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NEVADA CITY COUNCIL - MONDAY, DECEMBER 13, 2021 6:00 P.M.

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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 6<sup>th</sup> Street, Nevada, Iowa. Mayor Brett Barker, convened the meeting at 6:00 p.m. on Monday, December 13, 2021, pursuant to the rules of the Council. The agenda was posted on the official bulletin board in compliance with the open meeting law.

2. ROLL CALL

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

Staff Present: Erin Clanton, Jordan Cook, Kerin Wright, Larry Stevens, Ric Martinez, Jeremy Rydl, Tim Hansen, Ray Reynolds, Ryan Hutton, Joe Mousel, and Andrew Henderson.

Also in attendance were: Ray Beaty, Laural Beaty, Brenda Dryer, Christa Skaggs, Steve Skaggs and various others from the public.

3. APPROVAL OF AGENDA

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

4. PUBLIC HEARING(S)

A. Development Agreement with Evie and Seth Peterson

1. Public Hearing – Public Hearing, on Proposed Development Agreement with Evie and Seth Peterson

At 6:01 p.m. Mayor Barker announced that this is the time and place set for a **public hearing** as advertised in the Nevada Journal on **December 2, 2021**. The public hearing is **on proposed Development Agreement with Evie and Seth Peterson**.

There were **no written or oral objections** to the aforementioned recommendation. At 6:01 p.m. the hearing was closed.

2. Resolution No. 033 (2021/2022): A Resolution approving Development Agreement with Evie and Seth Peterson, Authorizing Annual Appropriation Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement

Motion by Sandy Ehrig, seconded by Dane Nealson, to **adopt Resolution No. 033 (2021/2022)**. After due consideration and discussion the roll was called. Aye: Ehrig,

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

B. Development Agreement with JLA, LLC and Kathy Kockler

1. Public Hearing – on Proposed Development Agreement with JLA, LLC and Kathy Kockler

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 **December 2, 2021**. The public hearing is **to approve a Development Agreement with JLA LLC and Kathy Kockler.**

There were **no written or oral objections** to the aforementioned recommendation. At 6:02 p.m. the hearing was closed.

2. Resolution No. 034 (2021/2022): A Resolution approving Development Agreement with JLA, LLC and Kathy Kocker, Authorizing Annual Appropriation Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement.

Motion by Dane Nealson, seconded by Luke Spence, to **adopt Resolution No. 034 (2021/2022).** After due consideration and discussion the roll was called. Aye: Nealson, Spence, Ehrig, Hanson, Mittman, Sampson. Nay: None. The Mayor declared the motion carried.

C. Amend Nevada City Code of Ordinances, Chapter 3, Precincts/Wards

1. Public Hearing – on Proposed Ordinance change for Chapter 3, Precincts and Wards

At 6:03 p.m. Mayor Barker announced that this is the time and place set for a **public hearing** as advertised in the Nevada Journal on **December 2, 2021**. The public hearing is **to consider amendments to Chapter 3 of the Nevada Code of Ordinances.**

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

2. Ordinance No. 1020 (2021/2022): An Ordinance to Amend the Code of Ordinances of the City of Nevada, Iowa, 2006, by Repealing Chapter 3 (Precincts/Wards), Section 3.01 (Division into Precincts/Wards) and Re-Adopting Said Chapter and Section as Revised for the purpose of Reprecincting in Response to the 2020 Census and Establishing an Effective Date, First Reading

Motion by Dane Nealson, seconded by Barb Mittman, to **approve Ordinance No. 1020 (2021/2022), first reading.** After due consideration and discussion the roll was called. Aye: Nealson, Mittman, Sampson, Spence, Ehrig, Hanson. Nay: None. The Mayor declared the motion carried.

3. Due to requirements of the State, Ordinance No. 1020 (2021/2022), 2<sup>nd</sup> and 3<sup>rd</sup> Readings to be suspended per Section 380.3, Code of Iowa, and approve the second and third readings of Ordinance No. 1020 (2021/2022).

Motion by Luke Spence, seconded by Sandy Ehrig, to **approve waiving of 2<sup>nd</sup> and 3<sup>rd</sup> Reading for Ordinance No. 1020 (2021/2022).** After due consideration and discussion the roll was called. Aye: Spence, Ehrig, Hanson, Mittman, Nealson, Sampson. Nay: None. The Mayor declared the motion carried.

A. Recodification of the Nevada City Code of Ordinances, 2021

1. Public Hearing – On Proposed Recodification and Changes to the Nevada City Code of Ordinances

At 6:06 p.m. Mayor Barker announced that this is the time and place set for a **public hearing** as advertised in the Nevada Journal on **December 2, 2021.** The public hearing is **on proposed recodification and changes to the Nevada City Code of Ordinances.**

Various Comments from the public in attendance were heard by the council. Also presented to council by spread sheet those who had called or provided written letters. After discussion the council directed staff to prepare several workshops to review and revise the proposed changes being presented. There was no action of the council on Ordinance No. 1021.

