



AGENDA
REGULAR MEETING OF THE NEVADA CITY COUNCIL
MONDAY, SEPTEMBER 28, 2020 – 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.

The Council will be meeting in the Council Chambers, seating is limited to 10 people to ensure social distancing, but there is the option to participate via zoom, so long as that option is available.

<https://us02web.zoom.us/j/87961733099?pwd=UERoTDIiUXZHCzZlQl9ML0ZOeEIOdz09>

OR by phone: (312) 626-6799, (646) 558-8656, (301) 715-8592

Webinar ID: 879 6173 3099 Password: 287321

****If you would like to speak regarding an agenda item or during public forum prior arrangements are REQUIRED. Written documents may also be submitted.***

Please call City Hall at 515-382-5466 or email kwright@cityofnevadaiaowa.org by 4:00 p.m. Monday, September 28th.

1. Call the Meeting to Order
2. Roll Call
3. Approval of the Agenda
4. PUBLIC HEARING(S)
 - A. State Revolving Fund (SRF) Loan Application for the Wastewater Treatment Facility, Review and Environmental Assessment
 1. Public Hearing
5. 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 September 14, 2020

- B. Approve Payment of Cash Disbursements, including Check Numbers 74441-74476 and Electronic Numbers 835-842 (Inclusive) Totaling \$1,323,756.90 (See attached list)
- C. Approve Financial Reports for Month of August, 2020
- D. Resolution No. 025 (2020/2021): A Resolution approving the Annual FY2019/2020 Street Finance Report and authorize submittal to the Iowa Department of Transportation
- E. Schedule Public Hearing for Fiscal Year 2020/2021 Budget Amendment, #1, October 12, 2020 and Authorize Publication on October 1, 2020

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. Proclamation for Watershed Awareness for the Month of October

7. OLD BUSINESS

- A. Ordinance No. 1013 (2020/2021): An Ordinance adopting the Urban Revitalization Plan, second reading
- B. Resolution No. 026 (2020/2021): A Resolution Finally Adopting the Plan Amendment for the Nevada Urban Revitalization Area
- C. Ordinance No. 1014 (2020/2021): An Ordinance Amending Original Ordinance Designating an Area of Nevada, Iowa as the Nevada Urban Revitalization Area
- D. Resolution No. 027 (2020/2021): A Resolution to approve final plat for 6th Street Industrial Park, 1st Addition
- E. Approve Change Order No. 2 for the Central Business District Infrastructure Project from Con-Struct, Inc, in the amount of \$8,916.60
- F. Opening of Public Facilities
- G. 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

8. NEW BUSINESS

- A. Resolution No. 028 (2020/2021): A Resolution to Fix a Date of Meeting at Which it is Proposed to Approve a Development Agreement with South Glen, LLC, including Annual Appropriation Tax Increment Payments
- B. Resolution No. 029 (2020/2021): A Resolution Setting a Date of Meeting at which it is Proposed to Approve a Development Agreement with Mid-States Material Handling & Fabrication, Inc., Including Annual Appropriation Tax Increment Payments

- C. Resolution No. 030 (2020/2021): A Resolution to Fix a Date of Meeting at Which it is Proposed to Approve a Development Agreement with On Track Construction, LLC, Including Annual Appropriation Tax Increment Payments

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

10. ADJOURN

The agenda was posted on the official bulletin board on September 24, 2020, in compliance with the requirements of the open meetings law.

Posted _____

E-Mailed _____

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**COUNCIL PACKET MEMO
MONDAY, SEPTEMBER 28, 2020**

4. PUBLIC HEARING(S)

- A. State Revolving Fund (SRF) Loan Application for the Wastewater Treatment Facility, Review and Environmental Assessment**
1. **Public Hearing** Enclosed you shall see information pertaining to the SRF loan application for our WWTF

7. OLD BUSINESS

- A. Ordinance No. 1013 (2020/2021): An Ordinance adopting the Urban Revitalization Plan, second reading:** Enclosed you shall see the second consideration of an Ordinance Providing for the Division of Taxes Levied on Taxable Property in the September, 2020 Addition to the Nevada Urban Renewal Area
- B. Resolution No. 026 (2020/2021): A Resolution Finally Adopting the Plan Amendment for the Nevada Urban Revitalization Area:** Enclosed you shall see a resolution to adopt amendment for Nevada Urban Revitalization area.
- C. Ordinance No. 1014 (2020/2021): An Ordinance Amending Original Ordinance Designating an Area of Nevada, Iowa as the Nevada Urban Revitalization Area:** Enclosed you shall see An Ordinance Designating and area of Nevada, Iowa as the Nevada Urban Revitalization Area. Dorsey & Whitney has provided language to adopt this ordinance by suspending the other readings and pass it tonight. If Council would rather go through all readings the additional motion under Item #1 is not needed.
- D. Resolution No. 027 (2020/2021): A Resolution to approve final plat for 6th Street Industrial Park, 1st Addition:** Enclosed you shall find a resolution accepting and approving the final plat of 6th street Industrial Park.
- E. Approve Change Order No. 2 for the Central Business District Infrastructure Project from Con-Struct, Inc, in the amount of \$8,916.60:** Enclosed you shall find a change order for the CBD
- F. Opening of Public Facilities:** A continuing discussion on whether or not to open City Hall completely
- G. 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:** Enclosed you shall find the adopted Resolution taking appropriate Emergency Measures for a follow-up review.

8. NEW BUSINESS

- A. **Resolution No. 028 (2020/2021): A Resolution to Fix a Date of Meeting at Which it is Proposed to Approve a Development Agreement with South Glen, LLC, including Annual Appropriation Tax Increment Payments:** Enclosed you shall see a Resolution to Fix a Date of Meeting at Which it is Proposed to Approve a Development Agreement with South Glen, LLC, including Annual Appropriation Tax Increment Payments
- B. **Resolution No. 029 (2020/2021): A Resolution Setting a Date of Meeting at which it is Proposed to Approve a Development Agreement with Mid-States Material Handling & Fabrication, Inc., Including Annual Appropriation Tax Increment Payments:** Enclosed you shall see a Resolution Setting a Date of Meeting at which it is Proposed to Approve a Development Agreement with Mid-States Material Handling & Fabrication, Inc., Including Annual Appropriation Tax Increment Payments.
- C. **Resolution No. 030 (2020/2021): A Resolution to Fix a Date of Meeting at Which it is Proposed to Approve a Development Agreement with On Track Construction, LLC, Including Annual Appropriation Tax Increment Payments:** Enclosed you shall see a Resolution to Fix a Date of Meeting at Which it is Proposed to Approve a Development Agreement with On Track Construction, LLC, Including Annual Appropriation Tax Increment Payments

Item # 4A
Date: 9/28/2020

Proof Of Publication In
NEVADA JOURNAL

STATE OF IOWA, STORY COUNTY, ss.

I, Kim Fowler, on oath depose
and say that I am Director of Sales of the
NEVADA JOURNAL, a weekly newspaper,
published at Ames, Story County, Iowa; that the
annexed printed

CITY OF NEVADA

PH, WWTP, SRF Env Review

was published in said newspaper
1 time(s) on August 27, 2020
with the last of said publication on
the 27th day of August, 2020

Kim Fowler

Kimberly Nelsen



KIMBERLY NELSEN
Commission Number 790054
My Commission Expires May 19, 2021

Notary Public

Sworn to before me and subscribed in my
presence by Kim Fowler, Director of Sales
this the 27th day of August, 2020

AD NO: 1359625

FEE: \$50.05

ACCT NO: 37490

#1359625
PUBLIC HEARING NOTICE

The City of Nevada will be holding a Public Hearing to review an application for a State Revolving Fund (SRF) loan and to make available to the public the contents of an environmental information document and the City of Nevada project plan. These documents include design and environmental information related to the proposed improvements to the City of Nevada wastewater treatment plant.

The proposed wastewater treatment project area is currently an agricultural field and the wooded area adjacent to West Indian Creek. The proposed project includes construction of an administration and vehicle storage building, vector receiving station, headworks building with fine screening and grit removal, 2 oxidation ditches (secondary treatment), 3 secondary clarifiers, UV disinfection building, secondary treatment building, two (2) aerobic digesters with two (2) membrane thickening tanks, biosolids storage tank(s), biosolids pump station, yard piping and structures, lift station, and roadway. A new outfall structure will be constructed with approximately 600 feet piping. Altogether, the disturbed area at the proposed site to construct the above facilities will include approximately 25 acres or less.

In addition to the wastewater treatment plant construction, the City proposes future trunk sewer work that would be considered one undertaking with the wastewater treatment plant work. New Interceptor sewer will follow County Road S14 the majority of the way to the new treatment plant. The interceptor sewer work will include a pump station at the existing facility's site that will convey the flow by force main to County Road S14. A new gravity sewer (24" and 30") will convey the flow to the new treatment plant. This gravity sewer will mainly flow the right of way of County Road S14 but may need to cross several farm fields closer to the treatment plant. Road crossings will be made using trenchless construction. One open cut road crossing will be made on 270th Street. The force main is expected to be constructed from trenchless construction and be approximately 4,200 feet. The ground disturbance area for the sewer line work will be approximately 53 acres.

The purpose of this Public Hearing is to inform area residents of Nevada of this proposed action, discuss the actual cost and user fees associated with this project, and to address citizen's concerns, if any, with the plan.

The Public Hearing location and time are as follows:

MONDAY,
SEPTEMBER 28, 2020 AT 6:00 PM
NEVADA CITY HALL
COUNCIL CHAMBERS
1209 6TH STREET
Nevada, IA 50201

All interested persons are encouraged to attend this hearing. Written comments on this proposal may also be submitted prior to the hearing. Questions regarding this hearing or the availability of documentation may be directed to KERIN WRIGHT at 515-382-5466.

Published in the Nevada Journal
on August 27, 2020 (1T)

Why You Should Read This: The document below reviews the environmental impact likely from a project. This project is planned to be federally funded through your tax dollars; therefore, you are entitled to take part in its review. If you have concerns about the environmental impact of this project, raise them now. We encourage public input in this decision making process.



IOWA STATE REVOLVING FUND
ENVIRONMENTAL INFORMATION DOCUMENT

PROJECT IDENTIFICATION

Applicant: City of Nevada
County: Story
State: Iowa

SRF Number: CS1920945 01
Iowa DNR Project Number: S2019-0233A

COMMUNITY DESCRIPTION

Location: The City of Nevada is located in Story County, Iowa approximately 10 miles east of Ames, Iowa and 30 miles west of Marshalltown, Iowa.

Population: The population of Nevada according to the 2010 US Census was 6,798. The design population equivalent for the year 2044 is 8,764.

Current Waste Treatment: The current site of the City of Nevada's Wastewater Treatment Facility (WWTF) is located northeast of the US Highway 30 and 6th Street intersection. The WWTF site currently does not meet the IDNR 1000-foot site separation requirements between inhabitable structures and treatment processes. There is very little space for the WWTF to expand on the existing site and maintain the required 90% of existing separation distance.

The City's WWTF has served the community for approximately 60 years. The WWTF has undergone many modifications over its lifetime in order to increase capacity to a continually growing population. Some of the facility's improvements include the addition of a peak flow clarifier in 1992, a mechanical screen and a vortex grit removal system that was installed in 1995, replacement of a primary clarifier in 2004, addition of a 960,000 gallon biosolids storage tank in 2004, and most recently a roughing filter upgrade in 2010. The roughing filter upgrade in 2010 was the basis for a capacity re-rating by the City of Nevada in 2013.

The City of Nevada's Wastewater Treatment Facility (WWTF) does not have sufficient capacity for planned industry expansion (Burke Corporation) and projected population growth within the design period. The existing WWTF configuration is readily amenable for the additional effluent disinfection and nutrient removal requirements currently required by the Iowa Department of Natural Resources (IDNR). Additionally, the facility is near the end of its life due to infrastructure age. The facility treats the residential, commercial and industrial wastewater flows that are collected and conveyed through the City's sanitary sewer collection system. Due to the design capacity of the current WWTF (> 1.0 million gallons per day (mgd) AWW), the City is required as part of the Iowa Nutrient Reduction Strategy to evaluate the feasibility to reduce nutrients discharged from the WWTF. If the current facility were to remain in operation, the ability to provide nutrient reduction would require major upgrades to the WWTF.

Current Waste Collection System: The existing collection system consists of approximately 30 miles of sanitary sewer, 550 manholes, one lift station, and one equalization basin. The sanitary sewer piping ranges from 6- to 24-inch diameter of varying material types. All flow is directed to the wastewater treatment plant located on the south side of town at the north west corner of U.S. Highway 30 and West Indian Creek. The City continues to improve and rehabilitate the collection system and reduce wet weather flows received at the WWTF.

The one existing lift station within the collection system is located near the Nevada high school/middle school complex (H Avenue and 15th Street.) This lift station serves the area around the high school/middle school complex. The one equalization basin is located in the central area of town (southwest of E Avenue and 4th Street.) The basin is a concrete tank with a storage capacity of 1.0 million gallons. The basin is filled by gravity flow during wet weather events. Submersible pumps are used to return stored flow to the collection system after wet weather events. There are no flow measurement devices at the equalization basin.

PROJECT DESCRIPTION

Purpose: The purpose of this project is to make improvements to the wastewater treatment facilities to enhance their reliability, increase capacity and to replace obsolete system to safely and reliably operate the City of Nevada's wastewater system for the next 20 years.

Proposed Improvements: The proposed project will proceed in phases. Phase 1 will be the wastewater treatment facility site grading. Phase 2 will be the wastewater treatment plant improvements. And, Phase 3 will be the trunk sewer and main lift station construction.

The proposed wastewater treatment project area is currently an agricultural field and the wooded area adjacent to West Indian Creek. The proposed project includes

construction of an administration and vehicle storage building, vector receiving station, headworks building with fine screening and grit removal, 2 oxidation ditches (secondary treatment), 3 secondary clarifiers, UV disinfection building, secondary treatment building, two (2) aerobic digesters with two (2) membrane thickening tanks, biosolids storage tank(s), biosolids pump station, yard piping and structures, lift station, and roadway. A new outfall structure will be constructed with approximately 600 feet piping. Altogether, the disturbed area at the proposed site to construct the above facilities will include approximately 25 acres or less.

In addition to the wastewater treatment plant construction, the City proposes future trunk sewer work that would be considered one undertaking with the wastewater treatment plant work. New interceptor sewer will follow County Road S14 the majority of the way to the new treatment plant. The interceptor sewer work will include a pump station at the existing facility's site that will convey the flow by force main to County Road S14. A new gravity sewer (24" and 30") will convey the flow to the new treatment plant. This gravity sewer will mainly flow the right of way of County Road S14 but may need to cross several farm fields closer to the treatment plant. Road crossings will be made using trenchless construction. One open cut road crossing will be made on 270th Street. The force main is expected to be constructed from trenchless construction and be approximately 4,200 feet. The ground disturbance area for the sewer line work will be approximately 53 acres.

Receiving Stream: The treated effluent from the new wastewater treatment plant will be discharged to West Indian Creek through a new outfall structure approximately three miles south of the existing outfall. West Indian Creek is designated as Class A2 and Class B(WW-2). Class A2 waters are secondary contact recreational use waters in which recreational or other uses may result in contact with the water that is either incidental or accidental. Waters designated Class B(WW2) are those in which flow or other physical characteristics are capable of supporting a resident aquatic community that includes a variety of native nongame fish and invertebrate species.

ALTERNATIVES CONSIDERED

Alternatives Considered: Two sanitary sewer routes were considered to connect to the proposed WWTF location. Two wastewater treatment process alternatives were considered. The new WWTF treatment facility alternatives considered were activated sludge with enhanced biological and three stage oxidation ditch with final clarifiers.

Reasons for Selection of Proposed Alternative: The sewer route for the interceptor sewer from the existing to new WWTF site was chosen due to lower capital cost, better maintenance access, better constructability, minimizes environmental impacts along the alignment, and minimizes easement needs. The three-stage oxidation ditch with final clarifiers is recommended for the WWTF design because of the ease of operation, process reliability to handle flow/loading spikes, and ability to perform nutrient removal. The WWTF project site was selected for the availability of land (it is already City-owned) as well as minimization of the impacts to the environment.

MEASURES TAKEN TO ASSESS IMPACT**Coordination and Documentation with Other Agencies and Special Interest Groups:**

The following Federal, state and local agencies were asked to comment on the proposed project to better assess the potential impact to the environment:

- U.S. Army Corps of Engineers
- U.S. Fish and Wildlife Service
- Natural Resources Conservation Service
- State Historical Society of Iowa (State Historical Preservation Office)
- Iowa DNR Conservation and Recreation Division
- Iowa DNR Water Resources Section
- Citizen Band Potawatomi Indian Tribe
- Flandreau Santee Sioux
- Ho-Chunk Nation
- Iowa Tribe of Kansas and Nebraska
- Iowa Tribe of Oklahoma
- Kickapoo Tribe in Kansas
- Kickapoo Tribe of Oklahoma
- Lower Sioux Indian Community Council
- Miami Tribe of Oklahoma
- Omaha Tribal Council
- Osage Tribal Council
- Otoe-Missouria Tribe
- Pawnee Nation of Oklahoma
- Peoria Tribe of Indians of Oklahoma
- Ponca Tribe of Indians of Oklahoma
- Ponca Tribe of Nebraska
- Prairie Band Potawatomi Nation
- Prairie Island Indian Community
- Sac & Fox Nation of Mississippi in Iowa
- Sac & Fox Nation of Missouri
- Sac & Fox Nation of Oklahoma
- Santee Sioux Nation
- Shakopee Mdewakanton Sioux Community
- Sisseton-Wahpeton Oyate
- Spirit Lake Tribal Council
- Three Affiliated Tribes Mandan, Hidatsa & Arikara Nations
- Upper Sioux Tribe
- Winnebago Tribal Council
- Yankton Sioux Tribal Business and Claims Committee
- Nevada Historic Commission

No adverse comments were received from any agencies or general public. Conditions placed on the applicant by the above agencies in order to assure no significant impact are included in the Summary of Reasons for Concluding No Significant Impact section.

ENVIRONMENTAL IMPACT SUMMARY

The environmental impact summary below is for all three phases of the proposed project.

Construction: Traffic patterns within the community may be disrupted and above normal noise levels in the vicinity of the construction equipment can be anticipated during construction and should be a temporary problem. Adverse environmental impacts on noise quality will be handled by limited hours of contractor work time during the day. Other adverse environmental effects from construction activities will be minimized by proper construction practices, inspection, prompt cleanup, and other appropriate measures. Areas temporarily disturbed by the construction will be restored. Solid wastes resulting from the construction project will be regularly cleared away with substantial efforts made to minimize inconvenience to area residents.

Care will be taken to maintain dirt to avoid erosion and runoff. The proposed project will disturb soils over an area greater than one acre; therefore, the applicant is required to obtain an NPDES General Permit Number 2 (for storm water discharge associated with construction activities) and abide by its terms. Provided that this permit is obtained and the terms of which are abided by, no significant impact to surface water quality, fish, shellfish, wildlife, or their natural habitats is expected.

Temporary air quality degradation may occur due to dust and fumes from construction equipment. The applicant shall take reasonable precautions to prevent the discharge of visible emissions of fugitive dusts beyond the lot line of the property during the proposed project (567 Iowa Administrative Code IAC 23.3(2)"c").

Historical/Archaeological: The State Historical Preservation Office (SHPO), Certified Local Governments (city), and various Native American tribes with an interest in the area were provided information regarding the project. A Programmatic Agreement among the SHPO, IDNR, and the City of Nevada is currently in negotiation to proceed with this project in phases. Through this agreement, the City will only proceed with each phase of the project as planned if a determination of either "no historic properties affected" or "no adverse effect on historic properties" can be appropriately reached with or without mitigation. A Phase I Archeological investigation of the proposed wastewater treatment plant project area was completed. Results from this investigation were submitted to the State Historical Preservation Office (SHPO) for review. An archaeological investigation of the trunk sewer project area will occur in the future. However, if project activities uncover any item(s) that might be of archaeological, historical, or architectural interest, or if important new archaeological, historical, or architectural data should be encountered in the project APE, the applicant should make reasonable efforts to avoid further impacts to the property until an assessment can be made by an individual meeting the Secretary of the Interior's professional qualifications standards (36 CFR Part 61).

Environmental: A Joint Application for the wastewater treatment plant improvements phase was submitted by the City's consultant to the Iowa DNR Conservation and Recreation Division and U.S. Army Corps of Engineers. A Joint Application for the trunk sewer project phase will be submitted in the future. The DNR Flood Plain Management Section will determine if the proposed project requires a permit for impacts to the 100-year floodplain. The DNR Conservation and Recreation Division will determine if the project will impact any State-owned lands or State-listed threatened or endangered species. The U.S. Army Corps of Engineers will determine if the proposed project will impact wetlands or jurisdictional waters of the United States. The project will not impact any wild and scenic rivers as none exist within the State of Iowa. If any State- or Federally-listed threatened or endangered species or communities are found during the planning or construction phases, additional studies and/or mitigation may be required. No adverse impacts are expected to result from this project, such as those to surface water quantity, or groundwater quality or quantity. No significant impact to surface water quality, fish, shellfish, wildlife, or their natural habitats is expected.

Land Use and Trends: The project will not displace population nor will it alter the character of existing residential areas. Removing this area from production should not have a significant impact on corn or soybean production in the area, nor should it have significant impact on the agricultural industry in the area. This project should not impact population trends as the presence or absence of existing water/sewer infrastructure is unlikely to induce significant alterations in the population growth or distribution given the myriad of factors that influence development in this region. Similarly, this project is unlikely to induce significant alterations in the pattern and type of land use.

Irreversible and Irretrievable Commitment of Resources: Fuels, materials, and various forms of energy will be utilized during construction.

POSITIVE ENVIRONMENTAL EFFECTS TO BE REALIZED FROM THE PROPOSED PROJECT

Positive environmental effects will be improved treatment of the wastewater from the City of Nevada, compliance with effluent discharge permit limits, reduced discharge of pollutants and nutrients to the receiving stream, and improved water quality in the receiving stream.

SUMMARY OF REASONS FOR CONCLUDING NO SIGNIFICANT IMPACT

- The project will not significantly affect the pattern and type of land use (industrial, commercial, agricultural, recreational, residential) or growth and distribution of population.
- The project should not have a significant impact on agricultural production in the area, nor should it have significant impact on the agricultural industry in the area.
- The project will not conflict with local, regional or State land use plans or policies.

- The U.S. Army Corps of Engineers will determine if the proposed project will impact wetlands or jurisdictional waters of the United States.
- The DNR Conservation and Recreation Division will determine if the project will impact any State-owned lands or State-listed threatened or endangered species.
- The project will not displace population, alter the character of existing residential areas, or convert significant farmlands to non-agricultural purposes.
- The DNR Flood Plain Management Section will determine if the proposed project requires a permit for impacts to the 100-year floodplain.
- The project will not have effect on parklands, preserves, other public lands, or areas of recognized scenic or recreational value.
- A Phase I Archeological investigation of the proposed project area was completed for the wastewater treatment plant project area. An archaeological investigation for the trunk sewer project area will occur in the future. A Programmatic Agreement among the SHPO, IDNR, and the City of Nevada is currently in negotiation to proceed with this project in phases. Through this agreement, the City will only proceed with each phase of the project as planned if a determination of either "no historic properties affected" or "no adverse effect on historic properties" can be appropriately reached with or without mitigation.
- The project will not have a significant adverse effect upon local ambient air quality provided the applicant takes reasonable precautions to prevent the discharge of visible emissions of fugitive dusts beyond the lot line of the property during the proposed project (567 IAC 23.3(2)"c").
- The project will not have a significant adverse effect upon local ambient noise levels, surface water quantity, groundwater quality or quantity, or water supply.
- No significant impact to surface water quality, fish, shellfish, wildlife, or their natural habitats is expected provided that an NPDES General Permit Number 2 (for storm water discharge associated with construction activities) is obtained and the terms of which are abided by.

The project description, scope, and anticipated environmental impacts detailed above are accurate and complete to the best to my knowledge.

