



AGENDA
REGULAR MEETING OF THE NEVADA CITY COUNCIL
MONDAY, MARCH 28, 2022 – 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. Attendance via Zoom may also be available:

<https://us02web.zoom.us/j/87961733099?pwd=UERoTDIiUXZHczZlQl9ML0ZOeElOdz09>

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 through Zoom 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, March 28, 2022

1. Call the Meeting to Order
2. Roll Call
3. Approval of the Agenda
4. PUBLIC HEARING(S)
 - A. Fiscal Year 2022/2023 Budget
 1. Public Hearing, proposed FY22/23 Budget
 2. Resolution No. 070 (2021/2022): A Resolution adopting the Fiscal Year 2022/2023 Annual Budget
 - B. Capital Improvement Plan Fiscal Year 2022/2023 Budget
 1. Public Hearing, proposed FY22/23 CIP Plan
 2. Resolution No. 071 (2021/2022): A Resolution adopting the Fiscal Year 2022/2023 Capital Improvements Program
 - C. Wastewater Treatment Facility-Phase 4, Trunk Sewer line
 1. Public Hearing, proposed plans, specs and form of contract for the Wastewater Treatment Facility-Phase 4, Trunk sewer line

2. Resolution No. 072 (2021/2022): A Resolution finally approving and confirming plans, specifications, form of contract and estimate of cost for the Nevada Wastewater Treatment Facility Improvements-Phase 4 Project
3. Consideration of Bids received for the WWTF Phase 4
4. Resolution No. 073 (2021/2022): A Resolution awarding contract for the Nevada Wastewater Treatment Facility Improvements-Phase 4 Project
5. Approval of CONSENT AGENDA (Any item on the Consent Agenda may be removed for separate consideration.)
 - A. Approve Minutes of the Regular Meeting and Workshop held on March 14, 2021
 - B. Approve Payment of Cash Disbursements, including Check Numbers 77493-77573 and Electronic Numbers 1079-1085 (Inclusive) Totaling \$790,576.79 (See attached list)
 - C. Approve Addition of Class "B" Wine Permit and Sunday Sales for Farmhouse Catering, L.C., d/b/a Cozy Home and Table, 1005 6th Street, Effective March 29, 2022
 - D. Approve "New" 2022 Garbage License for Garbage Guys
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. Story County Water Quality Monitoring Program presentation
 - B. Proclamation for National Library Week, April 3-9th
7. OLD BUSINESS
 - A. Approve HR Green Professional Services Agreement Amendment No. 1 for the Sponsored Project Concept Design
 - B. Approve Pay Request No. 1 for the WWTF Improvements-Phase 3 from Boomerang Corp in the amount of \$95,475.50
8. NEW BUSINESS
 - A. Ordinance No. 1023 (2021/2022): An Ordinance Amending the City Code of Nevada, Iowa, by adding Chapter 158, Property Maintenance and Residential Rental Code, first reading
 - B. Ordinance No.1024 (2021/2022): An Ordinance Amending the City Code of Nevada, Iowa, by adding Chapter 48, Mobile Food Vendors, first reading
9. REPORTS – City Administrator/Mayor/Council/Staff
10. ADJOURN

The agenda was posted on the official bulletin board on March 24, 2022, in compliance with the requirements of the open meetings law.

Posted _____

E-Mailed _____

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PUBLIC NOTICE

**WORKSESSION
NEVADA CITY COUNCIL
Monday, March 28, 2022
Immediately following the regular council meeting**

"Amended City of Nevada Code of Ordinances Review"

- NEW -

Chapter 159, Vacant Property Code

Chapter 140, Parklets

There will be a Nevada City Council Work Session on Monday, March 28, 2022 immediately following the Regular Council Meeting in the Council Chambers of Nevada City Hall, 1209 6th Street, Nevada, Iowa. Zoom will also be available at the link below.

<https://us02web.zoom.us/j/87961733099?pwd=UERoTDIiUXZHczZlQl9ML0ZOeElOdz09>

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

Webinar ID: 879 6173 3099 Password: 287321



MEMO FOR
REGULAR MEETING OF THE NEVADA CITY COUNCIL
MONDAY, MARCH 28, 2022 – 6:00 P.M.

4. PUBLIC HEARING(S)

A. Fiscal Year 2022/2023 Budget

1. Public Hearing, proposed FY22/23 Budget
2. Resolution No. 070 (2021/2022): A Resolution adopting the Fiscal Year 2022/2023 Annual Budget
Enclosed you shall find information pertaining to the Public Hearing and Resolution for adopting the FY2022/2023 Annual Budget

B. Capital Improvement Plan Fiscal Year 2022/2023 Budget

1. Public Hearing, proposed FY22/23 CIP Plan
2. Resolution No. 071 (2021/2022): A Resolution adopting the Fiscal Year 2022/2023 Capital Improvements Program
Enclosed you shall find information pertaining to the Public Hearing and Resolution for adopting the FY2022/2023 CIP Plan

C. Wastewater Treatment Facility-Phase 4, Trunk Sewer line

1. Public Hearing, proposed plans, specs and form of contract for the Wastewater Treatment Facility-Phase 4, Trunk sewer line
2. Resolution No. 072 (2021/2022): A Resolution finally approving and confirming plans, specifications, form of contract and estimate of cost for the Nevada Wastewater Treatment Facility Improvements-Phase 4 Project 3. Consideration of bids for the Field House Project 2022
3. Consideration of Bids received for the WWTF Phase 4
4. Resolution No. 073 (2021/2022): A Resolution awarding contract for the Nevada Wastewater Treatment Facility Improvements-Phase 4 Project
Enclosed you will find the proposed plans, specs and form of contract for the Wastewater Treatment Facility-Phase 4. Also enclosed are the resolutions necessary to approve the plans and award the contract if desired. The bid tabulation is also provided along with HR Green's recommendations.

7. OLD BUSINESS

- A. Approve HR Green Professional Services Agreement Amendment No. 1 for the Sponsored Project Concept Design
Enclosed you will find documentation to amend the agreement with HR Green for the Sponsored Projects Concept Design.
- B. Approve Pay Request No. 1 for the WWTF Improvements-Phase 3 from Boomerang Corp in the amount of \$95,475.50
Enclosed you shall find documentation to approve the Pay request for Phase 3 of the WWTF Improvements.