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

Motion by Luke Spence, seconded by Dane Nealson, to **approve the following consent agenda items:**

- A. Approve Minutes of the Regular Meeting held on November 22, 2021
- B. Approve Minutes of the Special Meeting held on November 29, 2021
- C. Approve Payment of Cash Disbursements, including Check Numbers 76903-77022 and Electronic Numbers 1028-1041 (Inclusive) Totaling \$1,110,499.11 (See attached list) and Great Western Bank Credit Card purchases in the amount of \$4,355.55
- D. Approve Financial Reports for Month of October 2021
- E. MetroNet Business Agreement for Internet Service
- F. Accept the Canvass of Votes from Story County Auditor for the November 2, 2021 Election
- G. Approve Renewal of Class E Liquor License, Class B Native Wine Permit, and Sunday Sales Privileges for Good & Quick Co., 519 Lincoln Hwy, Effective December 5, 2021
- H. Approve Renewal of Class “C” Liquor License and Sunday Sales Privileges for MiCasta, 1115 6<sup>th</sup> St, Effective December 15, 2021
- I. Approval of Garbage Licenses for 2022
  1. Waste Management
  2. Jerry’s Sanitation
  3. Arends Sanitation
  4. Aspen Waste

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

6. MAYOR’S APPOINTMENTS

- A. Appoint Kris Corbin to the Historic Preservation Commission, term expires 6/30/2024

Motion by Luke Spence, seconded by Dane Nealson, to **approve the appointment of Kris Corbin to the Historic Preservation Commission, term expires 6/30/2024.** After

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

7. PUBLIC FORUM

A. Ray Reynolds, Director of Fire/EMS, presented a Letter of Commendation for Paramedic Ray Beaty, member of the Nevada Volunteer Fire/EMS Department.

B. Oath of Office for Incoming Mayor and Council Members was given.

8. OLD BUSINESS

A. Approve Pay Request No. 6 for the Wastewater Treatment Facility Project-Phase 2 in the amount of \$731,644.15

Motion by Jason Sampson, seconded by Luke Spence, to **approve Pay Request No. 6 for the Wastewater Treatment Facility Project-Phase 2 in the amount of \$731,644.15.** After due consideration and discussion the roll was called. Aye: Sampson, Spence, Ehrig, Hanson, Mittman, Nealson. Nay: None. The Mayor declared the motion carried.

9. NEW BUSINESS

A. Resolution No. 036 (2021/2022): A Resolution to provide for a notice of hearing on proposed plans, specifications, form of contract and estimate of cost for the 2022 Street Improvements Project and the taking of bids therefor

Motion by Sandy Ehrig, seconded by Dane Nealson, to **approve Resolution No. 036 (2021/2022).** After due consideration and discussion the roll was called. Aye: Ehrig, Nealson, Sampson, Spence, Hanson, Mittman. Nay: None. The Mayor declared the motion carried.

B. Approve Purchase of Portable Radios for the Street and Water Department

Motion by Brian Hanson, seconded by Luke Spence, to **approve Purchase of Portable Radios for the Street and Water Departments.** After due consideration and discussion the roll was called. Aye: Hanson, Spence, Ehrig, Mittman, Nealson, Sampson. Nay: None. The Mayor declared the motion carried.

C. Resolution No. 037 (2021/2022): A Resolution to Approve Memorandum of Agreement with the Iowa Statewide Interoperable Communications System Board (ISICSB) to radio communications for Public Works

Motion by Jason Sampson, seconded by Brian Hanson, to **adopt Resolution No. 037 (2021/2022).** After due consideration and discussion the roll was called. Aye: Sampson, Hanson, Mittman, Nealson, Spence, Ehrig. Nay: None. The Mayor declared the motion carried.

D. Approve NEW Class B Liquor License, Class B Native Wine Permit, for Farmhouse Catering, L.C. d/b/a Cozy Home & Table, 1005 6<sup>th</sup> Street, Effective December 13, 2021

Motion by Dane Neelson, seconded by Sandy Ehrig, to **approve New Class B Liquor License for Farmhouse Catering, d/b/a Cozy Home & Table.** After due consideration and discussion the roll was called. Aye: Neelson, Ehrig, Hanson, Mittman, Sampson, Spence. Nay: None. The Mayor declared the motion carried.

#### 10. REPORTS:

City Administrator congratulated those involved in the Main Street event last weekend. He attended the Alumni Association meeting, NEDC, and Pizza Palooza. He also participated in the Story County meeting regarding the Wastewater conditional use permit.

Mayor Barker updated council on the receipt of the CAT Grant and the Story County Community Foundation Grant for the Fieldhouse. He also advised of the additional campaigns to raise the remaining funds for the Fieldhouse.

Council Member Mittman reported on the upcoming Mental Health initiatives. Council Member Neelson thanked those involved with Christmas on Main event. Council Member Hanson reported on the Community Coffee that was held last weekend. Council Member Sampson thanked Council Member Spence for his service to the City. Council Member Spence thanked all staff for their hard work and dedication to the community.

Street Supervisor Mousel advised signs were placed in the downtown area. Staff is working on snow removal and street sweeping.

Director of Fire/EMS Reynolds reported the number of calls to service. They anticipate breaking last year's record. Several volunteers assisted in a birth.

Planning and Zoning Official Hutton noted the Central Business District project will be closing soon. Walk through will be tomorrow. He also advised anyone that would like to discuss the proposed changes to the code to reach out to him.

Library Director Erin Coughlin reported on attendance at the library during the Main Street event last weekend. Staff will be working on programs for the teens at the library. A new website will be launched soon. It will be capable of reserving rooms online. They are in the process of hiring a part time library aide.

Park and Rec Director Hansen advised of the ITC grant for tree planting. Staff provided bags for families in need through donations from the community.

Public Safety Director Martinez noted graduation will be Friday for the two at the academy.

City Engineer Stevens reported on the upcoming 2022 Street Improvement Project.

#### 10. ADJOURNMENT

There being no further business to come before the meeting, motion by Brian Hanson, seconded by Luke Spence, to **adjourn the meeting.** Following voice vote, the Mayor declared the motion carried at 7:27 p.m. the meeting adjourned.

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Brett Barker, Mayor

ATTEST:

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Kerin Wright, City Clerk

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