Signature of the Mayor, City of Nevada

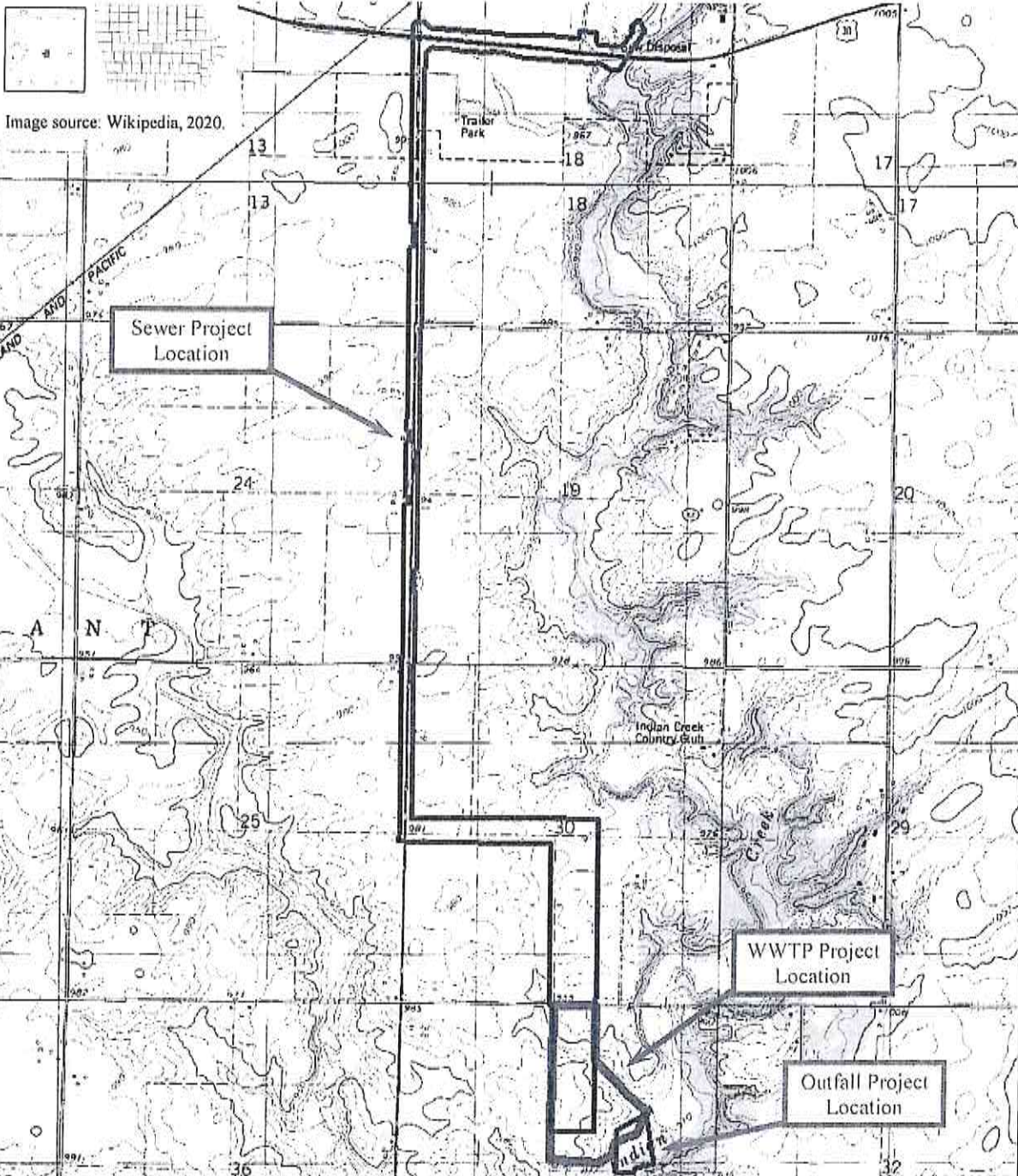
Date

Printed Name of the Mayor, City of Nevada

USGS 7.5 Minute Quadrangles: Maxwell, Nevada
Sections: 13,18,19,24,25,30,21, Township: 83 N, Ranges: 22, 23 W
Date: 1975
Scale: 1 Inch = 2,000 Feet



North



USGS Topographic Map

Nevada – WWTP, Outfall, Sewer Project
 Nevada, IA

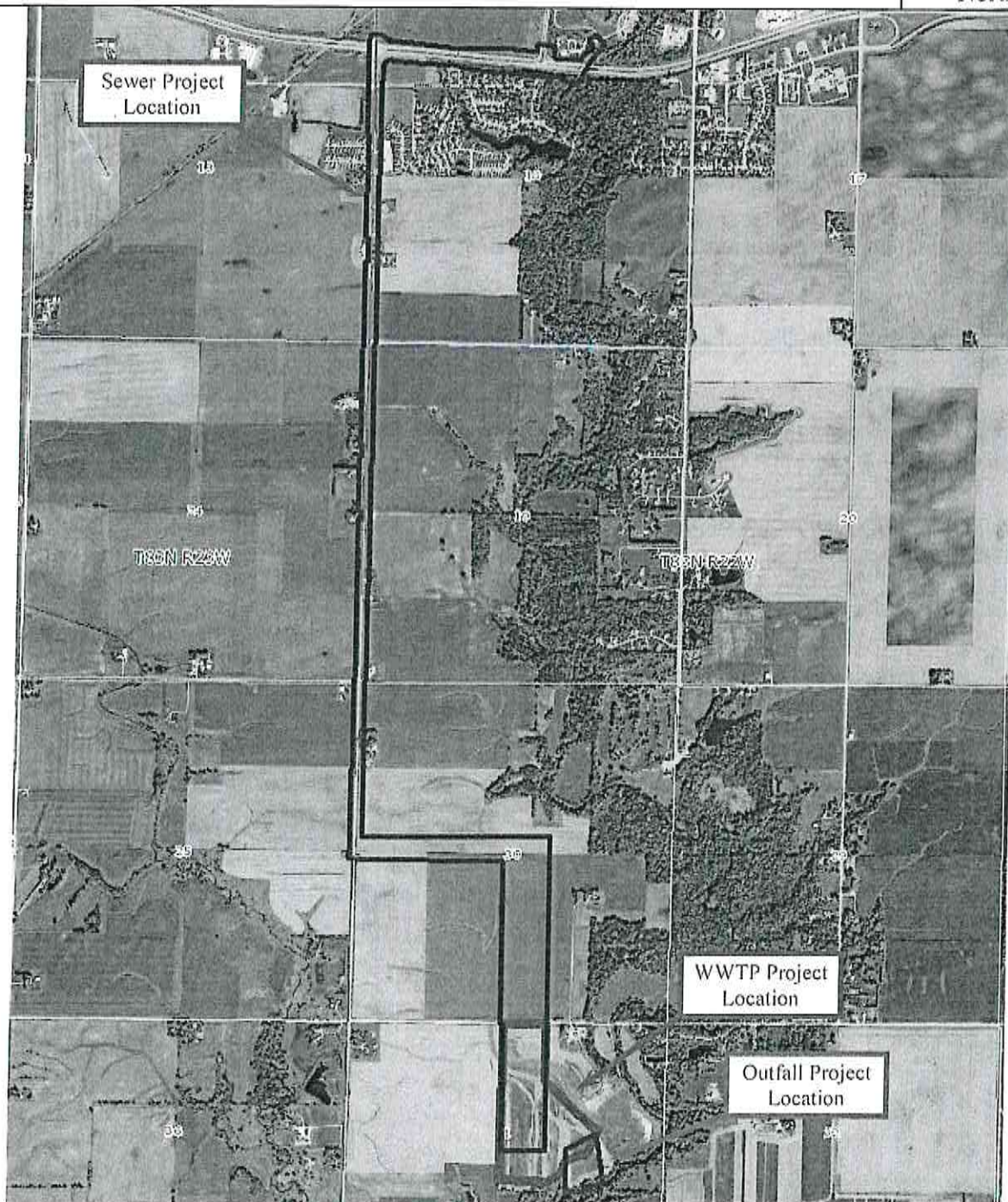


State Revolving Fund
 502 East 9th Street
 Des Moines, IA 50319-0034

Location information provided by HR Green



North



Aerial Photograph

Nevada – WWTP, Outfall, Sewer Project
Nevada, IA



State Revolving Fund
502 East 9th Street
Des Moines, IA 50319-0034

SRF Public Hearing Checklist



A public hearing must be held locally if the State Revolving Fund will be used to finance the project. The primary purpose of the hearing is to discuss the results of the environmental review.

- ☐ Adequate public notification provided to the media and all interested parties at least 30 days prior to the hearing. The purpose of the public hearing must be identified in the notification.
- ☐ Reports, documents and data relevant to the discussion at the public hearing shall be available at the project central depository for public review generally not less than 30 days before the public hearing.
- ☐ Hearings must be held at convenient times and places.
- ☐ Alternative strategies, environmental impacts, and institutional arrangements including user charge estimates should be discussed.
- ☐ All interested parties should be allowed adequate time to present their views. A question and answer period is recommended.
- ☐ The municipality shall prepare a transcript, recording or other complete record of the hearing and make it available for public review.
- ☐ A responsiveness summary (summary of public comments) and proof of publication must be submitted to the Environmental Review Specialist.

***Send materials to State Revolving Fund, Iowa Department of Natural Resources,
502 E. 9th Street, Des Moines, IA 50319-0034.***

NEVADA CITY COUNCIL - MONDAY, SEPTEMBER 14, 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, September 14, 2020, pursuant to the rules of the Council. The agenda was posted on the official bulletin board in compliance with the open meeting law. Due to COVID-19 the meeting was also available via Zoom:

<https://us02web.zoom.us/j/87961733099?pwd=UERoTDIiUXZhc2ZlQ9ML0ZOeEiODz09>

OR by phone: (312) 626-6799, (646) 558-8656, (301) 715-8592

Webinar ID: 879 6173 3099 Password: 287321

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, Shawn Cole, Shanna Speer, Ray Reynolds and Marlys Barker.

Also in attendance were: Karen Selby, Henry Corbin and Al Kockler.

3. APPROVAL OF AGENDA

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

4. PUBLIC HEARING(S)

A. Public Hearing, Designation of Expanded Nevada Urban Renewal Area and Amendment

At 6:02 p.m. Mayor Barker announced that this is the time and place set for a **public hearing** as advertised in the Nevada Journal on **August 27, 2020**. The public hearing is on the **Proposed Amendment to the Nevada Urban Renewal Area**.

There were **no written or oral objections** to the aforementioned recommendation. The Public Hearing was closed at 6:02 p.m.

B. Resolution No. 021 (2020/2021): A Resolution to Declare Necessity and Establish an Urban Renewal Area, Pursuant to Section 403.4 of the Code of Iowa and to Approve an Urban Renewal Plan Amendment for the Nevada Urban Renewal Area

Motion by Jason Sampson, seconded by Dane Nealson, to **adopt Resolution No. 021 (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.

- C. Ordinance No. 1013 (2020/2021): An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the September, 2020 Addition to the Nevada Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa

Motion by Sandy Ehrig, seconded by Barb Mittman, to **approve Ordinance No. 1013 (2020/2021), first reading.** After due consideration and discussion the roll was called. Aye: Ehrig, Mittman, Nealson, Sampson, Spence, Hanson. 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 Luke Spence, seconded by Jason Sampson, to **approve the following consent agenda items:**

- A. Approve Minutes of the Regular Meeting held on August 24, 2020
- B. Approve Minutes of the Special Meeting held on August 28, 2020
- C. Approve Payment of Cash Disbursements, including Check Numbers 74306-74388 and Electronic Numbers 826-832 (Inclusive) Totaling \$294,194.60 (See attached list)
- D. Approve Tax Abatement:
Permit #BP2019-0139, 2014 Jashalita (Single Family Unattached)

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

6. PUBLIC FORUM

- A. Main Street Nevada Director, Henry Corbin, updated the Council on their efforts considering signage for the community. They are looking at District and Wayfinding signage and possible billboards as well. Mayor Barker advised the Community Betterment committee is also looking at signage.
- B. Mayor Barker presented Dave Deyoe the 2020 Iowa League of Cities Legislative Service Award.
- C. Mayor Barker presented the Proclamation for National Direct Support Professional Recognition Week, September 13
- D. Mayor Barker presented the Proclamation for Constitution Week, September 17th – 23rd.
- E. Mayor Barker presented the Proclamation for National Clean Energy Month for October.

7. OLD BUSINESS

- A. Approve Pay Request No. 6 for the Central Business District Infrastructure Project from Con-Struct, Inc. in the amount of \$798,108.30

Motion by Dane Nealson, seconded by Jason Sampson, to **approve Pay Request No. 6 for the Central Business District Infrastructure Project from Con-Struct, Inc., in the amount of \$798,108.30.** After due consideration and discussion the roll was called. Aye: Nealson, Sampson, Spence, Ehrig, Hanson, Mittman. Nay: None. The Mayor declared the motion carried.

B. Opening Up City Facilities

Motion by Dane Nealson, seconded by Jason Sampson, to approve the opening of City Hall from 8 a.m. to 4 p.m., Monday through Friday. After due consideration and discussion the roll was called. Aye: Nealson, Sampson. Nay: Spence, Ehrig, Hanson, Mittman. The Mayor declared the motion failed.

8. NEW BUSINESS

- A. Resolution No. 022 (2020/2021): A Resolution to Approve, Preliminary Plat, Construction Drawings and for 6th Street Industrial Park, 1st Addition, Nevada, IA

Motion by Luke Spence, seconded by Brian Hanson, to Adopt Resolution No. 022 (2020/2021). After due consideration and discussion the roll was called. Aye: Spence, Hanson, Mittman, Nealson, Sampson, Ehrig. Nay: None. The Mayor declared the motion carried.

- B. Resolution No. 020 (2020/2021): A Resolution approving Public Storm Sewer Easement on 616 J Avenue in Nevada, Iowa

Motion by Barb Mittman, seconded by Sandy Ehrig, to Adopt Resolution No. 020 (2020/2021). After due consideration and discussion the roll was called. Aye: Mittman, Ehrig, Hanson, Nealson, Sampson, Spence. Nay: None. The Mayor declared the motion carried.

- C. Resolution No. 023 (2020/2021): A Resolution to provide for a notice of hearing on proposed plans, specifications, form of contract and estimate of cost for the Nevada Wastewater Treatment Facility Improvements – Phase 1 Project, and the taking of bids therefor

Motion by Brian Hanson, seconded by Luke Spence, to Adopt Resolution No. 023 (2020/2021). After due consideration and discussion the roll was called. Aye: Hanson, Spence, Ehrig, Mittman, Nealson, Sampson. Nay: None. The Mayor declared the motion carried.

- D. Resolution No. 024 (2020/2021): A Resolution approving Spyglass Agreement to Provide Audit of Telecommunications Services Accounts

Motion by Sandy Ehrig, seconded by Luke Spence, to Adopt Resolution No. 024 (2020/2021). After due consideration and discussion the roll was called. Aye: Ehrig, Spence, Hanson, Mittman, Nealson, Sampson. Nay: None. The Mayor declared the motion carried.

10. REPORTS:

City Administrator Cook thanked Director of Fire/EMS Reynolds for organizing the 911 Verbio Climb. He reported the Austin Peters Group has started their study.

Mayor Barker reported on the Healthy Hometown initiative. He also attended the opening conference with the State Auditor.

Director of Fire/EMS Reynolds thanked City Administrator Cook and Public Safety Director Martinez for their support in the 911 Verbio Climb.

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

Public Safety Director Martinez thanked Reynolds and Cook for their purchase of hot dogs for those making the 911 Verbio Climb. The Nevada Community School Homecoming parade is scheduled for Tuesday. It is hoped they can proceed down 6th Street as in the past. Martinez also advised Council a staff members child has been diagnosed with COVID-19. The officer is back at work with masks and temperature checks per CDC guidelines.

City Clerk Wright noted the State COVID-19 Reimbursement application was submitted today. She advised two policies are in need of updating to finish the FEMA application. The FY22 Budget process will begin this month. The State Auditors are still working this week.

Library Director Speer reported staff has been working with the school to see how the library might assist them and when story times might work.

City Engineer Stevens reported they have been working on three subdivisions. He updated council on the downtown project. The Wastewater Treatment Facility Plans-Phase 1 are almost complete. The first hurdle for CUP for the WWTF has been met and on Wednesday the Story County BOA will review and make final decision. There was only one objection from a land owner across the creek that might someday develop the area. The first phase of the project is just the dirt work.

Council Member Ehrig updated the Council on the Rural Housing Application. Council Member Nealson reported the Run Country Fest & 5K on October 4th has been moved to Billy Sunday Field and will utilize the trails for the race.

11. ADJOURNMENT

There being no further business to come before the meeting, motion by Dane Nealson, seconded by Sandy Ehrig, to adjourn the meeting. Following voice vote, the Mayor declared the motion carried at 7:05 p.m. the meeting adjourned.

Brett Barker, Mayor

ATTEST:

Kerin Wright, City Clerk

Published: _____

Council Approved: _____

Item # 5B
 Date: 9/28/2020

CITY OF NEVADA
CLAIMS REPORT FOR SEPTEMBER 28, 2020
9/15/20 THRU 9/28/20

VENDOR	REFERENCE	AMOUNT	CHECK #
WAGeworks	FSA 09152020 PMT	100.19	835
CON STRUCT	CBD PROJ PR#6	798,108.30	74398
TREASURER STATE OF IA	SALES TAX 09/1-15/20	4,012.75	836
TREASURER STATE OF IA	WET 9/1-15/20	11,983.81	837
QUILL CORP	LIB-SUPPLIES	221.70	74399
BAKER & TAYLOR	LIB-MATERIALS	2,539.68	74400
IA COMM NETWORK	LIB-LONG DISTANCE	8.89	74401
STATE LIBRARY OF IA	LIB-DATABASE/CATEXPRESS SUB	630.88	74402
AMAZON.COM	LIB-MATERIALS	214.26	74403
CENTER POINT	LIB-MATERIALS	229.50	74404
CENTURION TECH	LIB-SMARTSHIELD RENEWAL	144.00	74405
CENGAGE	LIB-MATERIALS	471.91	74406
JUNIOR LIBRARY GUILD	LIB-MATERIALS	998.40	74407
STUCKY'S	LIB-VACUUM REPAIR	69.89	74408
WAGeworks	FSA 09222020 PMT	206.36	841
IPERS	IPERS	31,632.99	838
TREASURER STATE OF IA	STATE TAX	8,291.00	839
EFTPS	FED/FICA TAX	24,918.25	840
AMER'N FAMILY	AFLAC	4,548.57	74417
ICMA	DEFERRED COMP	845.00	74418
UNITED WAY	UNITED WAY	30.00	74419
COLLECTION SVCS CTR	CHILD SUPPORT	305.71	74420
GREAT WESTERN BANK	HSA	203.06	74421
FIDELITY SECURITY LIFE	VISION	553.30	74422
GREAT WESTERN	STS,BUCKET	3,679.32	842
ALLIANT	ALL-UTILITIES	7,938.86	74423
NEVADA VET CLINIC	PD-ANIMAL CONTROL	567.40	74424
VAN WALL	PKM/STS-RPRS/SUPPLIES	917.22	74425
NEVADA POSTMASTER	UTILITY BILLING POSTAGE	859.28	74426
STATE HYGIENIC LAB	WWT-LAB ANALYSIS	2,332.50	74427
CAPITAL SANITARY SUPPLY	GH-SUPPLIES	590.04	74428
COMPUTER RES SPECIALISTS	ADM/PD-IT SVCS	808.35	74429
ARNOLD MOTOR SUPPLY	WWT/STS/FD/PKM-SUPPLIES	680.76	74430
IA ONE CALL	WTR/WWT-ONE CALL	131.50	74431
ELECTRIC WHOLESale	PKM/WWT-FUSES/FLOW CONTROL	251.70	74432
GRAINGER	WWT-RELAYS	237.78	74433
IA STATE READY MIX	STS-CONCRETE	604.00	74434
VERIZON	PD/WWT/WTR-PHONES/GIS	352.35	74435
GATEHOUSE	PUBLIC NOTICES	478.84	74436
GOOD AND QUICK	PD-REPAIRS	180.72	74437
SANDRY FIRE SUPPLY	FD-5 SCBA MASKS	1,444.85	74438
BLUETARP	STS-STROB	48.99	74439

CUMMINS	WWT-GENERATOR RPR	667.78	74440
ACCO	POOL-MAINT/RPR	481.60	74441
BSN SPORTS LLC	REC-FB	542.50	74442
NEVADA HARDWARE	ALL-SUPPLIES	1,123.05	74444
USA BLUEBOOK	WWT-DELAY RELAY/CIRCULAR CHART	563.30	74445
STAPLES	ADM/WTR/WWT-SUPPLIES	63.79	74446
HYDRO KLEAN	WWT-3D MANHOLE INSPECT	1,875.00	74447
WINDSTREAM	PD/POOL-PHONE	112.72	74448
CONSUMERS	ALL-UTILITIES	7,581.34	74449
COLE, SHAWN	P&Z-REIMB SHIRTS	100.00	74450
JOHN DEERE FIN	STS/PKM-SUPPLIES	255.13	74451
HR GREEN, INC	ENGINEERING	264,092.45	74452
VETTER EQUIP	PKM-RPR PARTS	18.90	74453
FREEDOM TIR	PD-#88 TIRES	560.00	74454
ZIMCO	PKM-FERTILIZER/HERBICIDE	4,522.50	74455
MISSISSIPPI LIME	WTR-QUICKLIME	6,319.08	74456
JOHNSON CONTROLS	WTR-SECURITY	1,078.79	74457
MAX AG	PKM-GRASS SEED	148.20	74458
CENTRAL IA WATER ASSC	WTR-LWE RAW WATER 10/2020	548.66	74459
CONSTRUCTION MAT	CBD PROJ-INSPECTION	1,982.75	74460
ALPHA COPIES	ADM-NEWSLETTER	448.50	74461
TITAN MACHINERY	STS-#23 RPR	282.00	74462
PRINCIPAL FIN	ALL-LIFE INSURANCE	630.45	74463
QUADIENT	ALL-POSTAGE	1,000.00	74464
AMES FORD	PD-2020 FORD POLICE INTRCPT	33,662.14	74465
KRUCK P & H CO	CH-PREV MAIN	590.00	74466
TAC10/GLOBAL SOFTWARE	PD-TAC10 MAINT RNWL	645.00	74467
SHRED-IT USA	PD-SHREDDING	124.72	74468
PRASKA, BROOKE	REC-BB/SB REIMB	75.00	74469
RACOM COR	FD-ANTENNA	33.75	74470
BOUND TREE MEDICAL	EMS-MEDICAL SUPPLIES	352.77	74471
PRITCHARD, NANCY	COVID FOR ZOOM REIMB	29.49	74472
MENARDS	STS-PAINT MACHINE RPR	14.99	74473
JMT TRUCKING	STS-HAULING	381.62	74474
ON TRACK	STS-STRM DAMAGE CLEAN-UP	3,723.52	74475
CELLEBRITE	PD-CERT OPERATOR(CCO)	3,850.00	74476
	Wtr Refund Cks Total	77.57	
	Accounts Payable Total	1,251,854.35	
	Payroll Checks	71,824.98	
	***** REPORT TOTAL *****	1,323,756.90	
	GENERAL	126,602.72	
	ROAD USE TAX	19,113.76	
	LOCAL OPTION SALES TAX	1,119.62	
	LIBRARY TRUST	1,632.52	
	CBD DOWNTOWN IMPR	800,091.05	

WATER	46,943.81
WATER DEPOSITS	77.57
SEWER	29,978.52
SEWER CAP IMP PROJECT	262,286.21
SRF SPONSORED PROJECT	1,806.24
LANDFILL/GARBAGE	55.32
STORM WATER	80.87
REVOLVING FUND	33,662.14
FLEX BENEFIT REVOLVING	306.55
TOTAL FUNDS	<u>1,323,756.90</u>