8. NEW BUSINESS

- A. Ordinance No. 1023 (2021/2022): An Ordinance Amending the City Code of Nevada, Iowa, by adding Chapter 158, Property Maintenance and Residential Rental Code **Enclosed you shall find the ordinance to approve the first reading of Chapter 158.**
- B. Ordinance No.1024 (2021/2022): An Ordinance Amending the City Code of Nevada, Iowa, by adding Chapter 48, Mobile Food Vendors **Enclosed you shall see the ordinance to approve the first reading of Chapter 48.**

Item # 4A
Date: 3/28/22

Proof Of Publication in
NEVADA JOURNAL

CITY OF NEVADA
1209 6TH STREET
NEVADA, IA 502010530

STATE OF WISCONSIN, BROWN COUNTY

I, D. Roberts, on oath depose and say
that I am the Legal Clerk of NEVADA JOURNAL, a weekly
newspaper, published at ; Ames, Story County, Iowa that the
annexed printed:

CITY OF NEVADA
CITY OF NEVADA_FORM 631.1 PROPOSED (ESTIMATED)
BUDGET

was published in said newspaper 1 time(s) in issues dated:

March 10, 2022

the last day of said publication being the
10th day of March, 2022

D. Roberts
Legal Clerk
Amy Kokott
Notary Public, State of Wisconsin, County of Brown
6/30/2025
My commission expires

sworn to before me and subscribed in my presence by this the
10th day of March, 2022

FEE: \$130.83
AD #: 0001446959
ACCT: 37490

AMY KOKOTT
Notary Public
State of Wisconsin

NOTICE OF PUBLIC HEARING -- PROPOSED BUDGET

Fiscal Year July 1, 2022 - June 30, 2023

City of: NEVADA

The City Council will conduct a public hearing on the proposed Budget at: Nevada City Council Chambers, 1209 6th Street Meeting Date: 3/28/2022
Meeting Time: 06:00 PM

At the public hearing any resident or taxpayer may present objections to, or arguments in favor of, any part of the proposed budget. This notice represents a summary of the supporting detail of revenues and expenditures on file with the City Clerk and County Auditor.

City budgets are subject to protest. If protest petition requirements are met, the State Appeal Board will hold a local hearing. For more information, consult <https://dom.iowa.gov/local-gov-appeals>.

The Budget Estimate Summary of proposed receipts and expenditures is shown below. Copies of the the detailed proposed Budget may be obtained or viewed at the offices of the Mayor, City Clerk, and at the Library.

The estimated Total tax levy rate per \$1000 valuation on regular property	14.61800
The estimated tax levy rate per \$1000 valuation on Agricultural land is	3.00349

At the public hearing, any resident or taxpayer may present objections to, or arguments in favor of, any part of the proposed budget.

Phone Number
(515) 382-5466 ext: 225

City Clerk/Finance Officer's NAME
Kerin Wright

		Budget FY 2023	Re-estimated FY 2022	Actual FY 2021
Revenues & Other Financing Sources				
Taxes Levied on Property	1	4,159,581	4,021,145	3,940,058
Less: Uncollected Property Taxes-Levy Year	2	0	0	0
Net Current Property Taxes	3	4,159,581	4,021,145	3,940,058
Delinquent Property Taxes	4	0	0	0
TIF Revenues	5	563,561	1,213,485	909,423
Other City Taxes	6	1,047,921	987,672	1,333,092
Licenses & Permits	7	110,300	112,950	119,503
Use of Money and Property	8	87,815	152,950	628,416
Intergovernmental	9	1,515,765	1,101,310	2,105,579
Charges for Fees & Service	10	5,268,789	4,400,565	4,860,531
Special Assessments	11	0	0	0
Miscellaneous	12	1,780,620	1,284,300	152,656
Other Financing Sources	13	36,917,000	28,000,000	7,148,234
Transfers In	14	4,525,894	8,027,506	5,255,910
Total Revenues and Other Sources	15	55,977,246	49,301,883	26,453,402
Expenditures & Other Financing Uses				
Public Safety	16	1,734,519	1,651,586	1,815,581
Public Works	17	967,094	1,017,172	819,496
Health and Social Services	18	53,000	16,995	50,770
Culture and Recreation	19	2,070,796	1,638,381	1,395,939
Community and Economic Development	20	804,544	813,028	448,054
General Government	21	867,923	692,194	531,883
Debt Service	22	1,781,163	1,512,413	1,535,493
Capital Projects	23	7,270,000	12,132,000	3,951,218
Total Government Activities Expenditures	24	15,549,039	19,473,769	10,548,434
Business Type / Enterprises	25	37,274,559	24,780,765	9,057,724
Total ALL Expenditures	26	52,823,598	44,254,534	19,606,158
Transfers Out	27	4,525,894	8,027,506	5,255,910
Total ALL Expenditures/Transfers Out	28	57,349,492	52,282,040	24,862,068
Excess Revenues & Other Sources Over (Under) Expenditures/Transfers Out	29	-1,372,246	-2,980,157	1,591,334
Beginning Fund Balance July 1	30	27,662,699	30,642,856	29,051,522
Ending Fund Balance June 30	31	26,290,453	27,662,699	30,642,856

IT-0001446959-01

RESOLUTION NO. 070 (2021/2022)

A RESOLUTION ADOPTING THE FISCAL YEAR 2022/2023 ANNUAL BUDGET

WHEREAS, the Ordinances of the City of Nevada and the statutes of the State of Iowa provide that an annual budget shall be adopted by the Corporate Authorities of the City of Nevada; and

WHEREAS, the City Council of the City of Nevada has held the necessary hearings after having caused to be made the publication and notice required by law; and

WHEREAS, the City Council of the City of Nevada has reviewed the budget for Fiscal Year 2022/2023 as presented by the City staff and to be in the best interest of the City of Nevada; and

NOW THEREFORE BE IT RESOLVED BY THE CITY OF NEVADA CITY COUNCIL, STORY COUNTY, IOWA, that the Fiscal Year 2022/2023 budget for the City of Nevada, Iowa, on file in the City Clerk's Office and the Nevada Public Library is hereby adopted and approved.

Passed and approved this 28th day of March, 2022, by the City Council of the City of Nevada, Iowa.

Brett Barker, Mayor

ATTEST:

Kerin Wright, City Clerk

Moved by Council Member __, seconded by Council Member __, that Resolution No. 070 (2021/2022) be adopted.

AYES: —
NAYS: —
ABSENT: —

The Mayor declared Resolution No. 070 (2021/2022) adopted.

I hereby certify that the foregoing is a true copy of a record of the adoption of Resolution No. 070 (2021/2022) at the regular Council Meeting of the City of Nevada, Iowa, held on the 28th day of March, 2022.

Kerin Wright, City Clerk

FISCAL YEAR JULY 1, 2022 - JUNE 30, 2023
ADOPTION OF BUDGET AND CERTIFICATION OF CITY TAXES
The City of: NEVADA County Name: STORY COUNTY

Adopted On: (entered upon adoption) Resolution: (entered upon adoption)

The below-signed certifies that the City Council, on the date stated above, lawfully approved the named resolution adopting a budget for next fiscal year, as summarized on this and the supporting pages.

