due consideration and discussion the roll was called. Aye: Mittman, Ehrig, Hanson, Neelson, Sampson, Spence. Nay: None. The Mayor declared the motion carried.

- C. Approve HR Green Professional Services Agreement for Nevada Wastewater Treatment Facility (WWTF) Improvements-Phase 1 Construction Phase Services not to exceed \$199,000

Motion by Dane Neelson, seconded by Brian Hanson, to **approve the HR Green Professional Services Agreement for the Nevada Wastewater Treatment Facility Improvements-Phase 1 Construction Phase Services not to exceed \$199,000**. After due consideration and discussion the roll was called. Aye: Neelson, Hanson, Mittman, Sampson, Spence, Ehrig. Nay: None. The Mayor declared the motion carried.

- D. Resolution No. 043 (2020/2021): A Resolution setting the date for public hearing on proposal to enter into a Sewer Revenue Loan and Disbursement Agreement to borrow money thereunder in a principal amount not to exceed \$1,500,000

Motion by Jason Sampson, seconded by Dane Neelson, to **adopt Resolution No. 043 (2020/2021)**. After due consideration and discussion the roll was called. Aye: Sampson,

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

- E. Resolution No. 044 (2020/2021): A Resolution setting the date for public hearing on proposal to enter into a Sewer Revenue Loan and Disbursement Agreement to borrow money thereunder in a principal amount not to exceed \$3,400,000

Motion by Jason Sampson, seconded by Dane Nealson, to **adopt Resolution No. 044 (2020/2021)**. After due consideration and discussion the roll was called. Aye: Sampson, Nealson, Spence, Ehrig, Hanson, Mittman. Nay: None. The Mayor declared the motion carried.

- F. Approve Purchase of Plow Truck for Streets Department

Motion by Jason Sampson, seconded by Dane Nealson, to **approve purchase of 2021 International from O'Halloran International for \$121,411 for the Street Department.** After due consideration and discussion the roll was called. Aye: Sampson, Nealson, Spence, Ehrig, Hanson, Mittman. Nay: None. The Mayor declared the motion carried.

- G. Resolution No. 045 (2020/2021): A Resolution Approving a Memorandum of Understanding between City of Nevada, Iowa and Public Professional and Maintenance Employees Local 2003 IUPAT for the Period of July 1, 2018 to June 30, 2021 and Authorizing and Directing Signing of the MOU to the Union Contract

Motion by Brian Hanson, seconded by Barb Mittman, to **adopt Resolution No. 045 (2020/2021)**. After due consideration and discussion the roll was called. Aye: Hanson, Mittman, Nealson, Sampson, Spence, Ehrig. Nay: None. The Mayor declared the motion carried.

- H. Resolution No. 046 (2020/2021): A Resolution Adopting the Covid-19 Policy

Motion by Luke Spence, seconded by Jason Sampson, to **adopt Resolution No. 046 (2020/2021)**. Motion by Luke Spence, seconded by Jason Sampson to amend the motion to **adopt Resolution No. 046 (2020/2021) with the amended language**. After due consideration and discussion the roll was called. Aye: Spence, Sampson, Ehrig, Hanson, Mittman, Nealson. Nay: None. The Mayor declared the motion carried.

9. REPORTS:

Mayor Barker attended meetings regarding the Hwy 30 overpass; Fieldhouse, Story County Housing Study; Auditors Exit Interview and StoryCom.

Council Member Nealson reported the final race for Nevada Runners is this Sunday. They have had good response from the community for the group's efforts during the pandemic.

Director of Fire/EMS Reynolds advised council on the recent incident between two city vehicles after a fire call. He also advised council of the UV Lights that have been purchased to help sanitize public facilities.

Planning and Supervisor Cole updated the council on the downtown project.

Park and Rec Director Hansen noted the parks have been shut down for the winter. He also relayed the good note was they didn't have to spray for mosquitos.

Public Safety Director Martinez apprised the council on the recruitment process.

City Engineer Stevens reported the annual Burke meeting was held. He also discussed additional work that might be needed downtown. He relayed the City had been awarded the full \$2,000,000 through the SRF Sponsored Program.

City Clerk Wright noted she attended IMFOA in Des Moines last week. The exit interview with the Auditor was held last week as well.

10. **CLOSED SESSION:** Closed Session pursuant to authority found in Iowa Code 21.5 (1) (c) to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation.

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

At 8:20 p.m. Motion by Sandy Ehrig, seconded by Barb Mittman, to **GO OUT of Closed Session**. After due consideration and discussion the roll was called. Aye: Ehrig, Mittman, Nealson, Sampson, Spence, Hanson. Nay: None. The Mayor declared the motion carried.

11. Discussion and appropriate follow-up on Closed Session pursuant to authority found in Iowa Code 21.5 (1) (c) to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation.

Motion by Brian Hanson, seconded by ~~Dane Nealson~~ Luke Spence, to **approve the recommendation presented by ICAP**. After due consideration and discussion the roll was called. Aye: Hanson, ~~Nealson~~ Spence, Sampson, Ehrig, Mittman. Nay: ~~Spence~~ Nealson. The Mayor declared the motion carried.

12. ADJOURNMENT

There being no further business to come before the meeting, motion by Dane Nealson, seconded by Jason Sampson, to **adjourn the meeting**. Following voice vote, the Mayor declared the motion carried at 8:21 p.m. the meeting adjourned.

Brett Barker, Mayor

ATTEST:

Kerin Wright, City Clerk

Published: _____
Council Approved: _____