ACCOUNT NUMBER	ACCOUNT TITLE	MTD BALANCE	YTD BALANCE
001-000-1110	CASH-GENERAL FUND	82,930.31-	2,496,325.03
002-000-1110	CASH-HOTEL/MOTEL	1,285.16	17,037.04
110-000-1110	CASH-ROAD USE TAX	72,917.29-	1,771,176.12
112-000-1110	CASH-EMPLOYEE BENEFITS	205.06	139,679.49
113-000-1110	CASH-RUT CAPITAL	175,234.81	159,945.16
119-000-1110	CASH-EMERGENCY FUND	2.24	1,524.18
121-000-1110	CASH-LOCAL OPTION TAX	465,146.95-	283,507.58
125-000-1110	CASH-TIF	3,229.09	2,122,266.47
126-000-1110	CASH-LMI SUBFUND		77,320.56
167-000-1111	RESERVE-WELLS	2.57	1,753.52
167-000-1113	RESERVE-ZWILLING	.16	110.23
167-000-1114	RESERVE-ALBERRY	1.47	1,003.29
168-000-1118	RESERVE-UNDESIGNATED	.01	7.85
168-000-1119	RESERVE-HARMS TRUST, GREEN SP	38.33	26,108.44
169-000-1110	CASH-LIBRARY TRUST	1,701.73-	34,293.75
171-000-1110	CASH-FIRE TRUST	25.28	17,221.61
172-000-1110	CASH-SCORE UNDESIGNATED	8.66	5,899.87
173-000-1110	CASH-SCORE O&M	.38	260.85
174-000-1110	CASH-NORTH STORY BASEBALL	7.05	4,803.92
175-000-1110	CASH-SENIOR COMM CENTER	11.77	8,015.65
176-000-1110	CASH-GH PIANO	27.54	18,756.75
177-000-1110	CASH-POLICE FOREITURE	17.66	12,026.30
179-000-1122	RESERVE-GRNBLT MAP 2005	5.22	3,558.81
179-000-1124	RESERVE-ST CO TRAIL	.58	392.53
179-000-1125	RESERVE-IND RDG GREENBE	2.49	1,694.46
179-000-1127	RESERVE-UNRESTRICTED	891.85	55,551.40
179-000-1128	RESERVE-SCORE SCOREBOAR	6.66	4,537.10
179-000-1130	RESERVE-LANDSCAPING	16.57	6,286.88
179-000-1131	RESERVE-FIELD MAINT	13.47	10,293.74
179-000-1132	RESERVE-LEW HANSEN SUB	2.05	1,394.54
179-000-1133	RESERVE-87 SOUTHWOOD	11.02	7,503.92
179-000-1134	RESERVE-MARDEAN PARK	1.31	890.59
180-000-1110	CASH-COLUMBARIAN MAINT	5.24	3,572.61
181-000-1110	CASH-TRAIL MAINTENANCE	10,009.43	6,423.93
182-000-1110	CASH-DANIELSON/OTHERTRU	1,159.27-	248,199.56
183-000-1110	CASH-LIB BLDG TRUST	.28	193.01
184-000-1110	CASH-TREES FOREVER	6.61	4,501.70
185-000-1110	CASH-4TH OF JULY	7.41	5,046.52
186-000-1110	CASH-COMM BAND	1.23	837.78
190-000-1110	CASH-DEBT SERVICE	347.76	236,887.11
191-000-1110	CASH-CITY HALL/PUBLIC S	1.26	858.80
192-000-1110	CASH-LIBRARY BLDG	6.89	4,690.12
194-000-1110	CASH-SC/FIELDHOUSE	4,729.75-	52,089.90-
197-000-1110	CASH-SIDEWALKIMPROVEMEN	69.20	47,138.42
201-000-1110	CASH-2019 CIP WORK	1,867.84	1,656,044.28
202-000-1110	CASH-2019 SOUTH D AVE PAVING	1,339.00-	603,137.29-
205-000-1110	CASH-CBD DOWNTOWN IMPR	204,965.81-	6,050,539.00
201-000-1110	CASH-TRAIL CIP PROJECTS	348.64	237,489.05
203-000-1110	CASH-2017STS, WTR, WWT, STM PROJ	507.51	345,705.46
205-000-1110	CASH-LINC HWY/W 18TH ST INTERS	30,515.00-	592,379.27-
206-000-1110	CASH-2017BOND, REFUND 2013B	.01	8.69

ACCOUNT NUMBER	ACCOUNT TITLE	MTD BALANCE	YTD BALANCE
00-000-1110	CASH-PERPETUAL CARE		152,861.58
01-000-1110	CASH-HATTERY		5,000.00
00-000-1110	CASH-WATER O&M	668,021.39-	963,049.30
01-000-1110	CASH-WATER DEPOSITS	655.98-	76,777.35
02-000-1110	CASH-WATER PLANT UPGRADE RSRV	201,584.17	1,079,101.66
04-000-1110	CASH-WTR 2012C RESERVE	581,202.50-	
05-000-1110	CASH-WATER 2012C BOND	1,207,293.06	701,855.21
06-000-1110	CASH-WATER 2012C BOND	150,000.00-	
07-000-1110	CASH-WTR CAPITAL REVOLV	125,606.33	413,016.96
00-000-1110	CASH-WASTEWATER O&M	223,266.11-	1,382,814.04
05-000-1110	CASH-SEWER CONSTRUCTION	258,913.03	2,338,850.34
06-000-1110	CASH-WWT CIP	438,330.20-	1,721,839.40-
07-000-1110	CASH-WWT CAPITAL	60,458.70	312,459.86
08-000-1110	CASH-SRF SPONSORED PROJECT		12,600.00-
00-000-1110	CASH-GARBAGE UTILITY	6,113.37	21,735.36-
00-000-1110	CASH-STORM WATER UTILIT	234,915.29-	612,011.10
00-000-1139	RESERVE-PARK & RECREATI	62,899.59	59,050.85
00-000-1140	RESERVE-LIBRARY	10,090.48	61,630.37
00-000-1141	RESERVE-CEMETERY	34,250.01	47,784.66
00-000-1142	RESERVE-FINANCE	50,494.72	336,994.75
00-000-1143	RESERVE-FIRE	75,549.50	374,310.74
00-000-1144	RESERVE-POLICE	34,808.15	233,747.71
00-000-1146	RESERVE-PLANNING & ZONI	5,043.60	29,699.13
00-000-1147	RESERVE-GATES HALL	21.70	14,783.13
00-000-1148	RESERVE-TECHNOLOGY	7,167.54	20,977.62
00-000-1110	CASH-FLEXIBLE BENEFITS	1,517.62	7,912.98
00-000-1110	CASH-SICK & VACATION	448.02	305,185.24
	CASH TOTAL	825,309.22-	22,665,377.03
00-000-1120	PETTY CASH - LIBRARY		75.00
00-000-1120	PETTY CASH - CITY HALL		600.00
	PETTY CASH TOTAL	.00	675.00
00-000-1168	COUNTY FOUNDATION INVES		81,600.83
	SAVINGS TOTAL	.00	81,600.83
00-000-1170	CD-GENERAL FUND		4,000,000.00
	CD's TOTAL	.00	4,000,000.00
	TOTAL CASH	825,309.22-	26,747,652.86

CITY OF NEVADA
BUDGET REPORT

ACCOUNT NUMBER	ACCOUNT TITLE	CALENDAR 8/2020, FISCAL	2/2021	PCT OF FISCAL YTD		16.6%
		TOTAL BUDGET	MTD BALANCE	YTD BALANCE	PERCENT EXPENDED	UNEXPENDED
	POLICE TOTAL	1,194,876.00	117,849.19	326,447.28	27.32	868,428.72
	POLICE-OFFICE TOTAL	117,989.00	8,648.46	20,891.05	17.71	97,097.95
	EMERGENCY MANAGEMENT TOTAL	900.00	82.57	129.22	14.36	770.78
	COVID-19 TOTAL	.00	680.50	1,976.98	.00	1,976.98
	FLOOD CONTROL TOTAL	32,600.00	3,443.02	10,353.61	31.76	22,246.39
	FIRE TOTAL	370,606.00	14,237.49	90,873.86	24.52	279,732.14
	AMBULANCE TOTAL	38,800.00	216.68	5,118.17	13.19	33,681.83
	BUILDING INSPECTIONS TOTAL	55,941.00	3,680.99	9,256.49	16.55	46,684.51
	ANIMAL CONTROL TOTAL	5,100.00	443.50	1,071.80	21.02	4,028.20
	ANIMAL CONTROL-OWNER TOTAL	1,500.00	171.30	288.20	19.21	1,211.80
	PUBLIC SAFETY TOTAL	1,818,312.00	149,453.70	466,406.66	25.65	1,351,905.34
	ROADS, BRIDGES, SIDEWALKS TOTA	778,205.00	36,882.03	184,344.10	23.69	593,860.90
	STREET LIGHTING TOTAL	144,000.00	8,652.17	18,480.60	12.83	125,519.40
	TRAFFIC CONTROL & SAFETY TOTA	1,000.00	.00	.00	.00	1,000.00
	PAVEMENT MARKINGS TOTAL	20,000.00	671.55	2,210.70	11.05	17,789.30
	SNOW REMOVAL TOTAL	82,275.00	.00	299.33	.36	81,975.67
	TREES & WEEDS TOTAL	50,000.00	23.28	23.28	.05	49,976.72
	PUBLIC WORKS TOTAL	1,075,480.00	46,229.03	205,358.01	19.09	870,121.99
	WATER,AIR,MOSQUITO CONTRO TOTA	13,000.00	.00	.00	.00	13,000.00
	ACCESS TOTAL	1,030.00	.00	1,030.00	100.00	.00
	NEVADA YOUTH & SHELTER TOTAL	6,925.00	.00	6,925.00	100.00	.00
	CENTER FOR ADDICTIONS RCY TOTA	2,230.00	.00	2,230.00	100.00	.00
	COMMUNITY RESORCE CENTER TOTA	21,540.00	.00	21,540.00	100.00	.00
	STORY CO VOLUNTEER CENTER TOTA	1,020.00	.00	1,020.00	100.00	.00
	RETIRED SEN VOLUNTEER PGM TOTA	990.00	.00	990.00	100.00	.00
	HEARTLAND SENIOR SERVICES TOTA	1,890.00	.00	1,890.00	100.00	.00
	MIDIOWA COMMUNITY ACTION TOTA	1,510.00	.00	1,510.00	100.00	.00
	GOOD NEIGHBOR EM ASSIST TOTAL	2,210.00	.00	2,210.00	100.00	.00
	STORY CO LEGAL AID TOTAL	2,360.00	.00	2,360.00	100.00	.00
	SALVATION ARMY TOTAL	1,905.00	.00	1,905.00	100.00	.00
	TOTAL	2,800.00	.00	2,800.00	100.00	.00
	OTHER HEALTH/SOCIAL SERV TOTA	5,140.00	.00	4,360.00	84.82	780.00
	HEALTH & SOCIAL SERVICES TOTA	64,550.00	.00	50,770.00	78.65	13,780.00
	LIBRARY TOTAL	451,476.00	28,504.20	72,674.98	16.10	378,801.02
	LIBRARY-DONATED TOTAL	32,500.00	1,523.64	1,543.63	4.75	30,956.37
	LIBRARY-STATE INFRASTRUCT TOTA	21,500.00	1,752.07	4,091.39	19.03	17,408.61
	MUSEUM/BAND/THEATRE TOTAL	1,520.00	.00	.00	.00	1,520.00
	PARKS TOTAL	104,075.00	7,246.95	33,421.13	32.11	70,653.87
	PARK MAINTENANCE TOTAL	350,670.00	34,413.24	81,984.94	23.38	268,685.06
	PARKS-AHTLETIC FIELDS TOTAL	20,000.00	.00	3,453.95	17.27	16,546.05
	TRAIL SYSTEM-BIKE/WALK TOTAL	15,000.00	.00	.00	.00	15,000.00
	FOUR-PLEX COMPLEX TOTAL	48,052.00	456.72	2,845.15	5.92	45,206.85

CCOUNT NUMBER	ACCOUNT TITLE	TOTAL BUDGET	MTD BALANCE	YTD BALANCE	PERCENT EXPENDED	UNEXPENDED
	POOL TOTAL	237,036.00	5,951.08	18,011.11	7.60	219,024.89
	RECREATION TOTAL	68,949.00	4,764.90	15,012.03	21.77	53,936.97
	ADULT SOFTBALL TOTAL	600.00	14.72	14.72	2.45	585.28
	COMMUNITY HEALTH/WEELLNESS TOTA	500.00	.00	.00	.00	500.00
	SENIOR ACTIVITY TOTAL	1,000.00	.00	.00	.00	1,000.00
	CEMETERY TOTAL	148,733.00	8,674.01	31,835.53	21.40	116,897.47
	COMMUNITY CTR/ZOO/MARINA TOTA	188,166.00	11,984.93	31,156.31	16.56	157,009.69
	SENIOR COMMUNITY CENTER TOTAL	7,062.00	388.71	1,536.07	21.75	5,525.93
	FIELDHOUSE TOTAL	65,000.00	.00	.00	.00	65,000.00
	BASEBALL SOFTBALL TOTAL	34,733.00	421.16	1,514.95	4.36	33,218.05
	YOUTH BASKETBALL TOTAL	10,209.00	.00	.00	.00	10,209.00
	VOLLEYBALL TOTAL	2,115.00	.00	.00	.00	2,115.00
	FLAG FOOTBALL TOTAL	6,070.00	.00	.00	.00	6,070.00
	HALLOWEEN TOTAL	250.00	.00	.00	.00	250.00
	JR THEATRE/FESTIVAL TREES TOTA	2,615.00	.00	.00	.00	2,615.00
	CIRL TOTAL	2,000.00	995.00	995.00	49.75	1,005.00
	SOFTBALL TOURNAMENT TOTAL	1,000.00	.00	.00	.00	1,000.00
	HISTORICAL SOCIETY TOTAL	491.00	.00	5,000.00	1,018.33	4,509.00-
	HISTORIC PRESERVATION TOTAL	8,500.00	.00	.00	.00	8,500.00
	OTHER CULTURE/RECREATION TOTA	2,930.00	.00	3,710.00	126.62	780.00-
	CULTURE & RECREATION TOTAL	1,832,752.00	107,091.33	308,800.89	16.85	1,523,951.11
	ECONOMIC DEVELOPMENT TOTAL	432,352.00	2,869.44	2,869.44	.66	429,482.56
	MAIN STREET NEVADA TOTAL	25,000.00	.00	.00	.00	25,000.00
	HOUSING & URBAN RENEWAL TOTAL	10,000.00	.00	.00	.00	10,000.00
	PLANNING & ZONING TOTAL	166,282.00	7,151.21	12,665.52	7.62	153,616.48
	CHRISTMAS LIGHTS TOTAL	800.00	.00	.00	.00	800.00
	4TH OF JULY TOTAL	9,000.00	.00	.00	.00	9,000.00
	LINCOLN HWY DAYS TOTAL	4,000.00	.00	.00	.00	4,000.00
	VISITOR'S GUIDE TOTAL	500.00	.00	.00	.00	500.00
	OTHER COMM & ECO DEV TOTAL	30,700.00	.00	.00	.00	30,700.00
	COMMUNITY & ECONOMIC DEV TOTA	678,634.00	10,020.65	15,534.96	2.29	663,099.04
	MAYOR/COUNCIL/CITY MGR TOTAL	12,220.00	351.38	2,416.41	19.77	9,803.59
	COUNCIL TOTAL	7,987.00	.00	2.00	.03	7,985.00
	CITY ADMINISTRATOR TOTAL	34,800.00	1,315.59	2,235.22	6.42	32,564.78
	CLERK/TREASURER/ADM TOTAL	327,573.00	19,358.10	43,016.65	13.13	284,556.35
	LEGAL SERVICES/ATTORNEY TOTAL	110,800.00	8,310.00	20,670.00	18.66	90,130.00
	CITY HALL/GENERAL BLDGS TOTAL	124,349.00	13,245.23	27,748.69	22.32	96,600.31
	TORT LIABILITY TOTAL	40,160.00	.00	41,022.00	102.15	862.00-
	OTHER GENERAL GOVERNMENT TOTA	13,000.00	134.07	1,592.37	12.25	11,407.63
	GENERAL GOVERNMENT TOTAL	670,889.00	42,714.37	138,703.34	20.67	532,185.66
	CITYHALL/LIBRARY DEBT TOTAL	96,613.00	.00	.00	.00	96,613.00
	2019B CIP WORK TOTAL	570,350.00	.00	.00	.00	570,350.00

CITY OF NEVADA
BUDGET REPORT

ACCOUNT NUMBER	ACCOUNT TITLE	CALENDAR 8/2020, FISCAL TOTAL BUDGET	2/2021 MTD BALANCE	PCT OF FISCAL YTD BALANCE	FISCAL YTD PERCENT EXPENDED	16.6% UNEXPENDED
	DDCE WTR/WWT/STS DEBT TOTAL	674,300.00	.00	.00	.00	674,300.00
	DEBT SERVICE TOTAL	1,341,263.00	.00	.00	.00	1,341,263.00
	ROADS, BRIDGES, SIDEWALKS TOTA	4,411,000.00	496,265.55	948,119.40	21.49	3,462,880.60
	SIDEWALKS TOTAL	25,000.00	.00	.00	.00	25,000.00
	RAILROAD CROSSINGS TOTAL	5,000.00	.00	.00	.00	5,000.00
	FIELDHOUSE TOTAL	8,500,000.00	4,729.75	9,483.15	.11	8,490,516.85
	CITY HALL/GENERAL BLDGS TOTAL	2,000.00	.00	.00	.00	2,000.00
	CAPITAL PROJECTS TOTAL	12,943,000.00	500,995.30	957,602.55	7.40	11,985,397.45
	OTHER GENERAL GOVERNMENT TOTA	.00	1,388.30	3,183.44	.00	3,183.44-
	WTR 2012C BOND TOTAL	574,603.00	300.00	3,408,400.75	593.17	2,833,797.75-
	WATER TOTAL	40,720.00	.00	.00	.00	40,720.00
	WATER-PLANT/PUMPS TOTAL	793,897.00	49,208.60	148,510.13	18.71	645,386.87
	WATER-LINES-INST & O&M TOTAL	61,493.00	4,684.36	11,620.40	18.90	49,872.60
	WATER ACCOUNTING TOTAL	330,517.00	24,633.09	62,218.95	18.82	268,298.05
	WASTEWATER PLANT TOTAL	702,080.00	41,771.63	139,160.06	19.82	562,919.94
	WASTEWATER COLLECTION TOTAL	2,070,052.00	441,346.87	454,564.23	21.96	1,615,487.77
	WASTEWATER ACCOUNTING TOTAL	224,352.00	14,032.99	33,793.09	15.06	190,558.91
	LANDFILL/GARBAGE TOTAL	72,079.00	55.32	35,845.00	49.73	36,234.00
	STORM WATER TOTAL	35,900.00	202.87	349.15	.97	35,550.85
	ENTERPRISE FUNDS TOTAL	4,905,693.00	577,624.03	4,297,645.20	87.61	608,047.80
	TRANSFERS IN/OUT TOTAL	8,254,362.00	2,746,593.06	2,746,593.06	33.27	5,507,768.94
	TRANSFER OUT TOTAL	8,254,362.00	2,746,593.06	2,746,593.06	33.27	5,507,768.94
	TOTAL EXPENSES	33,584,935.00	4,180,721.47	9,187,414.67	27.36	24,397,520.33

ACCOUNT NUMBER	ACCOUNT TITLE	ESTIMATE	BALANCE	BALANCE	RECVD	UNCOLLECTED
	GENERAL TOTAL	4,024,110.00	173,366.79	255,478.75	6.35	3,768,631.25
	HOTEL MOTEL TOTAL	11,250.00	1,285.16	1,308.80	11.63	9,941.20
	ROAD USE TAX TOTAL	958,128.00	71,933.75	186,227.52	19.44	771,900.48
	EMPLOYEE BENEFITS TOTAL	702,835.00	205.06	15,412.15	2.19	687,422.85
	RUT CAPITAL TOTAL	176,500.00	175,234.81	175,234.81	99.28	1,265.19
	EMERGENCY FUND TOTAL	73,308.00	2.24	1,524.18	2.08	71,783.82
	LOCAL OPTION SALES TAX TOTAL	922,000.00	93,239.10	177,666.73	19.27	744,333.27
	TAX INCREMENT FINANCING TOTAL	969,646.00	3,229.09	24,496.13	2.53	945,149.87
	LMI-SUBFUND TOTAL	64,672.00	.00	.00	.00	64,672.00
	RESTRICTED GIFTS TOTAL	30.00	4.20	8.50	28.33	21.50
	CEMETARY CIP/LAND TOTAL	300.00	38.34	77.48	25.83	222.52
	LIBRARY TRUST TOTAL	8,100.00	50.34	124.35	1.54	7,975.65
	FIRE TRUST TOTAL	300.00	25.28	51.09	17.03	248.91
	SCORE-UNDESIGNATED TOTAL	100.00	8.66	17.50	17.50	82.50
	SCORE O&M TOTAL	5.00	.38	.77	15.40	4.23
	NORTH STORY BASEBALL TOTAL	21,500.00	7.05	14.25	.07	21,485.75
	SENIOR CENTER TRUST TOTAL	150.00	11.77	23.78	15.85	126.22

ACCOUNT NUMBER	ACCOUNT TITLE	ESTIMATE	BALANCE	BALANCE	RECVD	UNCOLLECTED
	GATES HALL PIANO TOTAL	225.00	27.54	55.65	24.73	169.35
	ASSET FORFEITURE TOTAL	100.00	17.66	35.68	35.68	64.32
	PARK OPEN SPACE TOTAL	24,450.00	952.86	1,932.47	7.90	22,517.53
	COLUMBARIAN MAINTENANCE TOTAL	220.00	5.24	10.59	4.81	209.41
	TRAIL MAINTENANCE TOTAL	10,200.00	10,009.43	10,009.43	98.13	190.57
	DANIELSON TRUST TOTAL	500.00	364.37	738.61	147.72	238.61-
	LIB BLDG TRUST TOTAL	200.00	.28	.57	.29	199.43
	TREES FOREVER TOTAL	50.00	6.61	13.36	26.72	36.64
	4TH OF JULY TRUST TOTAL	2,020.00	7.41	14.97	.74	2,005.03
	COMMUNITY BAND TOTAL	1,000.00	1.23	2.49	.25	997.51
	DEBT SERVICE TOTAL	1,364,389.00	347.76	12,583.72	.92	1,351,805.28
	CH CAMPUS PROJ TOTAL	100.00	1.26	2.55	2.55	97.45
	LIBRARY ADDITION TOTAL	102,237.00	6.89	3,341.47	3.27	98,895.53
	SC/FIELDHOUSE TOTAL	8,500,000.00	.00	.00	.00	8,500,000.00
	SIDEWALK IMPROVEMENTS TOTAL	35,000.00	69.20	1,355.84	3.87	33,644.16
	2019 CIP WORK TOTAL	.00	2,431.14	4,913.74	.00	4,913.74-
	CBD DOWNTOWN IMPR TOTAL	9,260,000.00	258,882.44	268,270.76	2.90	8,991,729.24

ACCOUNT NUMBER	ACCOUNT TITLE	ESTIMATE	BALANCE	BALANCE	PERCENT RECVD	UNCOLLECTED
	TRAIL CIP RESERVE PROJTS TOTA	66,837.00	348.64	704.54	1.05	66,132.46
	2017 STS/WT/SE/STRM PROJ TOTA	.00	507.51	1,025.59	.00	1,025.59-
	2017 BOND, REFUND 2013B TOTAL	.00	.01	.02	.00	.02-
	PERPETUAL CARE TOTAL	3,800.00	.00	1,000.00	26.32	2,800.00
	WATER TOTAL	2,204,527.00	210,323.68	377,757.40	17.14	1,826,769.60
	WATER DEPOSITS TOTAL	25,000.00	1,355.00	3,945.00	15.78	21,055.00
	WATER PLANT UPGRADE RSRV TOTA	210,000.00	201,584.17	202,901.16	96.62	7,098.84
	WATER 2012C BOND TOTAL	574,103.00	1,207,593.06	4,074,246.46	709.67	3,500,143.46-
	WATER CAPITAL REVOLVING TOTAL	127,500.00	125,606.33	126,037.68	98.85	1,462.32
	SEWER TOTAL	1,316,054.00	145,898.33	249,029.61	18.92	1,067,024.39
	SEWER CONSTRUCTION TOTAL	323,000.00	258,913.03	266,769.10	82.59	56,230.90
	SEWER CAP IMP PROJECT TOTAL	3,000,000.00	.00	.00	.00	3,000,000.00
	SEWER EQUIP REVOLVING TOTAL	63,000.00	60,458.70	60,836.91	96.57	2,163.09
	LANDFILL/GARBAGE TOTAL	68,650.00	6,168.69	11,707.01	17.05	56,942.99
	STORM WATER TOTAL	178,900.00	15,287.58	31,567.21	17.65	147,332.79
	REVOLVING FUND TOTAL	426,000.00	326,730.79	328,840.22	77.19	97,159.78
	FLEX BENEFIT REVOLVING TOTAL	.00	2,905.92	5,811.84	.00	5,811.84-

CITY OF NEVADA
REVENUE REPORT
CALENDAR 8/2020, FISCAL 2/2021
BUDGET MTD
ESTIMATE BALANCE

ACCOUNT NUMBER	ACCOUNT TITLE	PCT OF FISCAL YTD YTD BALANCE	FISCAL YTD PERCENT RECVD	16.6% UNCOLLECTED
OTHER INTERNAL SERV FUND TOTA		4,500.00	448.02	905.37 20.12 3,594.63
TOTAL REVENUE BY FUND		35,825,496.00	3,355,902.80	6,884,033.81 19.22 28,941,462.19

RESOLUTION NO. 025 (2020/2021)

**A RESOLUTION APPROVING THE ANNUAL STREET FINANCE REPORT FOR THE
FISCAL YEAR ENDED JUNE 30, 2020**

WHEREAS, the Iowa Department of Transportation, Ames, Iowa requires the City to annually file a Street Finance Report; and

WHEREAS, the City Council of the City of Nevada, Iowa has now reviewed the aforementioned report;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Nevada, Iowa, hereby approves the Street Finance Report for the year ending June 30, 2019 and directs the City Clerk to file same with the Iowa Department of Transportation located at Ames, Iowa.