		With Gas & Electric		Without Gas & Electric	
Regular	2a	282,797,594	2b	280,249,825	
DEBT SERVICE	3a	301,840,484	3b	299,292,715	
Ag Land	4a	1,639,427			
<div style="text-align: right;">City Number: 85-820 Last Official Census: 6,925</div>					

TAXES LEVIED

Purpose	Dollar Limit	ENTER FIRE DISTRICT RATE BELOW		Request with Utility Replacement	Property Taxes Levied		Rate
Regular General levy	8.10000		5	2,290,661	2,270,024	43	8.10000
Non-Voted Other Permissible Levies							
Contract for use of Bridge	0.67500		6		0	44	0.00000
Opr & Maint publicly owned Transit	0.95000		7		0	45	0.00000
Rent, Ins. Maint of Civic Center	Amt Nec		8		0	46	0.00000
Opr & Maint of City owned Civic Center	0.13500		9	38,178	37,834	47	0.13500
Planning a Sanitary Disposal Project	0.06750		10		0	48	0.00000
Aviation Authority (under sec.330A.15)	0.27000		11		0	49	0.00000
Levee Impr. fund in special charter city	0.06750		13		0	51	0.00000
Liability, property & self insurance costs	Amt Nec		14	145,518	144,208	52	0.51457
Support of a Local Emerg.Mgmt.Comm.	Amt Nec		462		0	465	0.00000
Voted Other Permissible Levies							
Instrumental/Vocal Music Groups	0.13500		15		0	53	0.00000
Memorial Building	0.81000		16		0	54	0.00000
Symphony Orchestra	0.13500		17		0	55	0.00000
Cultural & Scientific Facilities	0.27000		18		0	56	0.00000
County Bridge	As Voted		19		0	57	0.00000
Missi or Missouri River Bridge Const.	1.35000		20		0	58	0.00000
Aid to a Transit Company	0.03375		21		0	59	0.00000
Maintain Institution received by gift/devise	0.20500		22		0	60	0.00000
City Emergency Medical District	1.00000		463		0	466	0.00000
Support Public Library	0.27000		23		0	61	0.00000
Unified Law Enforcement	1.50000		24		0	62	0.00000
Total General Fund Regular Levies (5 thru 24)			25	2,474,357	2,452,066		
Ag Land	3.00375		26	4,924	4,924	63	3.00349
Total General Fund Tax Levies (25 + 26)			27	2,479,281	2,456,990		
Special Revenue Levies							
Emergency (if general fund at levy limit)	0.27000		28	76,355	75,667	64	0.27000
Police & Fire Retirement	Amt Nec		29		0		0.00000
FICA & IPERS (if general fund at levy limit)	Amt Nec		30	336,728	333,693		1.19070
Other Employee Benefits	Amt Nec		31	216,750	214,797		0.76645
Total Employee Benefit Levies (29,30,31)			32	553,478	548,490	65	1.95715
Sub Total Special Revenue Levies (28+32)			33	629,833	624,157		
As Req		With Gas & Elec Valuation	Without Gas & Elec Valuation				
SSMID 1		0	0	34	0	66	0.00000
SSMID 2		0	0	35	0	67	0.00000
SSMID 3		0	0	36	0	68	0.00000
SSMID 4		0	0	37	0	69	0.00000
SSMID 5		0	0	555	0	565	0.00000
SSMID 6		0	0	556	0	566	0.00000
SSMID 7		0	0	1177	0	1179	0.00000
SSMID 8		0	0	1185	0	1187	0.00000
Total Special Revenue Levies			39	629,833	624,157		
Debt Service Levy 76.10(6)	Amt Nec		40	918,800	911,044	70	3.04399
Capital Projects (Capital Improv. Reserve)	0.67500		41	168,913	167,390	71	0.59729
Total Property Taxes (27+39+40+41)			42	4,196,827	4,159,581	72	14.61800

(Signature)

(Date)

(County Auditor)

(Date)

NOTICE OF PUBLIC HEARING - CITY OF NEVADA - PROPOSED PROPERTY TAX LEVY
Fiscal Year July 1, 2022 - June 30, 2023

The City Council will conduct a public hearing on the proposed Fiscal Year City property tax levy as follows:

Meeting Date: 2/28/2022 **Meeting Time:** 06:00 PM **Meeting Location:** Nevada City Council Chambers, 1209 6th Street, Nevada IA

At the public hearing any resident or taxpayer may present objections to, or arguments in favor of the proposed tax levy. After adoption of the proposed tax levy, the City Council will publish notice and hold a hearing on the proposed city budget.

City Website (if available)
www.cityofnevadaiaowa.org

City Telephone Number
 (515) 382-5466 ext: 225

	Current Year Certified Property Tax 2021 - 2022	Budget Year Effective Property Tax 2022 - 2023	Budget Year Proposed Maximum Property Tax 2022 - 2023	Annual % CHG
Regular Taxable Valuation	269,995,018	282,797,594	282,797,594	
Tax Levies:				
Regular General	2,186,960	2,186,960	2,290,661	
Contract for Use of Bridge			0	
Opr & Maint Publicly Owned Transit			0	
Rent, Ins. Maint. Of Non-Owned Civ. Ctr.			0	
Opr & Maint of City-Owned Civic Center	36,448	36,448	37,834	
Planning a Sanitary Disposal Project			0	
Liability, Property & Self-Insurance Costs	119,430	119,430	145,518	
Support of Local Emer. Mgmt. Commission			0	
Emergency	72,899	72,899	75,667	
Police & Fire Retirement			0	
FICA & IPERS	392,692	392,692	336,728	
Other Employee Benefits	250,806	250,806	216,750	
Total Tax Levy	3,059,235	3,059,235	3,103,158	1.43
Tax Rate	11.33071	10.81775	10.97307	

Explanation of significant increases in the budget:

Increases in Property Insurance, benefits, salaries, utility and supply costs have caused additional expense to the City. The City also saw many revenues decreased due to the impact of COVID and state law changes with rollback in residential and Multi-residential properties. The state is also decreasing the backfill that was promised when they reduced the commercial and industrial property valuations. Nevada's overall tax levy rate will remain unchanged. The levies above do not show the total levy rate for the city.

If applicable, the above notice also available online at:

www.cityofnevadaiaowa.org and www.facebook.com/cityofnevadaiaowa/

*Total city tax rate will also include voted general fund levy, debt service levy, and capital improvement reserve levy.

**Budget year effective property tax rate is the rate that would be assessed for these levies if the dollars requested is not changed in the coming budget year.

	GENERAL	SPECIAL REVENUES	TIF SPECIAL REVENUES	DEBT SERVICE	CAPITAL PROJECTS	PERMANENT	TOTAL GOVERNMENT	PROPRIETARY	GRAND TOTAL
Annual Report FY 2021									
Beginning Fund Balance July 1	8,304,908	3,304,819	2,175,091	224,303	7,772,855	156,861	21,938,837	7,112,685	29,051,522
Actual Revenues Except Beg Balance	5,095,699	3,463,857	1,014,513	1,574,097	1,742,709	4,860	12,895,735	13,557,667	26,453,402
Actual Expenditures Except End Balance	3,772,231	2,542,900	1,333,157	1,535,493	4,521,740	0	13,705,521	11,156,547	24,862,068
Ending Fund Balance June 30	9,628,376	4,225,776	1,856,447	262,907	4,993,824	161,721	21,129,051	9,513,805	30,642,856
Re-Estimated FY 2022									
Beginning Fund Balance	9,628,376	4,225,776	1,856,447	262,907	4,993,824	161,721	21,129,051	9,513,805	30,642,856
Re-Est Revenues	4,446,733	2,890,441	1,287,972	1,518,991	8,738,496	0	18,902,633	30,399,250	49,301,883
Re-Est Expenditures	8,397,399	3,147,113	1,095,237	1,512,413	12,226,913	0	26,379,075	25,902,965	52,282,040
Ending Fund Balance	5,677,710	3,969,104	2,049,182	289,485	1,505,407	161,721	13,652,609	14,010,090	27,662,699
Budget FY 2023									
Beginning Fund Balance	5,677,710	3,969,104	2,049,182	289,485	1,505,407	161,721	13,652,609	14,010,090	27,662,699
Revenues	4,439,440	2,822,774	640,441	1,686,064	5,869,073	3,800	15,461,592	40,515,654	55,977,246
Expenditures	4,550,468	3,137,984	1,214,045	1,781,163	7,368,213	0	18,051,873	39,297,619	57,349,492
Ending Fund Balance	5,566,682	3,653,894	1,475,578	194,386	6,267	165,521	11,062,328	15,228,125	26,290,453

LOCAL EMC SUPPORT

City Name: NEVADA

Fiscal Year July 1, 2022 - June 30, 2023

As provided in Iowa Code Section 384.12, subsection 22, a city may levy the amount necessary in support of a local Emergency Management Commission. In addition to this individual levy, Emergency Management Commission support may also be included as part of the General Fund Levy. Iowa Code Section 29C.17, subsection 5 states that any support from cities or counties must be separately reported on tax statements issued by the county treasurer. Input the amount of General Fund Levy request to be used for support of an Emergency Management Commission. The total below will reflect the total amount of Emergency Management Commission support provided by the City.

	Request with Utility Replacement	Property Taxes Levied
Portion of General Fund Levy Used for Emerg. Mgmt. Comm.		0
Support of a Local Emerg. Mgmt. Comm.	0	0
TOTAL FOR FY 2023	0	0

RE-ESTIMATED EXPENDITURES SCHEDULE PAGE 1

City Name: NEVADA

Fiscal Year July 1, 2021 - June 30, 2022

GOVERNMENT ACTIVITIES CONT.		GENERAL	SPECIAL REVENUE	TIF SPECIAL REVENUES	DEBT SERVICE	CAPITAL PROJECTS	PERMANENT	PROPRIETARY	RE-ESTIMATED 2022	ACTUAL 2021
PUBLIC SAFETY										
Police Department/Crime Prevention	1	1,297,663	37,000						1,334,663	1,326,321
Jail	2									
Emergency Management	3	900	0						900	9,604
Flood Control	4		27,600						27,600	31,149
Fire Department	5	212,723	0						212,723	337,887
Ambulance	6	17,100	0						17,100	44,291
Building Inspections	7	52,000							52,000	60,621
Miscellaneous Protective Services	8									
Animal Control	9	6,600							6,600	5,708
Other Public Safety	10									0
TOTAL (lines 1 - 10)	11	1,586,986	64,600				0		1,651,586	1,815,581
PUBLIC WORKS										
Roads, Bridges, & Sidewalks	12	6,500	775,897						782,397	629,326
Parking - Meter and Off-Street	13									0
Street Lighting	14	0	142,000						142,000	113,246
Traffic Control and Safety	15		10,500						10,500	7,958
Snow Removal	16		82,275						82,275	55,545
Highway Engineering	17									0
Street Cleaning	18									0
Airport (if not Enterprise)	19									0
Garbage (if not Enterprise)	20		0							0
Other Public Works	21									0
TOTAL (lines 12 - 21)	22	6,500	1,010,672				0		1,017,172	819,496
HEALTH & SOCIAL SERVICES										
Welfare Assistance	23									
City Hospital	24									0
Payments to Private Hospitals	25									0
Health Regulation and Inspection	26									0
Water, Air, and Mosquito Control	27		13,000						13,000	0
Community Mental Health	28									0
Other Health and Social Services	29		3,995						3,995	50,770
TOTAL (lines 23 - 29)	30	0	16,995				0		16,995	50,770
CULTURE & RECREATION										
Library Services	31	449,899	54,000						503,899	432,019
Museum, Band and Theater	32	0	1,699						1,699	0
Parks	33	685,723	40,000						725,723	554,874
Recreation	34	73,890	0						73,890	135,227
Cemetery	35	113,916	16,500						130,416	115,516
Community Center, Zoo, & Marina	36	175,471	25,300						200,771	155,373
Other Culture and Recreation	37		1,983						1,983	2,930
TOTAL (lines 31 - 37)	38	1,498,899	139,482				0		1,638,381	1,395,939

GOVERNMENT ACTIVITIES CONT.		GENERAL	SPECIAL REVENUE	TIF SPECIAL REVENUES	DEBT SERVICE	CAPITAL PROJECTS	PERMANENT	PROPRIETARY	RE-ESTIMATED 2022	ACTUAL 2021
COMMUNITY & ECONOMIC DEVELOPMENT										
Community Beautification	39		0							
Economic Development	40	8,000	215,000	309,508					0	0
Housing and Urban Renewal	41		0	60,000					532,508	340,150
Planning & Zoning	42	144,820	50,000						60,000	3,667
Other Com & Econ Development	43		25,700						194,820	94,638
TIF Rebates	44								25,700	9,599
TOTAL (lines 39 - 44)	45	152,820	290,700	369,508			0		813,028	448,054
GENERAL GOVERNMENT										
Mayor, Council, & City Manager	46	42,807	25,500						68,307	29,063
Clerk, Treasurer, & Finance Adm.	47	336,496	0						336,496	226,149
Elections	48	3,000							3,000	0
Legal Services & City Attorney	49	107,300	1,500						108,800	124,133
City Hall & General Buildings	50	120,931	0						120,931	100,627
Tort Liability	51	41,660							41,660	40,653
Other General Government	52	0	13,000						13,000	11,258
TOTAL (lines 46 - 52)	53	652,194	40,000	0	1,512,413		0		692,194	531,883
DEBT SERVICE										
Gov Capital Projects	54								1,512,413	1,535,493
TIF Capital Projects	55					12,132,000			12,132,000	3,951,218
TOTAL CAPITAL PROJECTS	56									0
TOTAL Governmental Activities Expenditures (lines 11+22+30+38+44+52+53+54)	57	0	0	0	0	12,132,000	0		12,132,000	3,951,218
BUSINESS TYPE ACTIVITIES Proprietary: Enterprise & Budgeted ISF										
Water Utility	59									
Sewer Utility	60							1,311,787	1,311,787	1,046,755
Electric Utility	61							23,352,378	23,352,378	840,501
Gas Utility	62								0	0
Airport	63								0	0
Landfill/Garbage	64								0	0
Transit	65							80,700	80,700	72,088
Cable TV, Internet & Telephone	66								0	0
Housing Authority	67								0	0
Storm Water Utility	68								0	0
Other Business Type (city hosp., ISF, parking, etc.)	69							35,900	35,900	3,611
Enterprise DEBT SERVICE	70								0	0
Enterprise CAPITAL PROJECTS	71								0	0
Enterprise TIF CAPITAL PROJECTS	72								0	3,921,940
TOTAL BUSINESS TYPE EXPENDITURES (lines 59+72)	73								0	0
TOTAL ALL EXPENDITURES (lines 58+73)	74	3,897,399	1,562,449	369,508	1,512,413	12,132,000	0	24,780,765	24,780,765	9,057,724
Regular Transfers Out	75	4,500,000	1,584,664		0	94,913	0	1,122,200	44,254,534	19,606,158
Internal TIF Loan Transfers Out	76			725,729					7,301,777	4,193,576
Total ALL Transfers Out	77	4,500,000	1,584,664	725,729	0	94,913	0	1,122,200	725,729	1,062,334
Total Expenditures and Other Fin Uses (lines 74+77)	78	8,397,399	3,147,113	1,095,237	1,512,413	12,226,913	0	25,902,965	8,027,506	5,255,910
Ending Fund Balance June 30	79	5,677,710	3,969,104	2,049,182	289,485	1,505,407	161,721	14,010,090	27,662,699	30,642,856