PASSED AND APPROVED this 28th day of September, 2020.

Brett Barker, Mayor

ATTEST:

Kerin Wright, City Clerk

Moved by Council Member __, seconded by Council Member __, that Resolution No. 025 (2020/2021) be adopted.

Ayes: —
Nays: —
Absent: —

The Mayor declared Resolution No. 025 (2020/2021) adopted.

I hereby certify that the foregoing is a true copy of a record of the adoption of Resolution No. 025 (2020/2021) at the regular Council Meeting of the City of Nevada, Iowa, held on the 28th day of September, 2020.

Kerin Wright, City Clerk

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Street Finance Report for Nevada 2020

Expenses	General Fund Streets (001)	Special Revenues		Debt Service (200)	Capital Projects (300)	Utilities (600 & Up)	Grand Total
		Road Use (110)	Other				
Salaries - Roads/Streets		\$270,356					\$270,356
Benefits - Roads/Streets		\$102,980					\$102,980
Training & Dues		\$2,444					\$2,444
Building & Grounds Maint. & Repair		\$599					\$599
Vehicle & Office Equip Operation and Repair	\$203	\$23,290					\$23,493
Operational Equipment Repair		\$17,995					\$17,995
Engineering		\$4,493			\$528,175		\$532,668
Insurance		\$19,826					\$19,826
Rents & Leases		\$1,750					\$1,750
Technology Expense		\$270					\$270
Other Professional Services					\$38,242		\$38,242
Other Contract Services	\$1,140	\$5,556	\$12,267				\$18,963
Minor Equipment Purchases		\$2,597					\$2,597
Postage & Safety		\$756					\$756
New Posts & Signs		\$922					\$922
Other Supplies	\$5,120	\$46,927					\$52,047
Heavy Equipment			\$210,906				\$210,906
Office Equipment			\$540				\$540
Other Capital Equipment			\$58,961				\$58,961
Street - Safety/Environment					\$2,199,707		\$2,199,707
Principal Payment				\$1,948,477			\$1,948,477
Interest Payment				\$195,318			\$195,318
Bond Registration Fees				\$1,329			\$1,329
Transfer Out		\$150,000	\$855,962				\$1,005,962
Street Lighting		\$67,496	\$62,637				\$130,133
Traffic Control/Safety		\$4,711					\$4,711
Snow Removal		\$52,095					\$52,095
Depreciation & Building Utilities		\$14,030					\$14,030
Accounting/Recording		\$500					\$500
Total	\$6,463	\$789,593	\$1,201,273	\$2,145,124	\$2,766,124	\$0	\$6,908,577

Revenues	General Fund Streets (001)	Special Revenues		Debt Service (200)	Capital Projects (300)	Utilities (600 & Up)	Grand Total
		Road Use (110)	Other				
Levied on Property			\$105,862	\$570,496			\$676,358
TIF Revenues			\$675,100	\$675,100			\$1,350,200
Other Taxes (Hotel, LOST)			\$149,904				\$149,904
Interest	\$529		\$2,420				\$2,949
Federal Grants					\$742,144		\$742,144
State Revenues - Road Use Taxes		\$873,804					\$873,804
Fuel Tax Refund	\$5,934						\$5,934
Sale of Property & Merchandise			\$8,665				\$8,665
Proceeds from Debt					\$6,411,600		\$6,411,600
Transfer In		\$105,862	\$225,000	\$675,100			\$1,005,962
Total	\$6,463	\$979,666	\$1,166,951	\$1,920,696	\$7,153,744	\$0	\$11,227,520

Street Finance Report for Nevada 2020

Bond/Loan Description	Principal Balance As of 7/1	Total Principal Paid	Total Interest Paid	Principal Roads	Interest Roads	Principal Balance As of 6/30
2013 Dupont/W Ind Prk Bond	\$3,390,000	\$3,390,000	\$124,600	\$1,428,477	\$52,504	\$0
2019 CIP Work, 10th St and S D Ave	\$2,015,000	\$520,000	\$69,014	\$520,000	\$69,014	\$1,495,000
2017 Refunding of 2013 Dupont/W Ind Prk Bond, Was in escrow	\$2,850,000	\$0	\$73,800	\$0	\$73,800	\$2,850,000
2020 Bond, Central Business District Project	\$6,411,600	\$0	\$0	\$0	\$0	\$6,411,600

Description	Model Year	Usage Type	Cost	Purchased Status
International 4700 Dump Truck	1996	Purchased	\$59,605	No Change
Ford F250	2015	Purchased	\$17,319	No Change
Ford F250	2004	Purchased	\$12,618	No Change
Cronkite Skidloader Trl	2007	Purchased	\$25,900	No Change
Ford F250	2011	Purchased	\$20,683	No Change
Ford F250 flatbed	2012	Purchased	\$21,525	No Change
Falcon RME Trailer	2013	Purchased	\$17,319	No Change
International HV607 Dump Truck	2020	Purchased	\$105,453	New
International HV607 Dump Truck, 1862	2020	Purchased	\$105,453	New
International 7000 Plow 4237	2015	Purchased	\$129,186	No Change
International 7000 4243	2015	Purchased	\$129,186	No Change
International Plow 4238	2015	Purchased	\$129,186	No Change
International 7000 Plow 4239	2015	Purchased	\$129,186	No Change
Chevrolet Silverado	2017	Purchased	\$27,367	No Change
Ford F150 PU	2013	Purchased	\$17,319	No Change
Caterpillar Backhoe	2009	Purchased	\$77,912	No Change
Leeboy Asphalt Roller	1996	Purchased	\$17,675	No Change
John Deere Tractor, Annual Lease	2020	Lease	\$3,200	New
Caterpillar 135H Motor Grader	1996	Purchased	\$203,077	No Change
Cat Integrated Tool Carrier w/snow blower attachm	2004	Purchased	\$142,531	No Change
Elgin Sweeper	2013	Purchased	\$142,531	No Change

Project Description	Contract Price	Final Price	Contractor Name
2017 CIP Street Improvements	\$3,023,261	\$3,868,646	Con-Struct, Inc

Summary	General Fund Streets (001)	Special Revenues		Debt Service (200)	Capital Projects (300)	Utilities (600 & Up)	Grand Total
		Road Use (110)	Other				
Beginning Balance		\$1,624,376	\$95,578	\$224,428	\$1,128,476		\$3,072,858
Expense	\$6,463	\$789,593	\$1,201,273	\$2,145,124	\$2,766,124		\$6,908,577
Revenue	\$6,463	\$979,666	\$1,166,951	\$1,920,696	\$7,153,744		\$11,227,520
Ending Balance		\$1,814,449	\$61,256		\$5,516,096		\$7,391,801

Resolution Number: 025 (2020/2021)

Execution Date: 9/28/2020

Signature: Kerin Wright

Item # 5E
Date: 9/29/2020

NOTICE OF PUBLIC HEARING
AMENDMENT OF FY2020-2021 CITY BUDGET

Form 653.C1

The City Council of Nevada in STORY County, Iowa
will meet at Nevada Council Chambers
at 6:00 p.m. on 10/12/2020
(hour) (Date)

for the purpose of amending the current budget of the city for the fiscal year ending June 30, 2021
(year)

by changing estimates of revenue and expenditure appropriations in the following programs 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	3,859,776	0	3,859,776
Less: Uncollected Property Taxes-Levy Year	2	0	0	0
Net Current Property Taxes	3	3,859,776	0	3,859,776
Delinquent Property Taxes	4	0	0	0
TIF Revenues	5	949,646	0	949,646
Other City Taxes	6	989,911	0	989,911
Licenses & Permits	7	102,750	0	102,750
Use of Money and Property	8	293,600	0	293,600
Intergovernmental	9	1,181,488	61,500	1,242,988
Charges for Services	10	3,911,141	0	3,911,141
Special Assessments	11	1,000	0	1,000
Miscellaneous	12	2,282,250	0	2,282,250
Other Financing Sources	13	14,000,000	2,866,654	16,866,654
Transfers In	14	8,254,362	25,000	8,279,362
Total Revenues and Other Sources	15	35,825,822	2,953,154	38,779,076
Expenditures & Other Financing Uses				
Public Safety	16	1,818,312	0	1,818,312
Public Works	17	1,075,480	0	1,075,480
Health and Social Services	18	64,550	0	64,550
Culture and Recreation	19	1,832,752	66,000	1,898,752
Community and Economic Development	20	678,634	0	678,634
General Government	21	670,889	70,000	740,889
Debt Service	22	1,341,263	0	1,341,263
Capital Projects	23	12,943,000	0	12,943,000
Total Government Activities Expenditures	24	20,424,880	136,000	20,560,880
Business Type / Enterprises	25	4,905,693	3,408,401	8,314,094
Total Gov Activities & Business Expenditures	26	25,330,573	3,544,401	28,874,974
Transfers Out	27	8,254,362	25,000	8,279,362
Total Expenditures/Transfers Out	28	33,584,935	3,569,401	37,154,336
Excess Revenues & Other Sources Over (Under) Expenditures/Transfers Out for Fiscal Year	29	2,240,987	-616,247	1,624,740
Beginning Fund Balance July 1	30	23,408,826	0	23,408,826
Ending Fund Balance June 30	31	25,649,813	-616,247	25,033,566

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

Water Refunding Bond occurred after budget was finalized; Storm sewer share of CBD project; Items budgeted in FY20 that were not completed; Derecho Storm damage repair/replacement

There will be no increase in tax levies to be paid in the current fiscal year named above. 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. This will provide for a balanced budget.

Kerin Wright
City Clerk/Finance Officer



“WATERSHED AWARENESS MONTH”

WHEREAS, a water quality collaboration has been formed between the cities of Ames, Huxley, Nevada and Gilbert, Story County, Prairie Rivers of Iowa, Leopold Center for Sustainable Agriculture, Story County Community Foundation, Izaak Walton League, and Story County Soil & Water Conservation District; and,

WHEREAS, the purpose of the Story County Ten-Year Water Monitoring program is to collect and analyze water sampling data, to increase resident’s knowledge and understandings, and identify problems in our watershed to support and improve water quality; and,

WHEREAS, water quality and flooding issues in rivers, lakes, and streams cannot be mitigated without good stewardship of the private and public lands in the watersheds that drain to those waterways; and,

WHEREAS, implementing green infrastructure using native vegetation and improving soil health aids in absorbing and filtering out excess nutrients and pollutants through use of the land; and,

WHEREAS, educating about how we impact the health of watersheds, where, we live, through our everyday activities; and,

WHEREAS, keeping our watersheds healthy protects public health, water supply, fisheries, wildlife, agriculture, supports economic development and enhances recreation activities in our communities.

THEREFORE, I, Brett Barker, Mayor of the City of Nevada, Iowa, do hereby proclaim the month of October 2020, as “WATERSHED AWARENESS MONTH.” I urge every citizen within Story County to recognize the importance of the watershed in which you live and to commit to keep learning and identifying how you can make a difference, even in your own backyard.

Signed this 28th day of September, 2020.

Brett Barker, Mayor

MINUTES PROVIDING FOR SECOND
CONSIDERATION OF AN ORDINANCE
ESTABLISHING A TAX INCREMENT
FINANCING DISTRICT FOR THE
SEPTEMBER, 2020 ADDITION TO THE
NEVADA URBAN RENEWAL AREA

420131-97

(Second Consideration)

Nevada, Iowa

September 28, 2020

The City Council of the City of Nevada, Iowa, met on the 28th day of September, 2020 at 6:00 o'clock p.m., at the Nevada City Hall Council Chambers, in the City.

The meeting could alternatively be accessed electronically via Zoom, which was accessible at the following:

<https://us02web.zoom.us/j/87961733099?pwd=UERoTDIiUXZHCzZlQj9ML0ZOeEIOdz09>

OR by phone: (312) 626-6799, (646) 558-8656, (301) 715-8592

Webinar ID: 879 6173 3099 Password: 287321

The City Council offered attendance to this meeting electronically due to federal and state government recommendations in response to COVID-19 pandemic conditions. Electronic access information was included in the posted agenda of this public meeting.

The Mayor presided and the roll was called showing members present and absent, as follows:

Present: _____

Absent: _____.

The Mayor announced that, on September 14, 2020, the Council had given its initial consideration and had adopted an ordinance entitled "Ordinance No.1013 (2020/2021). An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the September, 2020 Addition to the Nevada Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa."

It was moved by Council Member _____ and seconded by Council Member _____ that the aforementioned ordinance be given its second consideration and that it be adopted. The Mayor put the question on the motion and the roll being called, the following named Council Members voted:

ORDINANCE NO. 1013 (2020/2021)

An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the September, 2020 Addition to the Nevada Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa

WHEREAS, the City Council of the City of Nevada, Iowa (the "City") previously enacted an ordinance entitled "An Ordinance Providing For The Division Of Taxes Levied On Taxable Property In The Nevada Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa"; and

WHEREAS, pursuant to that ordinance, certain taxable property within the Nevada Urban Renewal Area in the City was designated a "tax increment district"; and

WHEREAS, the City Council now desires to establish a new "tax increment district" by designating the real property comprising the September, 2020 Addition to the Nevada Urban Renewal Area;

BE IT ENACTED by the Council of the City of Nevada, Iowa:

Section 1. Purpose. The purpose of this ordinance is to provide for the division of taxes levied on the taxable property in the September, 2020 Addition to the Nevada Urban Renewal Area of the City of Nevada, Iowa, each year by and for the benefit of the state, city, county, school districts or other taxing districts after the effective date of this ordinance in order to create a special fund to pay the principal of and interest on loans, moneys advanced to or indebtedness, including bonds proposed to be issued by the City of Nevada to finance projects in such area.

Section 2. Definitions. For use within the remainder of this ordinance the following terms shall have the following meanings:

"City" shall mean the City of Nevada, Iowa.

"County" shall mean Story County, Iowa.

"Urban Renewal Area Addition" shall mean the September, 2020 Addition to the Nevada Urban Renewal Area of the City of Nevada, Iowa, the legal description of which is set out below, approved by the City Council by resolution adopted on September 14, 2020:

The Northeast Quarter of the Southeast Quarter, except the East 60.00 feet thereof, in Section 18, Township 83 North, Range 22 West of the 5th P.M. Story County, Iowa.

"Urban Renewal Area" shall mean the entirety of the Nevada Urban Renewal Area as amended from time to time.

Section 3. Provisions for Division of Taxes Levied on Taxable Property in the Urban Renewal Area Addition. After the effective date of this ordinance, the taxes levied on the taxable property in the Urban Renewal Area Addition each year by and for the benefit of the State of Iowa,

the City, the County and any school district or other taxing district in which the Urban Renewal Area Addition is located, shall be divided as follows:

(a) that portion of the taxes which would be produced by the rate at which the tax is levied each year by or for each of the taxing districts upon the total sum of the assessed value of the taxable property in the Urban Renewal Area Addition, as shown on the assessment roll as of January 1 of the calendar year preceding the first calendar year in which the City certifies to the County Auditor the amount of loans, advances, indebtedness, or bonds payable from the special fund referred to in paragraph (b) below, shall be allocated to and when collected be paid into the fund for the respective taxing district as taxes by or for said taxing district into which all other property taxes are paid. For the purpose of allocating taxes levied by or for any taxing district which did not include the territory in the Urban Renewal Area Addition on the effective date of this ordinance, but to which the territory has been annexed or otherwise included after the effective date, the assessment roll applicable to property in the annexed territory as of January 1 of the calendar year preceding the effective date of the ordinance which amends the plan for the Urban Renewal Area Addition to include the annexed area, shall be used in determining the assessed valuation of the taxable property in the annexed area.

(b) that portion of the taxes each year in excess of such amounts shall be allocated to and when collected be paid into a special fund of the City to pay the principal of and interest on loans, moneys advanced to or indebtedness, whether funded, refunded, assumed or otherwise, including bonds issued under the authority of Section 403.9(1), of the Code of Iowa, incurred by the City to finance or refinance, in whole or in part, projects in the Urban Renewal Area, and to provide assistance for low and moderate-income family housing as provided in Section 403.22, except that taxes for the regular and voter-approved physical plant and equipment levy of a school district imposed pursuant to Section 298.2 of the Code of Iowa, taxes for the instructional support program levy of a school district imposed pursuant to Section 257.19 of the Code of Iowa and taxes for the payment of bonds and interest of each taxing district shall be collected against all taxable property within the taxing district without limitation by the provisions of this ordinance. Unless and until the total assessed valuation of the taxable property in the Urban Renewal Area Addition exceeds the total assessed value of the taxable property in such area as shown by the assessment roll referred to in subsection (a) of this section, all of the taxes levied and collected upon the taxable property in the Urban Renewal Area Addition shall be paid into the funds for the respective taxing districts as taxes by or for said taxing districts in the same manner as all other property taxes. When such loans, advances, indebtedness, and bonds, if any, and interest thereon, have been paid, all money thereafter received from taxes upon the taxable property in the Urban Renewal Area Addition shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

(c) the portion of taxes mentioned in subsection (b) of this section and the special fund into which that portion shall be paid may be irrevocably pledged by the City for the payment of the principal and interest on loans, advances, bonds issued under the authority of Section 403.9(1) of the Code of Iowa, or indebtedness incurred by the City to finance or refinance in whole or in part projects in the Urban Renewal Area.

(d) as used in this section, the word "taxes" includes, but is not limited to, all levies on an ad valorem basis upon land or real property.

Section 4. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 5. Saving Clause. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 6. Effective Date. This ordinance shall be effective after its final passage, approval and publication as provided by law.

First consideration passed by the City Council of the City of Nevada, Iowa, the 14th day of September, 2020.

Brett Barker, Mayor

Attest:

Kerin Wright, City Clerk

• • • • •

Second consideration passed by the City Council of the City of Nevada, Iowa, the 28th day of September, 2020.

Brett Barker, Mayor

Attest:

Kerin Wright, City Clerk

MINUTES OF MEETING TO ADOPT
RESTATED REVITALIZATION PLAN
AND TO ADOPT ORDINANCE
DESIGNATING AMENDED
REVITALIZATION AREA

DRA (420131-97)

Nevada, Iowa

September 28, 2020

A meeting of the City Council of the City of Nevada, Iowa, was held at the Nevada City Council Chambers, in the City, at 6:00 o'clock p.m., on September 28, 2020.

The meeting could alternatively be accessed electronically via Zoom, which was accessible at the following:

<https://us02web.zoom.us/j/87961733099?pwd=UERoTDIiUXZhc2ZlQ9ML0ZOeElOdz09>

OR by phone: (312) 626-6799, (646) 558-8656, (301) 715-8592

The City Council offered attendance to this meeting electronically due to federal and state government recommendations in response to COVID-19 pandemic conditions. Electronic access information was included in the posted agenda of this public meeting.

The Mayor presided and the roll was called, showing members present and absent as follows:

Present: _____

Absent: _____.

It was moved by Council Member _____ and seconded by Council Member _____ that the resolution finally adopting the Plan Amendment for the Nevada Urban Revitalization Area be finally adopted.

Whereupon, the Mayor put the question upon the motion and the roll being called, the following named Council Members voted:

Ayes: _____

Nays: _____.

Whereupon, the Mayor declared the said resolution adopted, as follows:

RESOLUTION NO. 026 (2020/2021)

A Resolution Finally Adopting the Plan Amendment for the Nevada Urban Revitalization Area

WHEREAS, pursuant to the provisions of Chapter 404 of the Code of Iowa (the "Code") the City of Nevada, Iowa (the "City"), has designated an area of the City as the Nevada Urban Revitalization Area (the "Urban Revitalization Area") and has adopted an Urban Revitalization Plan (the "Plan") for the governance of projects and initiatives to be undertaken therein; and

WHEREAS, it has been proposed that the Plan be amended to update the legal description of the Urban Revitalization Area to include therein certain real property (the "Added Property") that has been annexed into the City and is more particularly described in the Plan Amendment (as hereinafter defined) attached hereto as Exhibit A; and

WHEREAS, pursuant to the provisions of the Code, before amending the Plan, the City must prepare an amended plan, hold a public hearing thereon, and otherwise comply with the procedures set forth in the Code; and

WHEREAS, an amendment to the Plan (the "Plan Amendment") has been prepared and presented to the City Council for consideration in accordance with the provisions of the Code, said Plan Amendment being in a form and having the contents as set forth in Exhibit A attached hereto and by this reference made a part hereof; and

WHEREAS, after mailed and published notice thereof was given, as required by the Code, the City Council of the City did, on August 24, 2020, hold a public hearing on the addition of the Added Property to the Urban Revitalization Area and the Plan Amendment therefor and considered all objections, comments, and evidence there presented; and

WHEREAS, the Code gives owners or tenants of property within the proposed Urban Revitalization Area thirty (30) days in which to petition for an additional public hearing; and

WHEREAS, no petition requesting an additional public hearing has been submitted to the City as of September 28, 2020, and it is now necessary to give final approval to the Plan and to the establishment of the Area;

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

Section 1. The Plan Amendment is hereby approved and adopted. Furthermore, the Added Property is hereby established as part of the Urban Revitalization Area pending adoption of an ordinance designating the Added Property as an Urban Revitalization Area as provided for in the Code.

Section 2. The City Clerk is hereby directed to file a copy of this resolution and of the Plan Amendment with the Story County Assessor.

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed, to the extent of such conflict.

Passed and approved September 28, 2020.

Brett Barker, Mayor

Attest:

Kerin Wright, City Clerk

EXHIBIT A
PLAN AMENDMENT

The legal description of the property included in the Nevada Urban Revitalization Area is hereby amended to include the real property legally described as follows:

The NE ¼ of the SE ¼ of Section 18, Township 83 North, Range 22, West of the 5th P.M., except the road, Story County, Iowa.

A map showing the real property to be included within the Urban Revitalization Area is attached as Exhibit A-1.

EXHIBIT A-1
MAP OF URBAN REVITALIZATION AREA

[Attach updated Map Here]

STATE OF IOWA
COUNTY OF STORY
CITY OF NEVADA

SS:

I, the undersigned, do hereby certify that I am the duly appointed City Clerk of the City of Nevada, Iowa, and that the above and foregoing is a true, correct and complete copy of the minutes of the meeting of the City Council, held as therein shown insofar as such minutes pertain to the passage of a resolution and an ordinance, including a true, correct and complete copy of said resolution and ordinance referred to in said minutes.

I certify further that I filed a copy of the plan and the resolution approving the plan with the Story County Assessor.

WITNESS MY HAND this ____ day of _____, 2020.

City Clerk



September 23, 2020

VIA EMAIL

Jordan Cook
City Administrator/City Hall
Nevada, IA

Re: Nevada Urban Revitalization Area
Our File No. 420131-97

Dear Jordan:

We have prepared and attach proceedings relating to the adoption of the plan amendment (the "Plan Amendment") for Nevada Urban Revitalization Area and proceedings relating to the amendment to the ordinance designating the Area. The proceedings attached include the following items:

1. Resolution adopting the Plan Amendment.
2. Ordinance amending the original ordinance for the Nevada Urban Revitalization Area. We have prepared the proceedings on the presumption that the City Council will waive the statutory requirement that an ordinance be considered at two meetings prior to the meeting at which it is finally adopted. This waiver requires the affirmative vote of not less than five of the six Council Members. If the Council does not choose to follow this procedure, we will be happy to provide substitute proceedings covering the separate considerations of the ordinance.
3. Attestation Certificate with respect to the validity of the entire transcript.
4. Publication Certificate attesting to the publication of the ordinance, to which should be attached the publisher's affidavit of publication. Please print an extra copy of the ordinance for publication in your local newspaper.