REVENUES & OTHER FINANCING SOURCES		GENERAL	SPECIAL REVENUE	TIF SPECIAL REVENUES	DEBT SERVICE	CAPITAL PROJECTS	PERMANENT	PROPRIETARY	RE-ESTIMATED 2022	ACTUAL 2021
Taxes Levied on Property	1	2,324,903	709,577		825,798	160,867			4,021,145	3,940,058
Less: Uncollected Property Taxes - Levy Year	2								0	0
Net Current Property Taxes (line 1 minus line 2)	3	2,324,903	709,577		825,798	160,867			4,021,145	3,940,058
Delinquent Property Taxes	4								0	0
TIF Revenues	5			1,213,485					1,213,485	909,423
Other City Taxes:										
Utility Tax Replacement Excise Taxes	6	22,304	6,820		6,903	1,545			37,572	40,256
Utility franchise tax (Iowa Code Chapter 364.2)	7								0	0
Parimutuel wager tax	8								0	0
Gaming wager tax	9								0	0
Mobile Home Taxes	10	11,200	4,300		3,000	600			0	0
Hotel/Motel Taxes	11	11,000							19,100	28,451
Other Local Option Taxes	12		920,000						11,000	7,682
Subtotal - Other City Taxes (lines 6 thru 12)	13	44,504	931,120		9,903	2,145			920,000	1,256,703
Licenses & Permits	14	112,750	200						987,672	1,333,092
Use of Money & Property	15	74,700	28,100	7,000	2,000	10,650	0	30,500	112,950	119,503
Intergovernmental:									152,950	628,416
Federal Grants & Reimbursements	16	21,500	0			0			0	
Road Use Taxes	17		831,250						21,500	305,565
Other State Grants & Reimbursements	18	78,725	26,920	0	21,581	4,834			831,250	1,017,404
Local Grants & Reimbursements	19	116,500	0						132,060	598,908
Subtotal - Intergovernmental (lines 16 thru 19)	20	216,725	858,170	0	21,581	4,834			116,500	183,702
Charges for Fees & Service:									1,101,310	2,105,579
Water Utility	21								2,332,927	2,665,658
Sewer Utility	22								1,672,773	1,701,794
Electric Utility	23								0	0
Gas Utility	24								0	0
Parking	25								0	0
Airport	26								0	0
Landfill/Garbage	27								0	0
Hospital	28								68,650	73,382
Transit	29								0	0
Cable TV, Internet & Telephone	30								0	0
Housing Authority	31								0	0
Storm Water Utility	32								0	0
Other Fees & Charges for Service	33	145,215	100			10,000		170,900	170,900	175,398
Subtotal - Charges for Service (lines 21 thru 33)	34	145,215	100		0	10,000	0	4,245,250	155,315	244,299
Special Assessments	35	0			0	0			4,400,565	4,860,531
Miscellaneous	36	229,000	29,000			1,000,000		26,300	0	0
Other Financing Sources:									1,284,300	152,656
Regular Operating Transfers In	37	1,225,490	334,174		94,913	4,550,000		1,097,200	7,301,777	4,193,576
Internal TIF Loan Transfers In	38	73,446		67,487	584,796				0	
Subtotal ALL Operating Transfers In	39	1,298,936	334,174	67,487	679,709	4,550,000	0	1,097,200	8,027,506	5,255,910
Proceeds of Debt (Excluding TIF Internal Borrowing)	40	0		0	0	3,000,000		25,000,000	28,000,000	6,928,332
Proceeds of Capital Asset Sales	41	0	0			0		0	0	0
Subtotal-Other Financing Sources (lines 36 thru 38)	42	1,298,936	334,174	67,487	679,709	7,550,000	0	26,097,200	36,027,506	12,404,144
Total Revenues except for beginning fund balance (lines 3, 4, 5, 12, 13, 14, 19, 33, 34, 35, & 39)	43	4,446,733	2,890,441	1,287,972	1,538,991	8,738,496	0	30,399,250	49,301,883	26,453,402
Beginning Fund Balance July 1	44	9,628,376	4,225,776	1,856,447	262,907	4,993,824	161,721	9,513,805	30,642,856	29,051,522
AL REVENUES & BEGIN BALANCE (lines 41+42)	45	14,075,109	7,116,217	3,144,419	1,801,898	13,732,320	161,721	39,913,055	79,944,739	55,504,924

EXPENDITURES SCHEDULE PAGE 1

City Name: NEVADA

Fiscal Year July 1, 2022 - June 30, 2023

GOVERNMENT ACTIVITIES	GENERAL	SPECIAL REVENUES	TIF SPECIAL REVENUES	DEBT SERVICE	CAPITAL PROJECTS	PERMANENT	PROPRIETARY	BUDGET 2023	RE-ESTIMATED 2022	ACTUAL 2021
PUBLIC SAFETY										
Police Department/Crime Prevention	1,338,061	64,000						1,402,061	1,334,663	1,326,321
Jail	0							0	0	0
Emergency Management	1,300	0						1,300	900	9,604
Flood Control		27,600						27,600	27,600	31,149
Fire Department	205,828	0						205,828	212,723	337,887
Ambulance	32,700	0						32,700	17,100	44,291
Building Inspections	59,030							59,030	52,000	60,621
Miscellaneous Protective Services								0	0	0
Animal Control	6,000							6,000	6,600	5,708
Other Public Safety								0	0	0
TOTAL (lines 1 - 10)	1,642,919	91,600				0		1,734,519	1,651,586	1,815,581
PUBLIC WORKS										
Roads, Bridges, & Sidewalks	6,500	680,819						687,319	782,397	629,326
Parking - Meter and Off-Street								0	0	0
Street Lighting	0	137,000						137,000	142,000	113,246
Traffic Control and Safety		15,500						15,500	10,500	7,958
Snow Removal		77,275						77,275	82,275	55,545
Highway Engineering								0	0	0
Street Cleaning								0	0	0
Airport								0	0	0
Garbage (if not Enterprise)		0						0	0	0
Other Public Works		50,000						0	0	0
TOTAL (lines 12 - 21)	6,500	960,594				0		967,094	1,017,172	819,496
HEALTH & SOCIAL SERVICES										
Welfare Assistance								0	0	0
City Hospital								0	0	0
Payments to Private Hospitals								0	0	0
Health Regulation and Inspection								0	0	0
Water, Air, and Mosquito Control								0	0	0
Community Mental Health		13,000						13,000	13,000	0
Other Health and Social Services		40,000						0	0	0
TOTAL (lines 23 - 29)	0	53,000				0		40,000	3,995	50,770
CULTURE & RECREATION										
Library Services	461,441	57,000						518,441	503,899	432,019
Museum, Band and Theater	0	1,000						1,000	1,699	0
Parks	806,497	42,200						848,697	725,723	554,874
Recreation	122,081	36,500						158,581	73,890	135,227
Cemetery	189,000	11,500						200,500	130,416	115,516
Community Center, Zoo, & Marina	273,577	70,000						343,577	200,771	155,373
Other Culture and Recreation	0	0						0	1,983	2,930
TOTAL (lines 31 - 37)	1,852,596	218,200				0		2,070,796	1,638,381	1,395,939