While it is not required by statute, we recommend that you file a copy of the Plan Amendment and the resolution adopting it with the Story County Assessor.

As soon as these proceedings have been completed, please return one fully executed copy to our office.

If you have any questions, please contact John Danos or me.

Kind regards,

Amy Bjork

Attachments

cc: Kerin Wright

Council Member _____ introduced an ordinance entitled: "Ordinance No. 1014 (2020/2021): An Ordinance Amending Ordinance No. 724, Designating an Area of Nevada, Iowa as the Nevada Urban Revitalization Area."

It was moved by Council Member _____ and seconded by Council Member _____ that the aforementioned ordinance be now adopted. The Mayor put the question on the motion and the roll being called, the following named Council Members voted:

Ayes: _____

Nays: _____.

Whereupon, the Mayor declared the motion duly carried and declared that said ordinance had been given its initial consideration.

It was moved by Council Member _____ and seconded by Council Member _____ that the statutory rule requiring said ordinance to be considered and voted on for passage at two City Council meetings prior to the meeting at which it is to be finally passed be suspended and that said ordinance be regarded as having been considered and voted on for passage at two prior Council meetings. The Mayor put the question on the motion and the roll being called, the following named Council Members voted:

Ayes: _____

Nays: _____.

Whereupon, the Mayor declared the motion duly carried.

It was moved by Council Member _____ and seconded by Council Member _____ that the ordinance entitled: "Ordinance No. _____ An Ordinance Amending Ordinance No. _____ Designating an Area of Nevada, Iowa as the Nevada Urban Revitalization Area," be now put upon its final passage and adoption.

The Mayor put the question on the motion and the roll being called, the following named Council Members voted:

Ayes: _____

Nays: _____.

Whereupon, the Mayor declared said ordinance duly adopted and signed approval to said ordinance as follows:

ORDINANCE NO. 1014 (2020/2021)

An Ordinance Amending Ordinance Designating an Area of Nevada, Iowa as the Nevada Urban Revitalization Area

WHEREAS, pursuant to the provisions of Chapter 404, Code of Iowa (the "Code"), the governing body of a city may, by ordinance, designate an area of the city as a revitalization area upon the completion of procedures specified in the Code; and

WHEREAS, pursuant to the provisions of the Code, the City Council of Nevada, Iowa (the "City"), has by resolution determined, with respect to an area within the City, hereinafter described in Section 1 and known as the Nevada Urban Revitalization Area that:

(a) *The Nevada Urban Revitalization Area is an area which is appropriate as an economic development area as defined in Section 403.17 of the Code of Iowa.*

(b) *The Nevada Urban Revitalization Area is an area which is appropriate for public improvements related to housing and residential development, or construction of housing and residential development, including single family housing.*

(c) *The redevelopment, economic development and promotion of housing and residential development in the Nevada Urban Revitalization Area is necessary in the interest of the public welfare of the residents of the City and the Nevada Urban Revitalization Area substantially meets the criteria set forth in Section 404.1 of the Code.*

WHEREAS, pursuant to the provisions of the Code, the City prepared a plan amendment (the "Plan Amendment") for the Nevada Urban Revitalization Area and held a public hearing on the Plan Amendment for the Nevada Urban Revitalization Area; and

WHEREAS, pursuant to the provisions of the Code, the City has adopted the Plan Amendment for the Nevada Urban Revitalization Area; and

WHEREAS, the City updated the description of the Nevada Urban Revitalization Area in the Plan Amendment to include the real property described in Section 1 below;

NOW, THEREFORE, Be It Ordained by the City Council of the City of Nevada, in Story County, Iowa, as follows:

Section 1. In accordance with the Code and in consideration of the recitations set out in the preamble hereof, the area formed by contiguous real estate parcels more particularly described as follows:

The NE ¼ of the SE ¼ of Section 18, Township 83 North, Range 22, West of the 5th P.M., except the road, Story County, Iowa.

is hereby included within the Nevada Urban Revitalization Area.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 4. This ordinance shall be in effect after its final passage, approval and publication, as provided by law.

Passed and approved September 28, 2020.

Brett Barker, Mayor

Attest:

Kerin Wright, City Clerk

STATE OF IOWA
COUNTY OF STORY
CITY OF NEVADA

SS:

I, the undersigned, do hereby certify that I am the duly appointed City Clerk of the City of Nevada, Iowa, and that the above and foregoing is a true, correct and complete copy of the minutes of the meeting of the City Council, held as therein shown insofar as such minutes pertain to the passage of a resolution and an ordinance, including a true, correct and complete copy of said resolution and ordinance referred to in said minutes.

I certify further that I filed a copy of the plan and the resolution approving the plan with the Story County Assessor.

WITNESS MY HAND this ____ day of _____, 2020.

Kerin Wright, City Clerk

STATE OF IOWA
COUNTY OF STORY
CITY OF NEVADA

SS:

I, the undersigned, do hereby certify that I am the duly appointed City Clerk of the City of Nevada, Iowa, and do hereby certify that "Ordinance No. _____ An Ordinance Amending Ordinance No. _____ Designating an Area of Nevada, Iowa as the Nevada Urban Revitalization Area," of which the printed slip attached to the publisher's original affidavit hereto attached is a true and complete copy, was published on the date and in the newspaper specified in such affidavit, and that such newspaper has a general circulation in said City.

WITNESS MY HAND this _____ day of _____, 2020.

Kerin Wright, City Clerk

(Attach hereto publisher's affidavit of publication with clipping of ordinance as published.)

(PLEASE NOTE: Do not sign and date this certificate until you have checked a copy of the published notice and have verified that it was published on the date indicated in the publisher's affidavit.)



September 23, 2020

VIA EMAIL

Jordan Cook
City Administrator/City Hall
Nevada, IA

Re: Nevada Urban Revitalization Area
Our File No. 420131-97

Dear Jordan:

We have prepared and attach proceedings relating to the adoption of the plan amendment (the "Plan Amendment") for Nevada Urban Revitalization Area and proceedings relating to the amendment to the ordinance designating the Area. The proceedings attached include the following items:

1. Resolution adopting the Plan Amendment.
2. Ordinance amending the original ordinance for the Nevada Urban Revitalization Area. We have prepared the proceedings on the presumption that the City Council will waive the statutory requirement that an ordinance be considered at two meetings prior to the meeting at which it is finally adopted. This waiver requires the affirmative vote of not less than five of the six Council Members. If the Council does not choose to follow this procedure, we will be happy to provide substitute proceedings covering the separate considerations of the ordinance.
3. Attestation Certificate with respect to the validity of the entire transcript.
4. Publication Certificate attesting to the publication of the ordinance, to which should be attached the publisher's affidavit of publication. Please print an extra copy of the ordinance for publication in your local newspaper.

While it is not required by statute, we recommend that you file a copy of the Plan Amendment and the resolution adopting it with the Story County Assessor.

As soon as these proceedings have been completed, please return one fully executed copy to our office.

If you have any questions, please contact John Danos or me.

Kind regards,

Amy Bjork

Attachments

cc: Kerin Wright

Prepared by/Return to: City of Nevada, 1209 6th Street, P.O. Box 530, Nevada, Iowa 50201
RESOLUTION NO. 027 (2020/2021)

A RESOLUTION ACCEPTING AND APPROVING THE
FINAL PLAT OF 6TH STREET INDUSTRIAL PARK, 1ST ADDITION,
NEVADA, STORY COUNTY, IOWA

WHEREAS, there has been submitted to the City Council of the City of Nevada, Iowa, the Final Plat of 6th Street Industrial Park, 1st Addition, Story County, Iowa, within the Jurisdiction of the City of Nevada, Iowa, which plat involves the following described real estate:

The West 520 feet of Lot 2 of the Official Plat of the Southwest Quarter of the Southeast Quarter of Section 6, Township 83 North, Range 22 West of the 5th P.M., City of Nevada, Story County, Iowa, excepting therefrom that part, if any, lying southerly of a line parallel with and distant 50 feet northerly, measured at right angles, from the centerline of the most southerly, or West-bound main track of the Union Pacific Railroad, as said track is now located.

WHEREAS, the Final Plat has been submitted to the Nevada Planning and Zoning Commission as required by law with the recommendation to the City Council to approve the Final Plat and,

WHEREAS, it is the opinion of the City Council of the City of Nevada, Iowa, that it is advisable and in the best interests of the City of Nevada, Iowa, and of the citizens thereof that the Final Plat be accepted and approved.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Nevada, Iowa, that the Final Plat of 6th Street Industrial Park, 1st Addition, Story County, Iowa, be and the same is hereby accepted and approved for and on behalf of the City of Nevada, Iowa, and the lands shown of the plat which are dedicated for the perpetual use of the public are hereby accepted by the City of Nevada, Iowa, and all acts and doings by the grantors in the premises are hereby confirmed and approved by the City Council of Nevada, Iowa. The City Clerk is directed to forthwith record an original copy of all subdivision platting documents with the Story County Recorder.

Passed and Approved this 28th day of September, 2020.

Attest:

Brett Barker, Mayor

Kerin Wright, City Clerk



MEMO

To: Shawn Cole, Nevada Building Official

From: Larry Stevens, PE

Subject: 6th Street Industrial Park, 1st Addition, Nevada, IA

Date: August 27, 2020

I have reviewed the following submittals for the above referenced subdivision:

- Preliminary Plat, signed by Eric Thompson, PE and dated 7/28/2020
- Stormwater Management Plan, signed by Eric Thompson, PE and dated 7/28/2020
- Construction Plans, signed by Eric Thompson, PE and dated 8/25/2020 and modified on 8/27/2020
- Final Plat, signed by R. Bradley Stumbo, PLS and dated 8/03/2020

I have determined the submittals meet the design requirements of the City of Nevada, and I recommend approval by the City.

A handwritten signature in dark ink, appearing to read 'Eric Thompson', with a stylized flourish at the end.

Cc: File
Eric Thompson, Fox Engineering
Matt Runge, On Track Construction

Kerin Wright

From: Shawn Cole
Sent: Wednesday, September 23, 2020 11:59 AM
To: Kerin Wright
Subject: FW: 6th Street Industrial Park - Legal Documents & Bond

From: Erin Clanton [mailto:Erin.Clanton@brickgentrylaw.com]
Sent: Friday, September 11, 2020 12:58 PM
To: Jordan Cook; Shawn Cole
Subject: Re: 6th Street Industrial Park - Legal Documents & Bond

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I have reviewed the final plat documents and they all look good. There is a conflicting deed issue on the title opinion—this is not an issue in terms of moving forward with the platting, but will likely be an issue once On Track goes to sell individual plots. I'm certain their attorney has advised them of this.

Let me know if you have questions. Thanks!

Erin M. Clanton
Attorney at Law
Brick Gentry P.C.
6701 Westown Parkway, Suite 100
West Des Moines, IA 50266
Phone: 515-274-1450
Fax: 515-274-1488
erin.clanton@brickgentrylaw.com

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Circular 230 Disclaimer: To ensure compliance with Treasury Regulations governing written tax advice, please be advised that any tax advice included in this communication, including any files and/or documents, is not intended, and cannot be used, for the purpose of (i) avoiding any federal tax penalty or (ii) promoting, marketing, or recommending any transaction or matter to another person.

On Sep 11, 2020, at 9:53 AM, Jordan Cook <jcook@cityofnevadaaiowa.org> wrote:

Hey Erin,
I think Shawn sent these to you. If not, here they are. Can you look these over?

From: ontrackconstruct@gmail.com <ontrackconstruct@gmail.com>
Sent: Thursday, September 10, 2020 4:41 PM
To: Shawn Cole <scole@cityofnevadaaiowa.org>; Jordan Cook <jcook@cityofnevadaaiowa.org>

Cc: 'John Gade' <jmg@foxeng.com>; 'Eric Thompson' <elt@foxeng.com>

Subject: 6th Street Industrial Park - Legal Documents & Bond

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Shawn/ Jordan

I have attached documents for the 6th Street Industrial Park. This includes all legal documents as well as our bond for the Engineer's Estimate plus 10%. We know this is past the cut-off for submission to make the September 14th Council Meeting, but would certainly like for you to consider expediting this through.

Thanks,

Matt Runge

<image001.jpg>

On Track Construction

PO Box 524

1316 6th Street Suite 109

Nevada, Iowa 50201

Office: 888-850-0208

Fax: 800-284-6938

Cell: 515-451-6719

<Access and Ingress-Egress Easement - Sixth Street Industrial Park.pdf><Consent & Dedication - Sixth Street Industrial Park.pdf><Mortgagee's Consent - Sixth Street Industrial Park.pdf><Platting Title Opinion - 6th Industrial Park First Addition.pdf><Public Utility Easement - Sixth Street Industrial Park.pdf><Sanitary and Storm Sewer Easement - Sixth Street Industrial Park.pdf><Sidewalk Easement - Sixth Street Industrial Park.pdf><Storm Water Flowage Easement - Sixth Street Industrial Park.pdf><Subdivision Bond.pdf><Treasurer's Certificate - Sixth Street Industrial Park.pdf><Water Main Easement - Sixth Street Industrial Park.pdf>

Item # 7E
 Date: 9/23/2020

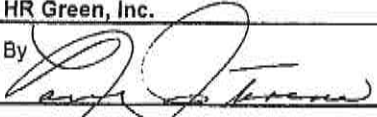
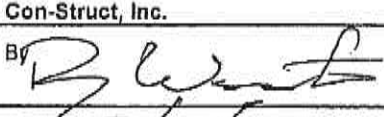
CHANGE ORDER

Distribution:

Owner	<u>X</u>
Contractor	<u>X</u>
HRG	<u>X</u>
Field	<u> </u>
Other	<u> </u>

PROJECT: Central Business District Infrastructure Project Nevada, Iowa	Change Order No.	Change Order 2
	Date	September 22, 2020
To Contractor: Con-Struct, Inc. 305 South Dayton Avenue Ames, IA 50010	Project No.	HRG 180306
	Original Contract Date	February 24, 2020
<p>The contract is changed as follows:</p> <p>Work Order #1: Repair existing 10" storm sewer on Sixth Street near Lincoln Highway that collapsed and must remain in place to serve area north of current work. See Subcontractor Work Order #1.</p> <p>Add to Contract: \$1,690.70 + \$84.54 (5% Contractor Mark-up) \$ 1,775.24</p> <p>Work Order #2: At 5th Street and J Avenue, the water main could not be isolated, so, in lieu of an insertion valve at \$13,500, the main was excavated and capped in two locations. See Subcontractor Work Order #2.</p> <p>Add to Contract: \$6,801.30 + \$340.06 (5% Contractor Mark-up) \$ 7,141.36</p> <p>Total Add to Contract, Lump Sum: \$ 8,916.60</p>		
Original Contract Sum		\$ 7,850,850.00
Net change by previously authorized Change Orders		\$ 5,900.00
The Contract Sum prior to this Change Order was		\$ 7,856,750.00
The Contract Sum will be increased by this Change Order in the amount of		\$ 8,916.60
The new Contract Sum including this Change order will be		\$ 7,865,666.60
The Contract Time will be increased by		0 Days
The date of Substantial Completion as of the date of this Change Order therefore is		November 1, 2021

NOT VALID UNTIL SIGNED BY CONTRACTOR AND OWNER

Engineer HR Green, Inc.	Contractor Con-Struct, Inc.	Owner City of Nevada, IA
By 	By 	By
Date: <u>9/22/2020</u>	Date: <u>9/23/2020</u>	Date:

Con-Struct, Inc.
305 S. Dayton Ave.
Ames, IA 50010

9/22/2020

Nevada CBD

EWO as requested

see On Track charges	1.00	Is	\$	1,690.70
see On Track charges	1.00	Is	\$	6,801.30
prime markup		5%	\$	424.60
total			\$	8,916.60

Doug Waite
President



NEVADA, IOWA 50201
PH: 515-451-6719
ontrackconstruct@gmail.com

WORK ORDER

DATE: August 10, 2020
WORK ORDER # 1
RE: Repair Old Storm
Sewer Line

ATTN: Doug Waite

ITEM DESCRIPTION	AMOUNT
**REPAIR OLD STORM SEWER LINE ON MAIN STREET SOUTH OF LINCOLNWAY (WORK COMPLETED ON 6-17-2020)	
MATERIALS	\$ 487.00
2 Sticks 10" C900 & Couplings	
6 Ton Aggregate	
LABOR & EQUIPMENT (CREW HOUR @ \$525.00/ HR)	\$ 1,050.00
2 Hours Full Crew @ \$525.00 Per Hour	
10% Mark-up	\$ 153.70
TOTAL	\$ 1,690.70

THANK YOU FOR YOUR BUSINESS!



NEVADA, IOWA 50201
PH: 515-451-6719
ontrackconstruct@gmail.com

WORK ORDER

DATE: August 10, 2020
WORK ORDER # 2
RE: Abandon Old
Water Main

ATTN: Doug Waite

ITEM DESCRIPTION	AMOUNT
**ABANDON OLD WATER MAIN, OPEN CUT IN LIEU OF INSERTION VALVE (WORK COMPLETED ON 7-6-2020 & 7-13-2020)	
MATERIALS	\$ 408.00
Caps, Blocks & Concrete	
2 Ton Aggregate	
LABOR & EQUIPMENT (SMALL CREW @ \$350.00/ HR)	\$ 5,775.00
7/6/2020 - 4.5 Hours Exposing Main and Capping	
7/13/2020 - 12 Hours Exposing Main and Capping	
10% Mark-up	\$ 618.30
TOTAL	\$ 6,801.30

THANK YOU FOR YOUR BUSINESS!

CONTRACTOR:	CBD INFRASTRUCTURE (Downtown)	HRG #	180306
	CON-STRUCT, INC	FUND 315	210-6761 STS
ET PH HEARING DATE	1/27/2020	Reso 024 (2019/2020)	210-6780 WTR
PUBLICATION	1/30/2020		210-6781 SE
id Received	2/19/2020		210-6782 STRM
H DATE	2/24/2020		
PPROVE PLANS & SPECS	Reso 029/030 (2019/2020)	2/24/2020	
ONTRACT DATE:			
ngineer's Estimate	\$7,993,600.00		
ORIGINAL CONTRACT AMOUNT:	7,850,850.00		
ubstantial Complete			
ompletion Date			
			AGREEMENT/CONTRACT, PERFORMANCE & BID BONDS, INS
Change Order #1	AMOUNT	DATE	
Change Order #2	5,900.00	5/11/2020	AMENDED CONTRACT AMOUNT:
Change Order #3	8,916.60	9/28/2020	7,856,750.00
			7,865,666.60
			7,865,666.60
TOTAL CHANGE ORDERS	14,816.60		7,865,666.60 Amended Contract Amt
ARTIAL PAYMENT	AMOUNT	DATE PD	CHECK
Request #1	213,808.43	4/14/2020	73348
Request #2	452,916.30	5/13/2020	73510
Request #3	654,427.64	6/9/2020	73772
Request #4	436,406.25	7/13/2020	74057
Request #5	456,831.25	8/10/2020	74244
Request #6	798,108.30		
Request #7	-		
Request #8	-		
TOTAL AMOUNT PAID	3,012,498.17	Paid	38.30%
	4,853,168.43	Remaining	61.70%
			158,552.54
			3,171,050.71

3,171,050.71

RESOLUTION NO. 047C (2019/2020)

A RESOLUTION AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO TAKE APPROPRIATE EMERGENCY MEASURES DURING THE COVID-19 PANDEMIC, AMENDED

WHEREAS, On March 9, 2020, the Honorable Governor Kim Reynolds has declared a State of Public Health Disaster Emergency in response to the outbreak of Novel Coronavirus 2019 (COVID-19); and

WHEREAS, On March 11, 2020, the World Health Organization declared the COVID-19 outbreak a global pandemic; and

WHEREAS, On March 13, 2020, President Donald J. Trump issued a proclamation declaring that the COVID-19 outbreak in the United States constitutes a national emergency; and

WHEREAS, multiple cases of COVID-19 have been confirmed in Iowa, and the Iowa Department of Public Health has determined that community spread of COVID-19 is occurring within our state; and

WHEREAS, the CDC has advised that local governments should take immediate action to limit the spread of the virus through social distancing, cancellation of public meetings, limiting public gatherings and events, and implementing additional public health safety and education measures to prevent, contain and, where possible, to mitigate the impact of the virus; and

WHEREAS, on April 13th, 2020, the Nevada City Council passed Resolution 047A (2019/2020) outlining the terms of the original resolution, and the City Council wishes to make minor revisions to the restrictions set forth in that resolution, and

WHEREAS, the City of Nevada determines it to be in the best interest of the public to delegate certain decision-making authority to the Mayor and City Administrator during this time to avoid the necessity of multiple public meetings during this crisis.

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

1. That, consistent with the declarations of the WHO, the federal government, and the Governor of the State of Iowa, a Declaration of an emergency is hereby established by the City Council of Nevada, Iowa.

2. The Council hereby authorizes the Mayor and City Administrator to conduct such emergency measures as may be appropriate to safeguard the public health, safety and welfare of both our residents and visitors.

3. The Council authorizes a one-time increase of the signing thresholds for the Mayor and City Administrator for signing contracts of \$100,000 and for single checks \$100,000 without the prior approval of Council, but to be presented at the next Council meeting, or on a monthly basis to the Council for ratification.

4. The Council authorizes the Mayor Pro Tem to sign as an alternate signatory on contracts and checks for the Mayor on behalf of the City, should he be unavailable, and for the

City Clerk to sign contracts, checks and agreements on behalf of the City Administrator, should he be unavailable.

5. No checks may be written in relation to any contract authorized under this resolution without certification by the City Clerk that the appropriate funds exist to meet the obligation, nor any contract or agreement entered into without the review and approval of the City Attorney .

6. The Council authorizes the implementation of electronic mechanisms for the conduct of City business, including staff meetings, planning meetings, and telephonic participation by the Council of such Council Meetings and advisory boards and committees as necessary. Such meetings shall be published, as required, recorded and made public on the City website or by email, upon request, as soon as possible.

7. The Council authorizes, consistent with the recommendations of the CDC, the following:

~~a. That all City public events, trainings and meetings and any events, trainings and meetings planned to be held in or on City property are hereby cancelled until further notice, with the status to be reviewed every 30 days.~~

b. That all out-of-state travel or trainings for City business are hereby cancelled, with the status of this prohibition to be reviewed every 30 days and any requests for exceptions for public safety or other essential services to be reviewed on a case by case basis by the City Administrator.

c. The City Administrator may set such safeguards for the public and employees regarding employees that travel out of the area or that become ill as are reasonable to protect the health and safety of staff and the public, consistent with the most current public health guidelines and advisories.

d. That all non-essential programs of the City that involve significant interaction with residents or groups from outside the state or region that might increase staff or local residents to an increased threat of exposure to the virus shall be cancelled, with this prohibition to be reviewed every 30 days, and with no exceptions.

~~e. That all non-essential facilities of the City that involve significant interaction with residents or groups from outside the state or region that might increase staff or local residents to an increased threat of exposure to the virus shall be cancelled, with this prohibition to be reviewed every 30 days.~~

f. That the Council authorizes that the Mayor and City Administrator are authorized to enter into any MOU's, shared services agreements, and contracts as may be necessary to provide the continued operation of services in a time of depleted staff or increased need due to this state of emergency with other governmental, quasi-governmental or private entities and may similarly assist other governmental entities, utilities, health services and entities engaged in the delivery of essential services to the community necessary for the continued public health, welfare and safety of the community.

g. That the Council authorizes the Mayor, City Administrator and City Clerk to prepare for, expend resources in anticipation of, and to apply for such state and federal assistance as may be anticipated or allocated as related to the states of emergency.

h. That the Council authorizes the City Clerk to establish an emergency account and to fund said account in the amount of \$250,000 for the tracking and finding of such costs as may result from or be needed to address the health emergency, including: over-time, contract labor, computers, smart phones, electronic equipment and telecommunications

services, etc. as may be necessary for remote and work at home arrangements, and such preventative and safety equipment and supplies as antiseptic, masks, gloves, etc.

PASSED and approved this 22nd day of June, 2020, by the City Council of the City of Nevada, Iowa.

Brett Barker, Mayor

ATTEST:

Kerin Wright, City Clerk

Moved by Council Member Brian Hanson, seconded by Council Member Dane Nealson, that Resolution No. 047C (2019/2020) be adopted.

AYES: Hanson, Nealson, Sampson, Ehrig, Mittman
NAYS: Spence
ABSENT: None

The Mayor declared Resolution No. 047C (2019/2020) adopted.

I hereby certify that the foregoing is a true copy of a record of the adoption of Resolution No. 047C (2019/2020) at the regular Council Meeting of the City of Nevada, Iowa, held on the 22nd day of June, 2020.

Kerin Wright, City Clerk

SET DATE FOR HEARING ON
DEVELOPMENT AGREEMENT AND
TAX INCREMENT PAYMENTS

(South Glen, LLC)

420131-97

Nevada, Iowa

September 28, 2020

A meeting of the City Council of the City of Nevada, Iowa, was held at 6:00 o'clock p.m., on September 28, 2020, at the Nevada City Council Chambers, Nevada, Iowa, pursuant to the rules of the Council.

The meeting could alternatively be accessed electronically via Zoom, which was accessible at the following:

<https://us02web.zoom.us/j/87961733099?pwd=UERoTDIiUXZHCzZlQl9ML0ZOeEIOdz09>

OR by phone: (312) 626-6799, (646) 558-8656, (301) 715-8592

The City Council offered attendance to this meeting electronically due to federal and state government recommendations in response to COVID-19 pandemic conditions. Electronic access information was included in the posted agenda of this public meeting.

The Mayor presided and the roll was called, showing members present and absent as follows:

Present: _____

Absent: _____.

Council Member _____ introduced the resolution next hereinafter set out and moved its adoption, seconded by Council Member _____; and after due consideration thereof by the City Council, the Mayor put the question upon the adoption of said resolution, and the roll being called, the following named Council Members voted:

Ayes: _____

Nays: _____.

Whereupon, the Mayor declared said resolution duly adopted, as follows:

RESOLUTION NO. 028 (2020/2021)

Resolution to Fix a Date of Meeting at Which it is Proposed to Approve a Development Agreement with South Glen, LLC, Including Annual Appropriation Tax Increment Payments

WHEREAS, the City of Nevada, Iowa (the "City"), pursuant to and in strict compliance with all laws applicable to the City, and in particular the provisions of Chapter 403 of the Code of Iowa, has adopted an Urban Renewal Plan for the Nevada Urban Renewal Area (collectively the "Urban Renewal Area"); and

WHEREAS, this City Council has adopted an ordinance providing for the division of taxes levied on taxable property in the Urban Renewal Area pursuant to Section 403.19 of the Code of Iowa and establishing the fund referred to in Subsection 2 of Section 403.19 of the Code of Iowa, which fund and the portion of taxes referred to in that subsection may be irrevocably pledged by the City for the payment of the principal of and interest on indebtedness incurred under the authority of Section 403.9 of the Code of Iowa to finance or refinance in whole or in part projects in the Urban Renewal Area; and

WHEREAS, the City proposes to enter into an agreement (the "Development Agreement") with South Glen, LLC (the "Developer") in connection with the construction of public infrastructure necessary for the development of a residential subdivision in the Urban Renewal Area; and

WHEREAS, the Development Agreement would provide financial incentives to the Developer in the form of annual appropriation incremental property tax payments in an amount not to exceed \$1,500,000 under the authority of Section 403.9(1) of the Code of Iowa; and

WHEREAS, it is necessary to set a date for a public hearing on the Development Agreement, pursuant to Section 403.9 of the Code of Iowa;

NOW THEREFORE, IT IS RESOLVED by the City Council of the City of Nevada, Iowa, as follows:

Section 1. This City Council shall meet on October 12, 2020, at 6:00 o'clock p.m., electronically and/or at the Nevada City Council Chambers, in the City, at which time and place proceedings will be instituted and action taken to approve the Development Agreement and to authorize the annual appropriation incremental property tax payments.

Section 2. The City Clerk is hereby directed to give notice of the proposed action, the time when and place where said meeting will be held, by publication at least once not less than four days and not more than twenty days before the date of said meeting in a legal newspaper of general circulation in the City. Said notice shall be in substantially the following form:

NOTICE OF MEETING FOR APPROVAL OF DEVELOPMENT AGREEMENT WITH
SOUTH GLEN, LLC AND AUTHORIZATION OF ANNUAL APPROPRIATION TAX
INCREMENT PAYMENTS

The City Council of the City of Nevada, Iowa, will meet at the Nevada City Council Chambers, on October 12, 2020, at 6:00 o'clock p.m., at which time and place proceedings will be instituted and action taken to approve a Development Agreement between the City and South Glen, LLC (the "Developer"), in connection with the construction of public infrastructure necessary for the development of a residential subdivision in the Nevada Urban Renewal Area, which Agreement provides for certain financial incentives to the Developer in the form of annual appropriation incremental property tax payments in a total amount not exceeding \$1,500,000, as authorized by Section 403.9 of the Code of Iowa.

The agreement to make annual appropriation incremental property tax payments to the Developer will not be a general obligation of the City, but will be payable solely and only from incremental property tax revenues generated within the Nevada Urban Renewal Area. Some or all of the payments to the Developer under the Development Agreement will be subject to annual appropriation by the City Council.

Due to federal and state government recommendations in response to COVID-19 pandemic conditions, the meeting can alternatively be accessed via Zoom, which will be accessible at the following:

<https://us02web.zoom.us/j/87961733099?pwd=UERoTDIiUXZHczZlQI9ML0ZOeElQdz09>

OR by phone: (312) 626-6799, (646) 558-8656, (301) 715-8592

In addition to electronic access, written comments may be filed or made prior to the meeting and will be recorded in the minutes.

At the meeting, the City Council will receive oral or written objections from any resident or property owner of the City. Thereafter, the Council may, at the meeting or at an adjournment thereof, take additional action to approve the Development Agreement or may abandon the proposal.

This notice is given by order of the City Council of Nevada, Iowa, in accordance with Section 403.9 of the Code of Iowa.

Kerin Wright
City Clerk

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

Passed and approved September 28, 2020.

Brett Barker, Mayor

Attest:

Kerin Wright, City Clerk

....

On motion and vote the meeting adjourned.

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, hereby certify that the foregoing is a true and correct copy of the minutes of the Council of the City relating to the adoption of a resolution to fix a date of meeting at which it is proposed to take action to approve a Development Agreement with South Glen, LLC.

I do further certify that the notice of hearing, to which the printed slip attached to the publisher's original affidavit hereto attached is a true and complete copy, was published on the date and in the newspaper specified in such affidavit, which newspaper has a general circulation in the City.

WITNESS MY HAND this ____ day of _____, 2020.

Kerin Wright, City Clerk

(Attach here the publisher's original affidavit with clipping of the notice as published.)

(PLEASE NOTE: Do not sign and date this certificate until you have checked a copy of the published notice and have verified that it was published on the date indicated in the publisher's affidavit.)



September 23, 2020

VIA EMAIL

Jordan Cook
City Administrator/City Hall
Nevada, IA

Re: Development Agreement
South Glen, LLC
File No. 420131-97

Dear Jordan:

Attached are copies of proceedings to enable the City Council to act on September 28, 2020 to set October 12, 2020 as the date for a public hearing on the proposed Development Agreement with South Glen, LLC, including the proposal for tax increment payments.

The notice of public hearing on the Agreement must be published once, not less than four (4) nor more than twenty (20) days prior to the City Council meeting at which the hearing will be held. The last date on which the notice can effectively be published is October 8, 2020. Please print an extra copy of the notice for delivery to the newspaper. Please insert the time and place of the hearing in both the resolution and the notice and email a copy of the published notice to orngard.severie@dorsey.com.

We will prepare and forward to you in time for the October 12, 2020 meeting the necessary proceedings to approve the Agreement.

We would appreciate receiving one fully executed copy of these proceedings as soon as they are available.

Please contact John Danos, Severie Orngard, or me if you have questions.

Kind regards,

Amy Bjork

Attachments

cc: Kerin Wright

DEVELOPMENT AGREEMENT

This Agreement is entered into between the City of Nevada, Iowa (the “City”) and South Glen, LLC (the “Developer”) as of the ____ day of _____, 2020 (the “Commencement Date”).

WHEREAS, the City has established the Nevada Urban Renewal Area (the “Urban Renewal Area”) and has adopted a tax increment ordinance for the Urban Renewal Area; and

WHEREAS, the Developer owns certain property in the Urban Renewal Area, the legal description of which is set out in Exhibit A hereto (the “Property”), and the Developer has proposed to undertake the development of a residential subdivision (the “Housing Project”) on the Property, including the construction of certain public infrastructure improvements in connection therewith (the “Infrastructure Project”); and

WHEREAS, the Developer has requested that the City provide tax increment financing assistance for the Infrastructure Project; and

WHEREAS, the City Council is willing to provide tax increment financing assistance to the Developer in order to assist in paying the cost of the Infrastructure Project; and

WHEREAS, the Iowa Urban Renewal law requires that any project related to housing which receives tax increment financing assistance must also generate funds to be used to provide assistance related to housing for low and moderate income families; and

WHEREAS, the base valuation of the Property for purposes of calculating Incremental Property Tax Revenues (as herein defined) under this Agreement and Section 403.19 of the Code of Iowa is \$46,100 (the “Base Valuation”); and

WHEREAS, Chapter 15A of the Code of Iowa authorizes cities to provide grants, loans, guarantees, tax incentives and other financial assistance to or for the benefit of private persons;

NOW THEREFORE, the parties hereto agree as follows:

A. Developer’s Covenants:

1. Housing Project, Subdivision, and Infrastructure Project Construction.

The Developer agrees to construct the Housing Project on the Property in accordance with the detailed site plan previously approved by the City Council and set forth on Exhibit B hereto. Prior to beginning construction of the Housing Project, the Developer will subdivide the Property in accordance with applicable ordinances and regulations.

2. **Infrastructure Project Construction and Costs.** The Developer agrees to cause the construction of the Infrastructure Project in accordance with the timeline and specifications set forth on Exhibit C hereto. Prior to constructing the Infrastructure Project, the Developer will submit copies of all engineering documents related to the proposed Infrastructure Project to the City. The City may request reasonable changes in such documents, to ensure compliance with any applicable ordinances or regulations.

The City shall retain all rights to inspect the Infrastructure Project for quality of work and full compliance with City Code. Nothing in this subsection shall be interpreted as limiting the City's rights to not accept the work if the Infrastructure Project is not completed to the satisfaction of the City.

Upon completion of the Infrastructure Project, provided that (i) such improvements are of the type ordinarily dedicated to the City in connection with housing development projects; (ii) the City confirms to the Developer in writing that such completed improvements meet City requirements; and (iii) the City accepts such Infrastructure Project in accordance with State law, the Developer will provide the City with either a deed, dedication or permanent easement to the improvements and related right-of-way comprising the Infrastructure Project, as the case may be, which shall thereafter be maintained by the City.

3. **Infrastructure Project Costs Documentation.** Upon completion of the Infrastructure Project, the Developer agrees to provide documentation (the "Costs Documentation") detailing the costs (the "Infrastructure Costs") incurred in the completion thereof. Such Infrastructure Costs may include all infrastructure-related land acquisition costs, cost of designing and constructing the Infrastructure Project, landscaping and grading all land for the Infrastructure Project, interest expense and other costs of financing the Infrastructure Project, and other reasonably related costs of carrying out the Infrastructure Project, including legal fees as provided for in this Agreement. The Infrastructure Costs shall not include such costs as are incurred in the completion of the Housing Project.

The Costs Documentation will be accompanied by invoices, and such other documentation as is reasonably requested by the City, confirming that the Infrastructure Costs detailed in such Costs Documentation were in fact incurred in the installation of the Infrastructure Project and that such costs are of an amount reasonably to have been expected with respect to such installation. The Developer will include a cover page in the form attached hereto as Exhibit D with its submittal of the Costs Documentation.

4. **Property Tax Abatement.** The Developer acknowledges that the lots comprising the Property are eligible for tax abatement under the City's urban revitalization plan adopted pursuant to Chapter 404 of the Code of Iowa. It is anticipated that construction of the first house being constructed as part of the Housing Project on the Property will be completed by December 31, 2021, and the owner of such house will apply for property tax abatement for the period beginning July 1, 2023 and continuing to and including June 30, 2026. Accordingly, Incremental Property Tax Revenues (as hereinafter defined) will not be available to make any Payments under Section B.2 of this Agreement until the City's 2026-2027 fiscal year.

5. **Developer's Certifications - TIF Estimates.** The Developer agrees to certify to the City by no later than October 15 of each year during the Term (as hereinafter defined) beginning October 15, 2025, the estimated amount of Incremental Property Tax Revenues anticipated to be paid with respect to the taxable incremental property valuation for the Property in the fiscal year immediately following such certification (the "Developer's Estimate"). Each Developer's Estimate shall then be divided into two figures: (1) 46.98% shall be designated as the "LMI Amount" (see Section B.5 below); and (2) 53.02% shall be designated as the "Projected Payments Amount."

In submitting each such Developer's Estimate, the Developer will complete and submit the worksheet attached hereto as Exhibit E. For purposes of this Agreement, Incremental Property Tax Revenues are determined by: (1) determining the consolidated property tax levy (city, county, school, etc.) then in effect with respect to taxation of the Property; (2) subtracting (a) the debt service levies of all taxing jurisdictions, (b) the school district instructional support and physical plant and equipment levies and (c) any other levies which may be exempted from such calculation by action of the Iowa General Assembly; (3) multiplying the resulting modified consolidated levy rate times any incremental growth in the taxable valuation of the Property, as shown on the property tax rolls of Story County, above and beyond the Base Valuation; and (4) deducting any property tax credits which shall be available with respect to the incremental valuation of the Property.

Upon request, the City staff shall provide reasonable assistance to the Developer in completing the worksheet required under this Section A.5.

6. **Park Land Dedication.** The Developer agrees to dedicate park land and/or make payment in lieu of dedicating park land to the City in compliance with the City's Public Improvements and Infrastructure Ordinance (Ordinance Number 166.15 in the City's Code of Ordinances.)

7. **Default Provisions.**

A. Events of Default. The following shall be "Events of Default" under this Agreement, and the term "Event of Default" shall mean, whenever it is used in this Agreement (unless otherwise provided), any one or more of the following events:

- 1) Failure by the Developer to complete construction of the Housing Project pursuant to the terms and conditions of this Agreement.
- 2) Failure by the Developer to complete construction of the Infrastructure Project pursuant to the terms and conditions of this Agreement.
- 3) Failure by the Developer to comply with Sections A.3, A.5 and A.6 of this Agreement.
- 4) Failure by the Developer to observe or perform any other material covenant on its part, to be observed or performed hereunder.

B. Notice and Remedies. Whenever any Event of Default described in this Agreement occurs, the City shall provide written notice to the Developer describing the cause of the default and the steps that must be taken by the Developer in order to cure the default. The Developer shall have thirty (30) days after receipt of the notice to cure the default or to provide assurances satisfactory to City that the default will be cured as soon as reasonably possible beyond said thirty (30) day deadline if not practicable to cure the default within said thirty (30) day deadline. If the Developer fails to cure the default or provide assurances, City shall then have the right to:

- 1) Pursue any action available to it, at law or in equity, in order to enforce the terms of this Agreement.
- 2) Withhold the Payments under Section B.2 of this Agreement, such right being additional to the right of annual appropriation as set forth in Section B.3 below.

8. Legal and Administrative Costs. The Developer hereby acknowledges that the City will cover the initial payment of legal fees and administrative costs (the "Actual Admin Costs") incurred by the City in connection with the drafting, negotiation and authorization of this Agreement, including the necessary amendment to the Urban Renewal Area. Furthermore, the Developer agrees that the City shall withhold an amount (the "Admin Withholding Amount") equal to the lesser of (1) \$8,000 or (2) the Actual Admin Costs from the initial Payments, as hereinafter set forth, in order to recover some or all of the Actual Admin Costs.

B. City's Covenants:

1. Review of Costs Documentation. The City staff will review the Cost Documentation upon receipt from the Developer. If the City determines the costs set forth in the Costs Documentation are costs reasonably incurred in the construction of the Infrastructure Project, the City shall record a summary of the date, amount and nature of the costs (the "Accepted Infrastructure Costs") on the Summary of Accepted Public Infrastructure Costs attached hereto as Exhibit F, and such summary shall be the official record of the Accepted Infrastructure Costs for purposes of tallying the Maximum Payment Total, as defined in Section B.2 of this Agreement.

If the City determines the Infrastructure Costs set forth in the Costs Documentation are not costs reasonably incurred in the construction of the Infrastructure Project, the City shall notify the Developer of such determination within fifteen (15) days of such determination in order to allow an opportunity for the Developer to cure the noted deficiencies.

2. Payments. In recognition of the Developer's obligations set out above, the City agrees to make twenty (20) semiannual economic development tax increment payments (the "Payments" and individually, each a "Payment") to the Developer during the Term (as hereinafter defined) pursuant to Chapters 15A and 403 of the Code of Iowa, provided, however, that the total Payments over said Term shall not exceed an amount (the "Maximum Payment Total") equal to the lesser of (i) \$1,500,000; or (ii) the Accepted Infrastructure Costs, as recorded on Exhibit F, and all Payments under the Agreement shall be made subject to annual appropriation by the City Council as hereinafter set forth.

Each Payment shall be in an amount which represents the Incremental Property Tax Revenues received by the City with respect to the incremental valuation of the Property resulting

from the Housing Project during the six (6) months immediately preceding such payment date reduced by the LMI Amount as set forth in Section A.4 above and Section B.5 below.

It is assumed that the new valuation from the Housing Project will go on the property tax rolls as of January 1, 2025. Accordingly, the Payments will be made on December 1 and June 1 of each fiscal year, beginning on December 1, 2026 and continuing to, and including, June 1, 2036, or until such earlier date upon which total Payments equal to the Maximum Payment Total have been made.

3. Security and Annual Appropriation. The Payments shall not constitute general obligations of the City, but shall be made solely and only from Incremental Property Tax Revenues received by the City from the Story County Treasurer which are attributable to the Property with the Housing Project thereon.

The Payments shall be subject to annual appropriation by the City Council. Prior to December 1 of each year during the Term (as hereinafter defined) of this Agreement, beginning in the 2025 calendar year, the City Council shall consider the question of obligating for appropriation to the funding of the Payments due in the following fiscal year, an amount of Incremental Property Tax Revenues to be collected in the following fiscal year equal to or less than the most recently submitted Projected Payments Amount (the "Appropriated Amount").

In any given fiscal year, if the City Council determines to not obligate the then-considered Appropriated Amount, then the City will be under no obligation to fund the Payments scheduled to become due in the following fiscal year, and the Developer will have no rights whatsoever to compel the City to make such Payments or to seek damages relative thereto or to compel the funding of such Payments in future fiscal years. A determination by the City Council to not obligate funds for any particular fiscal year's Payments shall not render this Agreement null and void, and the Developer shall make the next succeeding submission of the Developer's Estimate as called for in Section A.5 above, provided however that no Payment shall be made after June 1, 2036.

4. Payment Amounts. The aggregate Payments to be made in a fiscal year shall not exceed an amount equal to the corresponding Appropriated Amount (for example, for the Payments due on December 1, 2026 and on June 1, 2027, the aggregate maximum amount of such Payments would be determined by the Appropriated Amount determined for certification by December 1, 2025). Furthermore, the amount of each such Payment shall not exceed the amount of Incremental Property Tax Revenues (excluding allocations of "back-fill" or "make-up" payments from the State of Iowa for property tax credits or roll-back) actually received by the City from the Story County Treasurer attributable to the taxable incremental valuation of the Property in the six (6) months immediately preceding the extant Payment due date minus the then-effective LMI Amount.

5. Low and Moderate Income Set Aside. On each Payment date, the City shall retain from then-accumulated Incremental Property Tax Revenues received with respect to the Property an amount equal to such accumulated Incremental Property Tax Revenues multiplied by the minimum percentage required by Section 403.22 of the Code of Iowa. As of the date of this Agreement, the applicable minimum percentage is 46.98%.

The funds retained shall be used by the City in the provision of assistance to low and moderate income families, pursuant to Section 403.22 of the Code of Iowa. The Developer may apply to the City for all or a portion of the funds set aside for assistance to low and moderate income families, provided the Developer can document to the satisfaction of the City that housing units which are located on the Property are occupied or reserved to be occupied by families which meet the required income limits of state law. The City reserves the right to allocate funds retained under this Section B.5 in any lawful manner of its choosing.

6. Certification of Payment Obligation. In any given fiscal year, if the City Council determines to obligate the then-considered Appropriated Amount, as set forth in Section B.3 above, then the City Clerk will certify by December 1 of each such year to the Story County Auditor (for purposes of Section 403.19 of the Code of Iowa) an amount equal to the most recently obligated Appropriated Amount for the funding of the Payment, plus the corresponding LMI Amount, due in the next succeeding fiscal year.

C. Administrative Provisions:

1. Assignment. This Agreement may not be amended or assigned by either party without the prior written consent of the other party. However, the City hereby gives its permission that the Developer's rights to receive the economic development tax increment payments hereunder may be assigned by the Developer to a private lender, as security on a credit facility taken in connection with the Housing Project and/or the Infrastructure Project, without further action on the part of the City.

2. Successors. This Agreement shall inure to the benefit of and be binding upon the successors and assigns of the parties.

3. Term. The term (the "Term") of this Agreement shall commence on the Commencement Date and end on the date on which the last Payment is made by the City to the Developer under Section B.2 above.

4. Choice of Law. This Agreement shall be deemed to be a contract made under the laws of the State of Iowa and for all purposes shall be governed by and construed in accordance with laws of the State of Iowa.

The City and the Developer have caused this Agreement to be signed in their names and on their behalf by their duly authorized officers, all as of the day and date written above.

CITY OF NEVADA, IOWA

By: _____
Brett Barker, Mayor

Attest:

Kerin Wright, City Clerk

SOUTH GLEN, LLC

By: _____

EXHIBIT A
LEGAL DESCRIPTION OF PROPERTY

Certain real property situated in the City of Nevada, Story County, State of Iowa, more particularly described as follows:

The Northeast Quarter of the Southeast Quarter, except the East 60.00 feet thereof, in Section 18, Township 83 North, Range 22 West of the 5th P.M., Story County, Iowa.

EXHIBIT B
SITE PLAN FOR HOUSING PROJECT

EXHIBIT C
TIMELINE AND SPECIFICATIONS FOR INFRASTRUCTURE PROJECT

EXHIBIT D

Submitted by: _____

Index of Invoices/Statements Attached to substantive request:

I, the undersigned hereby certify that the costs shown on the documents referred in the index above are legitimate costs reasonably incurred in the undertaking of the Infrastructure Project.

By: _____

Reviewed and accepted by the City of Nevada, Iowa this _____ day of _____, 20__.

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EXHIBIT E
DEVELOPER'S ESTIMATE WORKSHEET

- (1) Date of Preparation: October ____, 20__.
- (2) Assessed Taxable Valuation of Property as of January 1, 20__:
\$ _____.
- (3) Base Taxable Valuation of Property (determined as of January 1, 2020):
\$ _____.
- (4) Incremental Taxable Valuation of Property (2 minus 3):
\$ _____ (the "TIF Value").
- (5) Current City fiscal year consolidated property tax levy rate for purposes of calculating Incremental Property Tax Revenues (the "Adjusted Levy Rate"):
\$ _____ per thousand of value.
- (6) The TIF Value (4) factored by the Adjusted Levy Rate (5).
\$ _____ x \$ _____ /1000=\$ _____ (the "TIF Estimate")
- (7) Subtract anticipated property tax credits from the TIF Estimate (6 minus 7) =
\$ _____ (the "Available TIF Estimate")
- (8) Developer's Estimate = \$ _____ (Available TIF Estimate)
- x .5302 = \$ _____ (Projected Payments Amount)
- x .4698 = \$ _____ (Estimated LMI Amount)

EXHIBIT F
SUMMARY OF ACCEPTED INFRASTRUCTURE COSTS

[illegible]

SET DATE FOR HEARING ON
DEVELOPMENT AGREEMENT AND
TAX INCREMENT PAYMENTS

(Mid-States Material Handling &
Fabrication, Inc.)

420131-98

Nevada, Iowa

September 28, 2020

A meeting of the City Council of the City of Nevada, Iowa, was held at 6:00 o'clock p.m., on September 28, 2020, at the Nevada City Council Chambers, Nevada, Iowa, pursuant to the rules of the Council.

The meeting could alternatively be accessed electronically via Zoom, which was accessible at the following:

<https://us02web.zoom.us/j/87961733099?pwd=UERoTDIiUXZHczZlQi9ML0ZOeEIOdz09>

OR by phone: (312) 626-6799, (646) 558-8656, (301) 715-8592

The City Council offered attendance to this meeting electronically due to federal and state government recommendations in response to COVID-19 pandemic conditions. Electronic access information was included in the posted agenda of this public meeting.