EXPENDITURES SCHEDULE PAGE 2

City Name: NEVADA

Fiscal Year July 1, 2022 - June 30, 2023

GOVERNMENT ACTIVITIES		GENERAL	SPECIAL REVENUES	TIF SPECIAL REVENUES	DEBT SERVICE	CAPITAL PROJECTS	PERMANENT	PROPRIETARY	BUDGET 2023	RE-ESTIMATED 2022	ACTUAL 2021
COMMUNITY & ECONOMIC DEVELOPMENT											
Community Beautification	39		0								
Economic Development	40	8,000	90,000	414,614					0	0	0
Housing and Urban Renewal	41		0	60,000					512,614	532,508	340,150
Planning & Zoning	42	151,030	65,000						60,000	60,000	3,667
Other Com & Econ Development	43	12,000	3,900						216,030	194,820	94,638
TIF Rebates	44								15,900	25,700	9,599
TOTAL (lines 39 - 44)	45	171,030	158,900	474,614			0		804,544	813,028	448,054
GENERAL GOVERNMENT											
Mayor, Council, & City Manager	46	38,954	25,000						63,954	68,307	29,063
Clerk, Treasurer, & Finance Adm.	47	490,817	0						490,817	336,496	226,149
Elections	48	0							0	3,000	0
Legal Services & City Attorney	49	112,200	1,500						113,700	108,800	124,133
City Hall & General Buildings	50	129,292	0						129,292	120,931	100,627
Tort Liability	51	56,160							56,160	41,660	40,653
Other General Government	52	0	14,000						14,000	13,000	11,258
TOTAL (lines 46 - 52)	53	827,423	40,500	0			0		867,923	692,194	531,883
DEBT SERVICE											
Gov Capital Projects	54		0		1,781,163				1,781,163	1,512,413	1,535,493
TIF Capital Projects	55					7,270,000			7,270,000	12,132,000	3,951,218
TOTAL CAPITAL PROJECTS	56								0	0	0
TOTAL Government Activities Expenditures (lines 11+22+30+38+45+53+54+57)	58	4,500,468	1,522,794	474,614	1,781,163	7,270,000	0		15,549,039	19,473,769	10,548,434
BUSINESS TYPE ACTIVITIES											
Proprietary: Enterprise & Budgeted ISF											
Water Utility	59								1,421,899	1,311,787	1,046,755
Sewer Utility	60								34,328,500	23,352,378	840,501
Electric Utility	61								0	0	0
Gas Utility	62								0	0	0
Airport	63								0	0	0
Landfill/Garbage	64								0	0	0
Transit	65								73,700	80,700	72,088
Cable TV, Internet & Telephone	66								0	0	0
Housing Authority	67								0	0	0
Storm Water Utility	68								0	0	0
Other Business Type (city hosp., ISF, parking, etc.)	69								60,900	35,900	3,611
Enterprise DEBT SERVICE	70								0	0	0
Enterprise CAPITAL PROJECTS	71								1,389,560	1,389,560	3,921,940
Enterprise TIF CAPITAL PROJECTS	72								0	0	3,172,829
TOTAL Business Type Expenditures (lines 59 - 72)	73								0	0	0
TOTAL ALL EXPENDITURES (lines 58 + 73)	74	4,500,468	1,522,794	474,614	1,781,163	7,270,000	0		37,274,559	24,780,765	9,057,724
Regular Transfers Out	75	50,000	1,615,190		0	98,213	0		37,274,559	44,254,534	19,606,158
Internal TIF Loan / Repayment Transfers Out	76			739,431					2,023,060	7,301,777	4,193,576
Total ALL Transfers Out	77	50,000	1,615,190	739,431	0	98,213	0		739,431	725,729	1,062,334
Total Expenditures & Fund Transfers Out (lines 74+77)	78	4,550,468	3,137,984	1,214,045	1,781,163	7,368,213	0		39,297,619	52,282,040	24,862,068
Ending Fund Balance June 30	79	5,566,682	3,653,894	1,475,578	194,386	6,267	165,521		15,228,125	27,662,699	30,642,856