The Mayor presided and the roll was called, showing members present and absent as follows:

Present: _____

Absent: _____.

Council Member _____ introduced the resolution next hereinafter set out and moved its adoption, seconded by Council Member _____; and after due consideration thereof by the City Council, the Mayor put the question upon the adoption of said resolution, and the roll being called, the following named Council Members voted:

Ayes: _____

Nays: _____.

Whereupon, the Mayor declared said resolution duly adopted, as follows:

RESOLUTION NO. 029 (2020/2021)

Resolution Setting a Date of Meeting at which it is Proposed to Approve a Development Agreement with Mid-States Material Handling & Fabrication, Inc., Including Annual Appropriation Tax Increment Payments

WHEREAS, the City of Nevada, Iowa (the "City"), pursuant to and in strict compliance with all laws applicable to the City, and in particular the provisions of Chapter 403 of the Code of Iowa, has adopted an Urban Renewal Plan for the Nevada Urban Renewal Area (the "Urban Renewal Area"); and

WHEREAS, this City Council has adopted an ordinance providing for the division of taxes levied on taxable property in the Urban Renewal Area pursuant to Section 403.19 of the Code of Iowa and establishing the fund referred to in Subsection 2 of Section 403.19 of the Code of Iowa, which fund and the portion of taxes referred to in that subsection may be irrevocably pledged by the City for the payment of the principal of and interest on indebtedness incurred under the authority of Section 403.9 of the Code of Iowa to finance or refinance in whole or in part projects in the Urban Renewal Area; and

WHEREAS, the City proposes to enter into a certain development agreement (the "Development Agreement") with Mid-States Material Handling & Fabrication, Inc. (the "Company") in connection with the expansion of the Company's manufacturing facilities and operations in the Urban Renewal Area; and

WHEREAS, the Development Agreement would provide financial incentives to the Company in the form of annual appropriation incremental property tax payments in an amount not to exceed \$225,000 under the authority of Section 403.9(1) of the Code of Iowa; and

WHEREAS, it is necessary to set a date for a public hearing on the Development Agreement, pursuant to Section 403.9 of the Code of Iowa;

NOW THEREFORE, IT IS RESOLVED by the City Council of the City of Nevada, Iowa, as follows:

Section 1. This City Council shall meet on October 12, 2020, at 6:00 o'clock p.m., electronically and/or at the Nevada City Council Chambers, in the City, at which time and place proceedings will be instituted and action taken to approve the Development Agreement and to authorize the annual appropriation incremental property tax payments.

Section 2. The City Clerk is hereby directed to give notice of the proposed action, the time when and place where said meeting will be held, by publication at least once not less than four days and not more than twenty days before the date of said meeting in a legal newspaper of general circulation in the City. Said notice shall be in substantially the following form:

NOTICE OF MEETING FOR APPROVAL OF DEVELOPMENT AGREEMENT
WITH MID-STATES MATERIAL HANDLING & FABRICATION, INC. AND
AUTHORIZATION OF ANNUAL APPROPRIATION TAX INCREMENT
PAYMENTS

The City Council of the City of Nevada, Iowa, will meet at the Nevada City Council Chambers, in the City, on October 12, 2020, at 6:00 o'clock p.m., at which time and place proceedings will be instituted and action taken to approve a Development Agreement between the City and Mid-States Material Handling & Fabrication, Inc. (the "Company"), in connection with the expansion of the Company's manufacturing facilities and operations, which Agreement provides for certain financial incentives in the form of incremental property tax payments to the Company in a total amount not exceeding \$225,000 as authorized by Section 403.9 of the Code of Iowa.

The agreement to make incremental property tax payments to the Company will not be a general obligation of the City, but will be payable solely and only from incremental property tax revenues generated within the Nevada Urban Renewal Area. Some or all of the payments under the Development Agreement may be made subject to annual appropriation by the City Council.

Due to federal and state government recommendations in response to COVID-19 pandemic conditions, the meeting can alternatively be accessed via Zoom, which will be accessible at the following:

<https://us02web.zoom.us/j/87961733099?pwd=UERoTDIiUXZHczZlQi9ML0ZOeElOdz09>

OR by phone: (312) 626-6799, (646) 558-8656, (301) 715-8592

In addition to electronic access, written comments may be filed or made prior to the meeting and will be recorded in the minutes.

At the meeting, the City Council will receive oral or written objections from any resident or property owner of the City. Thereafter, the City Council may, at the meeting or at an adjournment thereof, take additional action to approve the Development Agreement or may abandon the proposal.

This notice is given by order of the City Council of Nevada, Iowa, in accordance with Section 403.9 of the Code of Iowa.

Kerin Wright
City Clerk

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

Section 4. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved September 28, 2020.

Brett Barker, Mayor

Attest:

Kerin Wright, City Clerk

• • • •

On motion and vote the meeting adjourned.

Brett Barker, Mayor

Attest:

Kerin Wright, City Clerk

STATE OF IOWA
COUNTY OF STORY
CITY OF NEVADA

SS:

I, the undersigned, City Clerk of the City of Nevada, hereby certify that the foregoing is a true and correct copy of the minutes of the Council of the City relating to the adoption of a resolution to fix a date of meeting at which it is proposed to take action to approve a Development Agreement.

I do further certify that the notice of hearing, to which the printed slip attached to the publisher's original affidavit hereto attached is a true and complete copy, was published on the date and in the newspaper specified in such affidavit, which newspaper has a general circulation in the City.

WITNESS MY HAND this ____ day of _____, 2020.

Kerin Wright, City Clerk

(Attach here the publisher's original affidavit with clipping of the notice as published.)

(PLEASE NOTE: Do not sign and date this certificate until you have checked a copy of the published notice and have verified that it was published on the date indicated in the publisher's affidavit.)

September 23, 2020

Via Email

Jordan Cook
City Administrator/City Hall
Nevada, IA

Re: Development Agreement (Mid-States Material Handling & Fabrication, Inc.)
Our File No. 420131-98

Dear Jordan:

Attached please find proceedings to enable the City Council to act on September 28, 2020 to set October 12, 2020 as the date for a public hearing on the proposed Development Agreement with Mid-States Material Handling & Fabrication, Inc., including the proposal for tax increment payments.

The notice of public hearing on the Agreement must be published once, not less than four (4) and not more than twenty (20) days prior to the City Council meeting at which the hearing will be held. The last date on which the notice may be effectively published is October 8, 2020. Please print an extra copy of the notice for delivery to the newspaper. Please insert the time and place of the hearing in both the resolution and the notice and email a copy of the published notice to orngard.severie@dorsey.com.

We will prepare and forward to you in time for the October 12, 2020 meeting the necessary proceedings to approve the Agreement.

We would appreciate receiving one fully executed copy of these proceedings as soon as they are available.

Please contact John Danos, Severie Orngard, or me if you have questions.

Kind regards,

Amy Bjork

Attachments

cc: Kerin Wright

DEVELOPMENT AGREEMENT

This Agreement is entered into between the City of Nevada, Iowa (the "City") and Mid-States Material Handling & Fabrication, Inc. (the "Company") as of the ____ day of _____, 2020 (the "Commencement Date").

WHEREAS, the City has established the Nevada Urban Renewal Area (the "Urban Renewal Area"), and has adopted a tax increment ordinance for the Urban Renewal Area; and

WHEREAS, the Company owns certain real property which is situated in the Urban Renewal Area and is more specifically described on Exhibit A hereto (the "Property"); and

WHEREAS, the Company has proposed to undertake the expansion of its manufacturing facilities for use in its business operations on the Property ("the Project"); and

WHEREAS, the Company has requested that the City provide financial assistance in the form of incremental property tax payments to be used by the Company in paying the costs of undertaking the Project; and

WHEREAS, for purposes of calculating Incremental Property Tax Revenues (as herein defined) under this Agreement and Section 403.19 of the Code of Iowa, the base valuation of the Property is \$1,924,200; and

WHEREAS, Chapter 403 of the Code of Iowa authorizes cities to establish urban renewal areas and to undertake economic development projects; and

WHEREAS, Chapter 15A of the Code of Iowa authorizes cities to provide grants, loans, guarantees, tax incentives and other financial assistance to or for the benefit of private persons;

NOW THEREFORE, the parties hereto agree as follows:

A. Company's Covenants

1. **Project Construction.** The Company agrees to construct the Project on the Property and to maintain and use the completed Project as part of its business operations throughout the Term (as hereinafter defined). Furthermore, the Company agrees to invest not less than \$4,000,000 into capital improvements for the Project, including construction work and other furnishings. The Company has submitted a detailed site plan (the "Site Plan") for the development of the Project to the City which was approved on _____, 20__ and is set forth as Exhibit B hereto. The Company agrees to construct the Project in accordance with the Site Plan and to substantially complete such construction by no later than December 31, 2020.

2. **Property Taxes.** The Company agrees to make timely payment of all property taxes as they come due with respect to the Property with the completed Project thereon throughout the Term (as hereinafter defined) and to submit a receipt or cancelled check in evidence of each such payment.

3. **Company's Certifications.** The Company agrees to submit documentation to the satisfaction of the City by no later than each October 15 during the Term, as hereinafter defined, commencing October 15, 2021, demonstrating that the completed Project is being maintained and used as part of the Company's business operations.

4. **Economic Development Assistance Contract.** The Company agrees that it will enter into an Economic Development Assistance Contract (the "IEDA Contract") with the Iowa Economic Development Authority (the "IEDA"). At such time that the IEDA Contract is executed, it shall be inserted as Exhibit C of this Agreement. The Company agrees to submit documentation to the satisfaction of the City no later than each October 15 during the Term, as hereinafter defined, commencing October 15, 2021, demonstrating that the Company is in compliance with the requirements of the IEDA Contract. Furthermore the Company agrees to provide written notice to the City within thirty (30) days of the receipt of any notification from IEDA that the Company has fallen out of Compliance with the requirements of the IEDA Contract.

5. **Property Tax Payment Certification.** For purposes of this Agreement "Annual Percentage" shall mean the annual percentage in effect from time to time as set forth in the following table:

Fiscal Year of City	Annual Percentage
First Payment Year	75%
Second Payment Year	60%
Third Payment Year	50%
Fourth Payment Year	50%
Fifth Payment Year	50%

The Company agrees to certify to the City by no later than October 15 of each year, commencing October 15, 2021, an amount (the "Company's Estimate") equal to the estimated Incremental Property Tax Revenues anticipated to be paid in the fiscal year immediately following such certification with respect to the taxable valuation of the Property factored by the Annual Percentage. In submitting each such Company's estimate, the Company will complete and submit the worksheet attached hereto as Exhibit D. The City reserves the right to review and request revisions to each such Company's Estimate to ensure the accuracy of the figures submitted.

For purposes of this Agreement, Incremental Property Tax Revenues are calculated by: (1) determining the consolidated property tax levy (city, county, school, etc.) then in effect with respect to taxation of the Property; (2) subtracting (a) the debt service levies of all taxing jurisdictions, (b) the school district instructional support and physical plant and equipment levies and (c) any other levies which may be exempted from such calculation by action of the Iowa General Assembly; (3) multiplying the resulting modified consolidated levy rate times any incremental growth in the taxable valuation of the Property, as shown on the property tax rolls of

Story County, above and beyond the Base Valuation; and (4) deducting any property tax credits which shall be available with respect to the incremental valuation of the Property.

Upon request, the City staff shall provide reasonable assistance to the Company in completing the worksheet required under this Section A.5.

6. Default Provisions.

A. Events of Default. The following shall be “Events of Default” under this Agreement, and the term “Event of Default” shall mean, whenever it is used in this Agreement (unless otherwise provided), any one or more of the following events:

- I. Failure by the Company to complete construction of the Project pursuant to the terms and conditions of this Agreement.
- II. Failure by the Company to fully and timely remit payment of property taxes when due and owing.
- III. Failure by the Company to comply with the IEDA contract.
- IV. Failure by the Company to observe or perform any other material covenant on its part, to be observed or performed hereunder.

B. Notice and Remedies. Whenever any event of default described in this Agreement occurs, the City shall provide written notice to the Company describing the cause of the default and the steps that must be taken by the Company in order to cure the default. The Company shall have thirty (30) days after receipt of the notice to cure the default or to provide assurances satisfactory to City that the default will be cured as soon as reasonably possible. If the Company fails to cure the default or provide assurances, the City shall then have the right to:

- I. Pursue any action available to it, at law or in equity, in order to enforce the terms of this Agreement.
- II. Withhold the Payments provided for under Section B.1 below.

7. Legal and Administrative Costs. The Company hereby acknowledges that the City will cover the initial payment of legal fees and administrative costs (the “Actual Admin Costs”) incurred by the City in connection with the drafting, negotiation and authorization of this Agreement, including the necessary amendment to the Urban Renewal Area. Furthermore, the Company agrees that the City shall withhold an amount (the “Admin Withholding Amount”) equal to the lesser of (1) \$8,000 or (2) the Actual Admin Costs from the initial Payments, as hereinafter set forth in order to recover some or all of the Actual Admin Costs.

B. City’s Obligations

1. Payments. In recognition of the Company’s obligations set out above, the City agrees to make five (5) annual economic development tax increment payments (the “Payments” and, individually each, a “Payment”) to the Company during the Term (as hereinafter defined) pursuant to Chapters 15A and 403 of the Code of Iowa, provided however that the aggregate, total amount of the Payments to be made under this Agreement during the Term (as hereinafter defined)

shall not exceed \$225,000 (the "Maximum Payment Total"). All Payments under this Agreement shall be subject to annual appropriation by the City Council, as provided hereunder.

The Payments shall not constitute general obligations of the City, but shall be made solely and only from Incremental Property Tax Revenues received by the City from the Story County Treasurer attributable to the taxable valuation of the Property.

Prior to funding any Payments under this Agreement, the City will first withhold from the Incremental Property Tax Revenues an amount equal to the Admin Withholding Amount. Once an amount equal to the Admin Withholding Amount has been withheld by the City, the Payments shall be made as set forth herein.

Each Payment shall not exceed an amount which represents the then-current Annual Percentage factored against the Incremental Property Tax Revenues available to the City with respect to the Property during twelve (12) months immediately preceding each Payment date.

It is assumed that the new valuation from the Project will go on the property tax rolls as of January 1, 2021. Accordingly, the Payments will be made on June 1 of each fiscal year, beginning on June 1, 2023 and continuing to, and including, June 1, 2027, or until such earlier date upon which total Payments equal to the Maximum Payment Total have been made.

2. **Annual Appropriation.** Each Payment shall be subject to annual appropriation by the City Council. Prior to December 1 of each year during the Term (as hereinafter defined) of this Agreement, beginning in calendar year 2021, the City Council of the City shall consider the question of obligating for appropriation to the funding of the Payment due in the following fiscal year, an amount (the "Appropriated Amount") of Incremental Property Tax Revenues to be collected in the following fiscal year equal to or less than the most recently submitted Company's Estimate.

In any given fiscal year, if the City Council determines to not obligate the then-considered Appropriated Amount, then the City will be under no obligation to fund the Payment scheduled to become due in the following fiscal year, and the Company will have no rights whatsoever to compel the City to make such Payment or to seek damages relative thereto or to compel the funding of such Payments in future fiscal years. A determination by the City Council to not obligate funds for any particular fiscal year's Payment shall not render this Agreement null and void, and the Company shall make the next succeeding submission of the Company's Estimate as called for in Section A.5 above, provided however that no Payment shall be made after June 1, 2027.

3. **Payment Amounts.** Each Payment shall be in an amount equal to the corresponding Appropriated Amount (for example, for the Payment due on June 1, 2023, the amount of such Payment would be determined by the Appropriated Amount determined for certification by December 1, 2021) provided, however, that no Payment shall exceed an amount which represents the Incremental Property Tax Revenues (excluding allocations of "back-fill" or "make-up" payments from the State of Iowa for property tax credits or roll-back) actually received by the City from the Story County Treasurer attributable to the taxable incremental valuation of the Property in the twelve (12) months immediately preceding each Payment date.

4. **Certification of Payment Obligation.** In any given fiscal year, if the City Council determines to obligate the then-considered Appropriated Amount, as set forth in Section B.2 above, then the City Clerk will certify by December 1 of each such year to the Story County Auditor an amount equal to the most recently obligated Appropriated Amount.

C. **Administrative Provisions**

1. **Amendment and Assignment.** Neither party may cause this Agreement to be amended, assigned, assumed, sold or otherwise transferred without the prior written consent of the other party. However, the City hereby gives its permission that the Company's rights to receive the Payments hereunder may be assigned by the Company to a private lender, as security on a credit facility taken with respect to the Project, without further action on the part of the City.

2. **Successors.** This Agreement shall inure to the benefit of and be binding upon the successors and assigns of the parties.

3. **Term.** The term (the "Term") of this Agreement shall commence on the Commencement Date and end on June 1, 2027 or on such earlier date upon which the aggregate sum of Payments made to the Company equals the Maximum Payment Total.

4. **Choice of Law.** This Agreement shall be deemed to be a contract made under the laws of the State of Iowa and for all purposes shall be governed by and construed in accordance with laws of the State of Iowa.

The City and the Company have caused this Agreement to be signed, in their names and on their behalf by their duly authorized officers, all as of the day and date written above.

CITY OF NEVADA, IOWA

By: _____
Brett Barker, Mayor

Attest:

Kerin Wright, City Clerk

MID-STATES MATERIAL HANDLING &
FABRICATION, INC.

By: _____

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

Certain real property situated in the City of Nevada, Story County, State of Iowa bearing Story County Property Tax Parcel Identification Number 1108350130.

EXHIBIT B
SITE PLAN



It's the first major diving space availability. Right is to reduce the number of divers before they are killed.

[illegible]

EXHIBIT C
IEDA CONTRACT

EXHIBIT D

**ANNUAL TIF WORKSHEET
COMPANY'S ESTIMATE**

COMPANY'S ESTIMATE WORKSHEET

- (1) Date of Preparation: October ____, 20__.
- (2) Assessed Valuation of Property as of January 1, 20__:
- \$ _____.
- (3) Base Taxable Valuation of Property:
- \$ _____.
- (4) Incremental Taxable Valuation of Property (2 minus 3):
- \$ _____ (the "TIF Value").
- (5) Current City fiscal year consolidated property tax levy rate for purposes of calculating Incremental Property Tax Revenues (the "Adjusted Levy Rate"):
- \$ _____ per thousand of value.
- (6) The TIF Value (4) factored by the Adjusted Levy Rate (5).
- \$ _____ x \$ _____ / 1000 = \$ _____ (the "TIF Estimate")
- (7) TIF Estimate (\$ _____ x Annual Percentage = Annual Percentage Estimate (\$ _____)).

Fiscal Year of City	Annual Percentage
First Payment Year	75%
Second Payment Year	60%
Third Payment Year	50%
Fourth Payment Year	50%
Fifth Payment Year	50%

- (8) Subtract anticipated property tax credits from the Annual Percentage Estimate = \$ _____ (the "Company's Estimate")

SET DATE FOR HEARING ON
DEVELOPMENT AGREEMENT AND
TAX INCREMENT PAYMENTS

(On Track Construction, LLC)

420131-New

Nevada, Iowa

September 28, 2020

A meeting of the City Council of the City of Nevada, Iowa, was held at 6:00 o'clock p.m., on September 28, 2020, at the Nevada City Council Chambers, Nevada, Iowa, pursuant to the rules of the Council.

The meeting could alternatively be accessed electronically via Zoom, which was accessible at the following:

<https://us02web.zoom.us/j/87961733099?pwd=UERoTDIiUXZHczZlQ9ML0ZOeEIodz09>
OR by phone: (312) 626-6799, (646) 558-8656, (301) 715-8592

The City Council offered attendance to this meeting electronically due to federal and state government recommendations in response to COVID-19 pandemic conditions. Electronic access information was included in the posted agenda of this public meeting.

The Mayor presided and the roll was called, showing members present and absent as follows:

Present: _____

Absent: _____.

Council Member _____ introduced the resolution next hereinafter set out and moved its adoption, seconded by Council Member _____; and after due consideration thereof by the City Council, the Mayor put the question upon the adoption of said resolution, and the roll being called, the following named Council Members voted:

Ayes: _____

Nays: _____.

Whereupon, the Mayor declared said resolution duly adopted, as follows:

RESOLUTION NO. 030 (2020/2021)

Resolution to Fix a Date of Meeting at Which it is Proposed to Approve a Development Agreement with On Track Construction, LLC, Including Annual Appropriation Tax Increment Payments

WHEREAS, the City of Nevada, Iowa (the "City"), pursuant to and in strict compliance with all laws applicable to the City, and in particular the provisions of Chapter 403 of the Code of Iowa, has adopted an Urban Renewal Plan for the Nevada Urban Renewal Area (collectively the "Urban Renewal Area"); and

WHEREAS, this City Council has adopted an ordinance providing for the division of taxes levied on taxable property in the Urban Renewal Area pursuant to Section 403.19 of the Code of Iowa and establishing the fund referred to in Subsection 2 of Section 403.19 of the Code of Iowa, which fund and the portion of taxes referred to in that subsection may be irrevocably pledged by the City for the payment of the principal of and interest on indebtedness incurred under the authority of Section 403.9 of the Code of Iowa to finance or refinance in whole or in part projects in the Urban Renewal Area; and

WHEREAS, the City proposes to enter into an agreement (the "Development Agreement") with On Track Construction, LLC (the "Developer") in connection with the development of an industrial park in the Urban Renewal Area, including the construction of certain public infrastructure improvements; and

WHEREAS, the Development Agreement would provide financial incentives to the Developer in the form of annual appropriation incremental property tax payments in an amount not to exceed \$1,500,000 under the authority of Section 403.9(1) of the Code of Iowa; and

WHEREAS, it is necessary to set a date for a public hearing on the Development Agreement, pursuant to Section 403.9 of the Code of Iowa;

NOW THEREFORE, IT IS RESOLVED by the City Council of the City of Nevada, Iowa, as follows:

Section 1. This City Council shall meet on October 12, 2020, at 6:00 o'clock p.m., electronically and/or at the Nevada City Council Chambers, in the City, at which time and place proceedings will be instituted and action taken to approve the Development Agreement and to authorize the annual appropriation incremental property tax payments.

Section 2. The City Clerk is hereby directed to give notice of the proposed action, the time when and place where said meeting will be held, by publication at least once not less than four days and not more than twenty days before the date of said meeting in a legal newspaper of general circulation in the City. Said notice shall be in substantially the following form:

NOTICE OF MEETING FOR APPROVAL OF DEVELOPMENT AGREEMENT
WITH ON TRACK CONSTRUCTION, LLC AND AUTHORIZATION OF
ANNUAL APPROPRIATION TAX INCREMENT PAYMENTS

The City Council of the City of Nevada, Iowa, will meet at the Nevada City Council Chambers, on October 12, 2020, at 6:00 o'clock p.m., at which time and place proceedings will be instituted and action taken to approve a Development Agreement between the City and On Track Construction, LLC (the "Developer") in connection with the development of an industrial park in the Nevada Urban Renewal Area, including the construction of certain public infrastructure improvements, which Agreement provides for certain financial incentives to the Developer in the form of annual appropriation incremental property tax payments in a total amount not exceeding \$1,500,000, as authorized by Section 403.9 of the Code of Iowa.

The agreement to make annual appropriation incremental property tax payments to the Developer will not be a general obligation of the City, but will be payable solely and only from incremental property tax revenues generated within the Nevada Urban Renewal Area. Some or all of the payments to the Developer under the Development Agreement will be subject to annual appropriation by the City Council.

Due to federal and state government recommendations in response to COVID-19 pandemic conditions, the meeting can alternatively be accessed via Zoom, which will be accessible at the following:

<https://us02web.zoom.us/j/87961733099?pwd=UERoTDIiUXZHCzZlQI9ML0ZOeEIOdz09>

OR by phone: (312) 626-6799, (646) 558-8656, (301) 715-8592

In addition to electronic access, written comments may be filed or made prior to the meeting and will be recorded in the minutes.

At the meeting, the City Council will receive oral or written objections from any resident or property owner of the City. Thereafter, the Council may, at the meeting or at an adjournment thereof, take additional action to approve the Development Agreement or may abandon the proposal.

This notice is given by order of the City Council of Nevada, Iowa, in accordance with Section 403.9 of the Code of Iowa.

Kerin Wright
City Clerk

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

Passed and approved September 28, 2020.

Brett Barker, Mayor

Attest:

Kerin Wright, City Clerk

• • • •

On motion and vote the meeting adjourned.