REVENUES DETAIL
City Name: NEVADA
Fiscal Year July 1, 2022 - June 30, 2023

REVENUES & OTHER FINANCING SOURCES	GENERAL	SPECIAL REVENUES	TIF SPECIAL REVENUES	DEBT SERVICE	CAPITAL PROJECTS	PERMANENT	PROPRIETARY	BUDGET 2023	RE-ESTIMATED 2022	ACTUAL 2021
Taxes Levied on Property										
Less: Uncollected Property Taxes - Levy Year	1 2,456,990	624,157		911,044	167,390			4,159,581	4,021,145	3,940,058
Net Current Property Taxes (line 1 minus line 2)	2 2,456,990	624,157								
Delinquent Property Taxes	3 2,456,990			911,044	167,390			4,159,581	4,021,145	3,940,058
TIF Revenues	4									
Other City Taxes:	5		563,561					563,561	1,213,485	909,423
Utility Tax Replacement Excise Taxes	6 22,291	5,676		7,756	1,523			37,246	37,272	40,256
Utility franchise tax (Iowa Code Chapter 364.2)	7									
Parimutuel wager tax	8									
Gaming wager tax	9									
Mobile Home Taxes	10 13,200	4,600		3,500	375			21,675	19,100	28,451
Hotel/Motel Taxes	11 9,000							9,000	11,000	7,682
Other Local Option Taxes	12	980,000						980,000	920,000	1,256,703
Subtotal - Other City Taxes (lines 6 thru 12)	13 44,491	990,276		11,256	1,898			1,047,921	987,672	1,333,092
Licenses & Permits	14 110,100	200						110,300	112,950	119,503
Use of Money & Property	15 52,025	23,720	1,000	2,000	2,270	0	6,800	87,815	152,950	628,416
Intergovernmental:										
Federal Grants & Reimbursements	16 17,000	0			497,515			514,515	21,500	305,565
Road Use Taxes	17	831,250						831,250	831,250	1,017,404
Other State Grants & Reimbursements	18									
Local Grants & Reimbursements	19 170,000	0								
Subtotal - Intergovernmental (lines 16 thru 19)	20 187,000	831,250	0	0	497,515			170,000	116,500	183,702
Charges for Fees & Service:								1,515,765	1,101,310	2,105,579
Water Utility	21									
Sewer Utility	22							2,377,743	2,332,927	2,665,658
Electric Utility	23							2,521,551	1,672,773	1,701,794
Gas Utility	24									
Parking	25									
Airport	26									
Landfill/Garbage	27									
Hospital	28							73,700	68,650	73,382
Transit	29									
Cable TV, Internet & Telephone	30									
Housing Authority	31									
Storm Water Utility	32									
Other Fees & Charges for Service	33 114,795	100			10,000			170,900	170,900	175,398
Subtotal - Charges for Service (lines 21 thru 33)	34 114,795	100		0	10,000	0	5,143,894	124,895	155,315	244,299
Special Assessments	35 0			0	0			5,268,789	4,400,565	4,860,531
Miscellaneous	36 218,600	31,820		0	1,500,000	3,800	26,400	1,780,620	1,284,300	152,656
Other Financing Sources:										
Regular Operating Transfers In	37 1,253,939	321,251		98,213	90,000			2,023,060	3,786,463	7,301,777
Internal TIF Loan Transfers In	38			663,551				739,431	725,729	1,062,334
Subtotal ALL Operating Transfers In	39 1,253,939	321,251		75,880	90,000	0		2,023,060	4,525,894	5,255,910
Proceeds of Debt (Excluding TIF Internal Borrowing)	40			75,880	90,000			33,315,500	28,000,000	6,928,332
Proceeds of Capital Asset Sales	41 1,500	0		0	3,600,000			0	0	219,902
Subtotal-Other Financing Sources (lines 38 thru 40)	42 1,255,439	321,251		75,880	3,690,000	0	35,338,560	41,442,894	36,027,506	12,404,144
Total Revenues except for beginning fund balance (lines 3, 4, 5, 13, 14, 15, 20, 34, 35, 36, & 41)	43 4,439,440	2,822,774		1,686,064	5,869,073	3,800	40,515,654	55,977,246	49,301,883	26,453,402
Beginning Fund Balance July 1	44 5,677,710	3,969,104		289,485	1,505,407	161,721	14,010,090	27,662,699	30,642,856	29,051,522
TOTAL REVENUES & BEGIN BALANCE (lines 42-43)	45 10,117,150	6,791,878		1,975,549	7,374,480	165,521	54,525,744	83,639,945	79,944,739	55,504,924

ADOPTED BUDGET SUMMARY

City Name: NEVADA

Fiscal Year July 1, 2022 - June 30, 2023

	GENERAL	SPECIAL REVENUES	TIF SPECIAL REVENUES	DEBT SERVICE	CAPITAL PROJECTS	PERMANENT	PROPRIETARY	BUDGET 2023	RE-ESTIMATED 2022	ACTUAL 2021
Revenues & Other Financing Sources										
Taxes Levied on Property	1 2,456,990	624,157		911,044	167,390			4,159,581	4,021,145	3,940,058
Less: Uncollected Property Taxes-Levy Year	2 0	0		0	0			0	0	0
Net Current Property Taxes	3 2,456,990	624,157		911,044	167,390			4,159,581	4,021,145	3,940,058
Delinquent Property Taxes	4 0	0		0	0					
TIF Revenues	5									
Other City Taxes	6 44,491	990,276		563,561				563,561	1,213,485	909,423
Licenses & Permits	7 110,100	200		11,256	1,898			1,047,921	987,672	1,333,092
Use of Money and Property	8 52,025	23,720						110,300	112,950	119,503
Intergovernmental	9 187,000	831,250	1,000	2,000	2,270	0	6,800	87,815	152,950	628,416
Charges for Fees & Service	10 114,795	100	0	0	497,515	0	0	1,515,765	1,101,310	2,105,579
Special Assessments	11 0	0		0	10,000	0	5,143,894	5,268,789	4,400,565	4,860,531
Miscellaneous	12 218,600	31,820		0	0		0	0	0	0
Sub-Total Revenues	13 3,184,001	2,501,523		924,300	1,500,000	3,800	26,400	1,780,620	1,284,300	152,656
Other Financing Sources:										
Total Transfers In	14 1,253,939	321,251		761,764	90,000		0	4,525,894	8,027,506	5,255,910
Proceeds of Debt	15 0	0		0	3,600,000		33,315,500	36,915,500	28,000,000	6,928,332
Proceeds of Capital Asset Sales	16 1,500	0		0	0	0	0	1,500	0	219,902
Total Revenues and Other Sources	17 4,439,440	2,822,774		1,686,064	5,869,073	3,800	40,515,654	55,977,246	49,301,883	26,453,402
Expenditures & Other Financing Uses										
Public Safety	18 1,642,919	91,600						1,734,519	1,651,586	1,815,581
Public Works	19 6,500	960,594		0				967,094	1,012,172	819,496
Health and Social Services	20 0	53,000		0				53,000	16,995	50,770
Culture and Recreation	21 1,852,596	218,200		0				2,070,796	1,638,381	1,395,939
Community and Economic Development	22 171,030	158,900		474,614				804,544	813,028	448,054
General Government	23 827,423	40,500		0				867,923	692,194	531,883
Debt Service	24 0	0		1,781,163				1,781,163	1,512,413	1,535,493
Capital Projects	25 0	0		0	7,270,000			7,270,000	12,132,000	3,951,218
Total Government Activities Expenditures	26 4,500,468	1,522,794		1,781,163	7,270,000	0		15,549,039	19,473,769	10,548,434
Business Type Proprietary: Enterprise & ISF	27							37,274,559	24,780,765	9,057,724
Total Gov & Bus Type Expenditures	28 4,500,468	1,522,794		1,781,163	7,270,000	0		37,274,559	44,254,534	19,606,158
Total Transfers Out	29 50,000	1,615,190		0	98,213	0	2,023,060	4,525,894	8,027,506	5,255,910
Total ALL Expenditures/Fund Transfers Out	30 4,550,468	3,137,984		1,781,163	7,368,213	0	39,297,619	57,349,492	52,282,040	24,862,068
Excess Revenues & Other Sources Over	31									
(Under) Expenditures/Transfers Out	32 -111,028	-315,210		-95,099	-1,499,140	3,800	1,218,035	-1,372,246	-2,980,157	1,591,334
Beginning Fund Balance July 1	33 5,677,710	3,969,104		289,485	1,505,407	161,721	14,010,090	27,662,699	30,642,856	29,051,522
Ending Fund Balance June 30	34 5,566,682	3,653,894		194,386	6,267	165,521	15,228,125	26,290,453	27,662,699	30,642,856