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, hereby certify that the foregoing is a true and correct copy of the minutes of the Council of the City relating to the adoption of a resolution to fix a date of meeting at which it is proposed to take action to approve a Development Agreement with On Track Construction, LLC.

I do further certify that the notice of hearing, to which the printed slip attached to the publisher's original affidavit hereto attached is a true and complete copy, was published on the date and in the newspaper specified in such affidavit, which newspaper has a general circulation in the City.

WITNESS MY HAND this ____ day of _____, 2020.

Kerin Wright, City Clerk

(Attach here the publisher's original affidavit with clipping of the notice as published.)

(PLEASE NOTE: Do not sign and date this certificate until you have checked a copy of the published notice and have verified that it was published on the date indicated in the publisher's affidavit.)



September 23, 2020

VIA EMAIL

Jordan Cook
City Administrator/City Hall
Nevada, IA

Re: Development Agreement
On Track Construction, LLC
File No. 420131-New

Dear Jordan:

Attached are copies of proceedings to enable the City Council to act on September 28, 2020 to set October 12, 2020 as the date for a public hearing on the proposed Development Agreement with On Track Construction, LLC, including the proposal for tax increment payments.

The notice of public hearing on the Agreement must be published once, not less than four (4) nor more than twenty (20) days prior to the City Council meeting at which the hearing will be held. The last date on which the notice can effectively be published is October 8, 2020. Please print an extra copy of the notice for delivery to the newspaper. Please insert the time and place of the hearing in both the resolution and the notice and email a copy of the published notice to orngard.severie@dorsey.com.

We will prepare and forward to you in time for the October 12, 2020 meeting the necessary proceedings to approve the Agreement.

We would appreciate receiving one fully executed copy of these proceedings as soon as they are available.

Please contact John Danos, Severie Orngard, or me if you have questions.

Kind regards,

Amy Bjork

Attachments

cc: Kerin Wright

DEVELOPMENT AGREEMENT

This Development Agreement is entered into between the City of Nevada, Iowa (the “City”) and On Track Construction, LLC (the “Developer”) as of the ____ day of _____, 2020 (the “Commencement Date”).

WHEREAS, the City has established the Nevada Urban Renewal Area (the “Urban Renewal Area”), and has adopted a tax increment ordinance for the Urban Renewal Area; and

WHEREAS, the Developer owns certain real property which is situated in the City, lies within the Urban Renewal Area and is more specifically described on Exhibit A hereto (the “Property”); and

WHEREAS, the Developer has proposed to undertake (i) the development of an industrial park on the Property, including the construction of certain public infrastructure improvements (the “Public Infrastructure Project”); and (ii) the expansion of its industrial facilities for use in its business operations on the Property (the “Expansion Project”); and

WHEREAS, the Developer has requested that the City provide financial assistance in the form of incremental property tax payments to be used by the Developer in paying the costs of constructing the Public Infrastructure Project; and

WHEREAS, the base valuation of the Property for purposes of calculating Incremental Property Tax Revenues, as herein defined, under this Agreement and Section 403.19 of the Code of Iowa is \$36,800 (the “Base Valuation”); and

WHEREAS, Chapter 15A of the Code of Iowa authorizes cities to provide grants, loans, guarantees, tax incentives and other financial assistance to or for the benefit of private persons;

NOW THEREFORE, the parties hereto agree as follows:

A. Developer’s Covenants

1. **Expansion Project.** The Developer agrees to construct the Expansion Project on the Property. Furthermore, the Developer expects to invest approximately \$4,000,000 into capital improvements for the Expansion Project, including construction work, equipment, furnishings and other capital improvements. The Developer has submitted a detailed site plan (the “Site Plan”) for the development of the Commercial Project to the City which was approved by the Planning and Zoning Supervisor. The Site Plan is attached as Exhibit B hereto. The Developer agrees to construct the Expansion Project in accordance with the Site Plan and to substantially complete such construction by no later than December 31, 2022.

2. **Public Infrastructure Project Construction.** The Developer agrees to cause the construction of the Public Infrastructure Project in accordance with the timeline and specifications set forth on Exhibit C hereto. Prior to constructing the Public Infrastructure Project, the Developer will submit copies of all engineering documents related to the proposed Public

Infrastructure Project to the City for review. The City may request reasonable changes in such documents, to ensure compliance with any applicable ordinances or regulations.

The City shall retain all rights to inspect the completed Public Infrastructure Project for quality of work and full compliance with City Code. Nothing in this subsection shall be interpreted as limiting the City's rights to not accept the work if the Public Infrastructure Project is not completed to the satisfaction of the City.

Upon completion of the Public Infrastructure Project, provided that (i) such improvements are of the type ordinarily dedicated to the City; (ii) the City confirms to the Developer in writing that such completed improvements meet City requirements; and (iii) the City accepts such Public Infrastructure Project in accordance with State law, the Developer will provide the City with either a deed or permanent easement to the improvements and related right-of-way comprising the Public Infrastructure Project, which shall thereafter be maintained by the City.

3. Public Infrastructure Costs Documentation. Upon completion of the Public Infrastructure Project, the Developer agrees to provide documentation (the "Costs Documentation") detailing the costs (the "Public Infrastructure Costs") incurred in the completion thereof, including invoices and such other documentation as is reasonably requested by the City, confirming that such Public Infrastructure Costs detailed in such Costs Documentation were in fact incurred in the construction of the Public Infrastructure Project and that such Public Infrastructure Costs are of an amount reasonably to have been expected with respect to such construction. The Developer will include a cover page in the form attached hereto as Exhibit D with its submittal of the Costs Documentation.

The Public Infrastructure Costs may include costs relating to land acquisition costs, designing and constructing the Public Infrastructure Project, landscaping and grading the Public Infrastructure Project, interest expense and other costs of financing, and other reasonably related costs of carrying out the Public Infrastructure Project, including the Legal and Administrative Costs defined in Section A.7 of this Agreement.

4. Property Taxes. The Developer agrees to make or ensure timely payment of all property taxes as they come due with respect to that portion of the Property with the completed Industrial Park Development Project thereon throughout the Term, as hereinafter defined, and to submit a receipt or cancelled check in evidence of each such payment.

5. Property Tax Payment Certification. The Developer agrees to certify to the City by no later than October 15 of each year, commencing October 15, 2023, an amount (the "Developer's Estimate") equal to the estimated Incremental Property Tax Revenues anticipated to be paid in the fiscal year immediately following such certification with respect to the taxable valuation of the Property. In submitting each such Developer's Estimate, the Developer will complete and submit the worksheet attached hereto as Exhibit E. The City reserves the right to review and request revisions to each such Developer's Estimate to ensure the accuracy of the figures submitted.

For purposes of this Agreement, Incremental Property Tax Revenues are calculated by: (1) determining the consolidated property tax levy (city, county, school, etc.) then in effect with

respect to taxation of the Property; (2) subtracting (a) the debt service levies of all taxing jurisdictions, (b) the school district instructional support and physical plant and equipment levies and (c) any other levies which may be exempted from such calculation by action of the Iowa General Assembly; (3) multiplying the resulting modified consolidated levy rate times any incremental growth in the taxable valuation of the Property, as shown on the property tax rolls of Story County, above and beyond the Base Valuation; and (4) deducting any property tax credits which shall be available with respect to the Property.

Upon request, the City staff shall provide reasonable assistance to the Developer in completing the worksheet required under this Section A.5.

6. Default Provisions.

A. Events of Default. The following shall be “Events of Default” under this Agreement, and the term “Event of Default” shall mean, whenever it is used in this Agreement (unless otherwise provided), any one or more of the following events:

- I. Failure by the Developer to undertake the Expansion Project pursuant to the terms and conditions of this Agreement.
- II. Failure by the Developer to commence and complete construction of the Public Infrastructure Project pursuant to the terms and conditions of this Agreement.
- III. Failure by the Developer to fully and timely remit payment of property taxes when due and owing.
- IV. Failure by the Developer to observe or perform any other material covenant on its part, to be observed or performed hereunder.

B. Notice and Remedies. Whenever any event of default described in this Agreement occurs, the City shall provide written notice to the Developer describing the cause of the default and the steps that must be taken by the Developer in order to cure the default. The Developer shall have thirty (30) days after receipt of the notice to cure the default or to provide assurances satisfactory to City that the default will be cured as soon as reasonably possible. If the Developer fails to cure the default or provide assurances, the City shall then have the right to:

- I. Pursue any action available to it, at law or in equity, in order to enforce the terms of this Agreement.
- II. Withhold the Payments provided for under Section B.2 below.

7. Legal and Administrative Costs. The Developer hereby acknowledges that the City will cover the initial payment of legal fees and administrative costs (the “Actual Admin Costs”) incurred by the City in connection with the drafting, negotiation and authorization of this Agreement, including the necessary amendment to the Urban Renewal Area. Furthermore, the Developer agrees that the City shall withhold an amount (the “Admin Withholding Amount”) equal to the lesser of (1) \$8,000 or (2) the Actual Admin Costs from the initial Payments, as hereinafter set forth in order to recover some or all of the Actual Admin Costs.

B. City’s Obligations

1. **Review of Public Infrastructure Cost Documentation.** The City public works and engineering personnel will review the Costs Documentation upon receipt from the Developer. If the City determines the Public Infrastructure Costs set forth in the Costs Documentation are costs reasonably incurred in the construction of the Public Infrastructure Project, the City shall record a summary of the date, amount and nature of the costs (the "Accepted Public Infrastructure Costs") on the Summary of Accepted Public Infrastructure Costs attached hereto as Exhibit F, and such summary shall be the official record of the Accepted Public Infrastructure Costs for purposes of tallying the Maximum Payment Total, as defined in Section B.2 of this Agreement.

If the City determines the Public Infrastructure Costs set forth in the Public Infrastructure Costs Documentation are not costs reasonably incurred in the construction of the Public Infrastructure Project, the City shall notify the Developer of such determination within fifteen (15) days of such determination in order to allow an opportunity for the Developer to cure the noted deficiencies.

2 **Payments.** In recognition of the Developer's obligations set out above, the City agrees to make ten (10) annual economic development tax increment payments (the "Payments" and each, individually a "Payment") to the Developer during the Term (as hereinafter defined) pursuant to Chapters 15A and 403 of the Code of Iowa, provided however that the aggregate, total amount of the Payments (the "Maximum Payment Total") shall not exceed the lesser of (i) the Accepted Public Infrastructure Costs; or (ii) \$1,500,000. All Payments under this Agreement shall be subject to annual appropriation by the City Council, as provided hereunder.

The Payments shall not constitute general obligations of the City, but shall be made solely and only from Incremental Property Tax Revenues received by the City from the Story County Treasurer attributable to the taxable valuation of the Property.

Prior to funding any Payments under this Agreement, the City will first withhold from the Incremental Property Tax Revenues an amount equal to the Admin Withholding Amount. Once an amount equal to the Admin Withholding Amount has been withheld by the City, the Payments shall be made as hereinafter set forth.

Each Payment shall not exceed an amount which represents the Incremental Property Tax Revenues available to the City with respect to the Property during the twelve (12) months immediately preceding each Payment date.

It is assumed that the new valuation from the Project will go on the property tax rolls as of January 1, 2023. Accordingly, the Payments will be made on June 1 of each fiscal year, beginning on June 1, 2025 and continuing to, and including, June 1, 2034, or until such earlier date upon which total Payments equal to the Maximum Payment Total have been made.

3. **Annual Appropriation.** Each Payment shall be subject to annual appropriation by the City Council. Prior to December 1 of each year during the Term (as hereinafter defined) of this Agreement, beginning in calendar year 2023, the City Council of the City shall consider the question of obligating for appropriation to the funding of the Payment due in the following fiscal year, an amount (the "Appropriated Amount") of Incremental Property Tax Revenues to be collected in the following fiscal year equal to or less than the most recently submitted Company's Estimate.

In any given fiscal year, if the City Council determines to not obligate the then-considered Appropriated Amount, then the City will be under no obligation to fund the Payment scheduled to become due in the following fiscal year, and the Company will have no rights whatsoever to compel the City to make such Payment or to seek damages relative thereto or to compel the funding of such Payments in future fiscal years. A determination by the City Council to not obligate funds for any particular fiscal year's Payment shall not render this Agreement null and void, and the Company shall make the next succeeding submission of the Company's Estimate as called for in Section A.5 above, provided however that no Payment shall be made after June 1, 2034.

4. **Payment Amounts.** Each Payment shall be in an amount equal to the corresponding Appropriated Amount (for example, for the Payment due on June 1, 2025, the amount of such Payment would be determined by the Appropriated Amount determined for certification by December 1, 2023) provided, however, that no Payment shall exceed an amount which represents the Incremental Property Tax Revenues (excluding allocations of "back-fill" or "make-up" payments from the State of Iowa for property tax credits or roll-back) actually received by the City from the Story County Treasurer attributable to the taxable incremental valuation of the Property in the twelve (12) months immediately preceding each Payment date.

5. **Certification of Payment Obligation.** In any given fiscal year, if the City Council determines to obligate the then-considered Appropriated Amount, as set forth in Section B.3 above, then the City Clerk will certify by December 1 of each such year to the Story County Auditor an amount equal to the most recently obligated Appropriated Amount.

C. **Administrative Provisions**

1. **Amendment and Assignment.** Neither party may cause this Agreement to be amended, assigned, assumed, sold or otherwise transferred without the prior written consent of the other party. However, the City hereby gives its permission that the Developer's rights to receive the Payments hereunder may be assigned by the Developer to a private lender, as security on a credit facility taken with respect to the Project, without further action on the part of the City.

2. **Successors.** This Agreement shall inure to the benefit of and be binding upon the successors and assigns of the parties.

3. **Term.** The term (the "Term") of this Agreement shall commence on the Commencement Date and end on June 1, 2034.

4. **Choice of Law.** This Agreement shall be deemed to be a contract made under the laws of the State of Iowa and for all purposes shall be governed by and construed in accordance with laws of the State of Iowa.

The City and the Developer have caused this Agreement to be signed, in their names and on their behalf by their duly authorized officers, all as of the day and date written above.

CITY OF NEVADA, IOWA

By: _____
Brett Barker, Mayor

Attest:

Kerin Wright, City Clerk

ON TRACK CONSTRUCTION, LLC

By: _____

EXHIBIT A
DESCRIPTION OF THE PROPERTY

*Outlot A, Airport Road Industrial Park, Seventh Addition to the
City of Nevada, Story County, Iowa, containing 23.98 acres*

Out

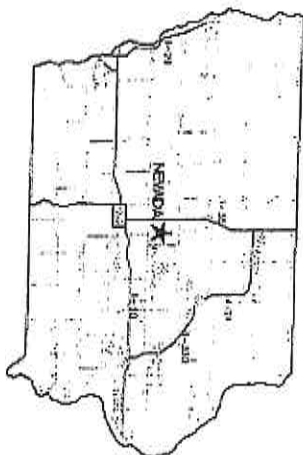
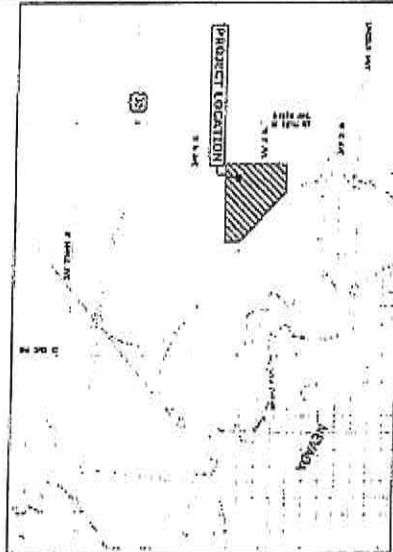
EXHIBIT B
SITE PLAN

WEST F AVE INDUSTRIAL PARK ADDITION

WEST F AVE INDUSTRIAL PARK ADDITION

NEVADA, IOWA

LOCATION MAP



IOWA ONE CALL
1-800-292-8993
www.iowaonecall.com

ADDITIONAL SHEETS: ALL SHEETS FOR THIS PROJECT ARE AVAILABLE FOR REVIEW AT THE PROJECT LOCATION. SHEETS THAT HAVE BEEN REVISED WILL BE IDENTIFIED BY A REVISION MARK.

INDEX OF SHEETS	
No.	Description
G1.1	COVER SHEET
G1.2	LEGEND & SYMBOL SECTION
G1.3-G1.3.2	STORM WATER POLLUTION PREVENTION PLAN (SWPPP)
C1.1	EXISTING CONDITIONS
C1.1	PROPOSED LOT LAYOUT
C1.1	PROPOSED GRADING PLAN
C1.2	GRADING DETAILS
C1.3	PROPOSED STORM SEWER PLAN
C1.3	PROPOSED SANITARY SEWER & WATER PLAN

PRELIMINARY PLAT DATA	
<p>Adjacent: To the north, the property is owned by [redacted] and is currently used for [redacted]. To the south, the property is owned by [redacted] and is currently used for [redacted]. To the east, the property is owned by [redacted] and is currently used for [redacted]. To the west, the property is owned by [redacted] and is currently used for [redacted].</p> <p>Right of Way: The property is located within the [redacted] Right of Way, which is [redacted] feet wide.</p> <p>Setbacks: The property is set back [redacted] feet from the north line, [redacted] feet from the south line, [redacted] feet from the east line, and [redacted] feet from the west line.</p> <p>Area: The total area of the property is [redacted] square feet, or [redacted] acres.</p> <p>Use: The property is currently used for [redacted] and is proposed to be used for [redacted].</p> <p>Other: [redacted]</p>	<p>Adjacent: To the north, the property is owned by [redacted] and is currently used for [redacted]. To the south, the property is owned by [redacted] and is currently used for [redacted]. To the east, the property is owned by [redacted] and is currently used for [redacted]. To the west, the property is owned by [redacted] and is currently used for [redacted].</p> <p>Right of Way: The property is located within the [redacted] Right of Way, which is [redacted] feet wide.</p> <p>Setbacks: The property is set back [redacted] feet from the north line, [redacted] feet from the south line, [redacted] feet from the east line, and [redacted] feet from the west line.</p> <p>Area: The total area of the property is [redacted] square feet, or [redacted] acres.</p> <p>Use: The property is currently used for [redacted] and is proposed to be used for [redacted].</p> <p>Other: [redacted]</p>

FOX
Engineering

THIS PLANNING STUDY WAS PREPARED FOR THE [redacted] PROJECT. THE STUDY WAS CONDUCTED IN ACCORDANCE WITH THE [redacted] STANDARDS AND SPECIFICATIONS. THE STUDY WAS COMPLETED ON [redacted] AND IS VALID FOR [redacted] YEARS. ANY CHANGES TO THE STUDY MUST BE APPROVED BY THE [redacted] ENGINEER.





EXHIBIT C
**TIMELINE AND SPECIFICATIONS FOR PUBLIC INFRASTRUCTURE
PROJECT**

P. 130

EXHIBIT E
DEVELOPER'S ESTIMATE WORKSHEET

- (1) Date of Preparation: October ____, 20__.
- (2) Assessed Valuation of Property as of January 1, 20__:
\$_____.
- (3) Base Taxable Valuation of Property:
\$_____.
- (4) Incremental Taxable Valuation of Property (2 minus 3):
\$_____ (the "TIF Value").
- (5) Current City fiscal year consolidated property tax levy rate for purposes of calculating Incremental Property Tax Revenues (the "Adjusted Levy Rate"):
\$_____ per thousand of value.
- (6) The TIF Value (4) factored by the Adjusted Levy Rate (5).
\$_____ x \$_____/1000 = \$_____ (the "TIF Estimate")
- (7) Subtract anticipated property tax credits from the TIF Estimate (6 minus 7) =
\$_____ (the "Developer's Estimate")

EXHIBIT F
SUMMARY OF ACCEPTED PUBLIC INFRASTRUCTURE COSTS

Date of Cost	Amount of Cost	Nature of Cost	Date Accepted by City

City Administrators Report
September 11-September 24

Story County Water Monitoring:

(September 17th) This is a group Jeremy and I are in. We have had several meetings. This pertained to sustaining and increasing recreation and habitat on our streams and lakes in Story County. Our main focus is Indian Creek. This will play well with our Sponsored project.

Story County Board of Adjustments:

(September 16th) There was a board of adjustments meeting that took place to approve the Conditional Use Permit for our WWTP. This was tabled due to a disgruntled adjoining property owner. I believe we will have a solution for this very soon.

Wage Study:

(On going) The Austin Peters group is moving a long, they have received all of our staff's questionnaires and are going to move on to individual interviews next week.

Dorsey and Whitney:

We have had several discussions with John and Amy at Dorsey and Whitney about our several agreements we want finished. There were some details that needed to be picked through. We have received all agreements. We are now reviewing them.

UPDATES:

Verbio Annexation:

Last I heard was there is one particular person who had an issue with this but do not think that will pose a problem with continuing the process.

On Track:

Final plat should be on the agenda for next meeting.

Burke:

Wastewater Agreement next

South Glen:

We received a copy of this agreement; we have a couple of questions pertaining to the legal description but we are very close to finalizing this.

Website RFP:

We have narrowed it down to two different firms, waiting to go through a presentation from both companies to make a decision.



September - 2020

To: Mayor, Brett Barker
Nevada City Council
Jordan Cook, City Administrator

From: Tim Hansen, Director of Parks and Recreation

Re: General Information Report

- Storm Damage:
 - Most of the cemetery and parks are cleaned up. There are still trees that need to be removed because of extensive damage, but they don't pose an immediate threat.
 - The insurance company has sent follow up to our claim and will be sending payment for damages. As we go through and replace items, we can submit a supplemental request if costs come in over the allotted amount.
- Field House Project:
 - The Nevada Foundation met September 15th and is revisiting the timeline to start reaching out again to people/businesses for the silent phase of the campaign. The next meeting is scheduled for October 7th. The local gym owners have been invited to attend this meeting as well.
- Erin Clanton, City Attorney, has prepared a waiver form that specifically deals with Covid. We will be using that as part of our reservation contracts for Gates Hall and Pavilion rentals.
- Working on wage/salary study items for Austin Peters Group.
- Staff has begun fall weed control spraying in parks/cemetery/city owned properties.
- Jordan and I met with Steve Gray on September 9th about Gates Hall.
- Wellness meeting on September 22nd and Wellness Tailgate on September 25th.
- Fall programming is going well and we are planning for winter programs and activities. These will look different due to Covid, but we feel good about being able to offer them safely.
- Cooper Construction cleaned up/seeded the ditch along 19th Street the week of September 21st.
- Baseball Field Project: The contractor has seeded the areas outside the baseball field. We will be having a meeting with the contractor on September 28th to review the seeding work.
- Upcoming projects:
 - Repaint the park signs at SCORE and create some new signage for the ponds at SCORE as well as the Wilson Pond.
 - Billy Sunday Field: We are waiting on the proposal from On-Track Construction.
 - Working on ideas/plans to refresh the disc golf course at Harrington Park and upgrade the signage and tee boxes.
 - Working on information regarding bleacher covers at SCORE.
 - New bathroom at the cemetery shop. All fixtures have been purchased.
- Staff, City Council, and Safety meetings.

If you have any questions, please feel free to contact me at 382-4352 (Office), 291-0747 (Cell), or by email at thansen@cityofnevadaiaowa.org.



Jeremy Rydl

Public Works Director/Street Supervisor

jrydl@cityofnevadaiaowa.org

September 2020

To: Nevada City Council

From: Jeremy Rydl, Public Works Director/Street Supervisor

-The Public Works Departments are finally getting back to normal (as normal as 2020 is) after getting the storm debris cleaned up.

-The Water Department is busy cleaning and doing routine maintenance on the plant, finding water valves, and locates.

Well #9 has been pulled and rehabbed and working great.

-The Waste Water Department is doing daily maintenance on the plant and doing a good job of keeping the plant running.

-The Street Department is fixing intakes, trimming trees, sweeping streets, cleaning intakes, and taking care of the damaged tree complaints.

If anyone has any questions please contact me.

For: September 28, 2020 Council Meeting

To: Mayor
Nevada City Council
City Administrator

From: Shanna Speer, Library Director

**Nevada Public Library
Council Report following Board Meeting**

The library board felt that what we are doing now is safe and serving the majority of the community, but they have directed me to work with staff to develop a Phase 2.5 to accommodate limited browsing by appointment. This will be formed over the next couple weeks as appropriate milestones for beginning Phase 2.5 and Phase 3 are fully developed by the board and staff.

We are working out the logistics of how we can best continue to protect those most vulnerable patrons and maintain the safety of the library staff while allowing patrons to browse the shelves.