LONG TERM DEBT SCHEDULE - LT DEBT
GENERAL OBLIGATION BONDS, TIF BONDS, REVENUE BONDS, LOANS, LEASE-PURCHASE PAYMENTS

Debt Name	Amount of Issue	Type of Debt Obligation	Debt Resolution Number	Principal Due FY	Interest Due FY	Total Obligation Due FY	Bond Reg./ Paying Agent Fees Due FY	Reductions due to Refinancing or Prepayment of Certified Debt	Paid from Funds OTHER THAN Current Year Debt Service Taxes	Amount Paid Current Year Debt Service Levy
Series 2012B - Refd CH/PSD & Library Improvement Lib FY23 Pymt 90,000/7712.50 int (CH pd in full)	1 732,000	GO	26(12/13)	90,000	7,713	97,713	450		98,163	0
Series 2017-Dupont/Airport/2013 Proj(Refd 2013 Bond)	2 2,850,000	GO	017(17/18)	620,000	43,550	663,550	450		664,000	0
Dupont Pmc405,000/21,537.50 int Airpt 215,000/22012.50 int	4	-				0				0
Series 2019-2019 CIP Work, 10th Sv11/SE(final)	5 2,250,000	GO	042(18/19)	430,000	12,900	442,900	450			443,350
Series 2020-Central Business District	6 8,905,000	GO	048(19/20)		178,100	178,100	450			178,550
Series 2020B-WTR Rev (Rfd 2012C Wtr Rev Bond)	7 2,765,000	NON-GO	004(20/21)	425,000	38,400	463,400	450		463,850	0
Series 2021B SRF-WWTF Phase 1	8 1,360,000	NON-GO	061(20/21)	59,000	27,180	86,180			86,180	0
Series 2021B SRF-WWTF Phase 2 (A)	9 10,000,000	NON-GO	080(20/21)	438,000	199,980	637,980			637,980	0
Series 2022 SRF - WWTF Phase 2 (B)	10 10,000,000	NON-GO	080(20/21)		200,000	200,000			200,000	0
Series 2022 Pre-Levy-Field House Project	11 2,205,000	GO	064(21/22)	345,000	51,450	396,450	450		100,000	296,900
	12	-				0				0
	13	-				0				0
	14	-				0				0
	15	-				0				0
	16	-				0				0
	17	-				0				0
	18	-				0				0
	19	-				0				0
	20	-				0				0
	21	-				0				0
	22	-				0				0
	23	-				0				0
	24	-				0				0
	25	-				0				0
	26	-				0				0
	27	-				0				0
	28	-				0				0
	29	-				0				0
	30	-				0				0
TOTALS				2,407,000	759,273	3,166,273	2,700	0	2,250,173	918,800

LONG TERM DEBT SCHEDULE - GRAND TOTALS
GENERAL OBLIGATION BONDS, TIF BONDS, REVENUE BONDS, LOANS, LEASE-PURCHASE PAYMENTS

	Principal Due FY 2023	Interest Due FY 2023	Total Obligation Due FY 2023	Bond Reg./ Paying Agent Fees Due FY 2023	Reductions due to Refinancing or Prepayment of Certified Debt	Paid from Sources OTHER THAN Budget Year Debt Service Levy	Amount Paid Budget Year Debt Service Levy
GO - TOTAL	1,485,000	293,713	1,778,713	2,250	0	862,163	918,800
NON GO - TOTAL	922,000	465,560	1,387,560	450	0	1,388,010	0
GRAND - TOTAL	2,407,000	759,273	3,166,273	2,700	0	2,250,173	918,800

NOTICE OF PUBLIC HEARING – PROPOSED BUDGET

Fiscal Year July 1, 2022 - June 30, 2023

City of: NEVADA

The City Council will conduct a public hearing on the proposed Budget at: Nevada City Council Chambers, 1209 6th Street Meeting Date: 3/28/2022

Meeting Time: 06:00 PM

At the public hearing any resident or taxpayer may present objections to, or arguments in favor of, any part of the proposed budget. This notice represents a summary of the supporting detail of revenues and expenditures on file with the City Clerk and County Auditor.

City budgets are subject to protest. If protest petition requirements are met, the State Appeal Board will hold a local hearing. For more information, consult <https://dam.iowa.gov/local-gov-appeals>.

The Budget Estimate Summary of proposed receipts and expenditures is shown below. Copies of the the detailed proposed Budget may be obtained or viewed at the offices of the Mayor, City Clerk, and at the Library.

The estimated Total tax levy rate per \$1000 valuation on regular property	14.61800
The estimated tax levy rate per \$1000 valuation on Agricultural land is	3.00349

At the public hearing, any resident or taxpayer may present objections to, or arguments in favor of, any part of the proposed budget.

Phone Number
(515) 382-5466 ext: 225

City Clerk/Finance Officer's NAME
Kerin Wright

		Budget FY 2023	Re-estimated FY 2022	Actual FY 2021
Revenues & Other Financing Sources				
Taxes Levied on Property	1	4,159,581	4,021,145	3,940,058
Less: Uncollected Property Taxes-Levy Year	2	0	0	0
Net Current Property Taxes	3	4,159,581	4,021,145	3,940,058
Delinquent Property Taxes	4	0	0	0
TIF Revenues	5	563,561	1,213,485	909,423
Other City Taxes	6	1,047,921	987,672	1,333,092
Licenses & Permits	7	110,300	112,950	119,503
Use of Money and Property	8	87,815	152,950	628,416
Intergovernmental	9	1,515,765	1,101,310	2,105,579
Charges for Fees & Service	10	5,268,789	4,400,565	4,860,531
Special Assessments	11	0	0	0
Miscellaneous	12	1,780,620	1,284,300	152,656
Other Financing Sources	13	36,917,000	28,000,000	7,148,234
Transfers In	14	4,525,894	8,027,506	5,255,910
Total Revenues and Other Sources	15	55,977,246	49,301,883	26,453,402
Expenditures & Other Financing Uses				
Public Safety	16	1,734,519	1,651,586	1,815,581
Public Works	17	967,094	1,017,172	819,496
Health and Social Services	18	53,000	16,995	50,770
Culture and Recreation	19	2,070,796	1,638,381	1,395,939
Community and Economic Development	20	804,544	813,028	448,054
General Government	21	867,923	692,194	531,883
Debt Service	22	1,781,163	1,512,413	1,535,493
Capital Projects	23	7,270,000	12,132,000	3,951,218
Total Government Activities Expenditures	24	15,549,039	19,473,769	10,548,434
Business Type / Enterprises	25	37,274,559	24,780,765	9,057,724
Total ALL Expenditures	26	52,823,598	44,254,534	19,606,158
Transfers Out	27	4,525,894	8,027,506	5,255,910
Total ALL Expenditures/Transfers Out	28	57,349,492	52,282,040	24,862,068
Excess Revenues & Other Sources Over (Under) Expenditures/Transfers Out	29	-1,372,246	-2,980,157	1,591,334
Beginning Fund Balance July 1	30	27,662,699	30,642,856	29,051,522
Ending Fund Balance June 30	31	26,290,453	27,662,699	30,642,856

Item # 4B
Date: 3/28/22

Proof Of Publication In
NEVADA JOURNAL

CITY OF NEVADA
1209 6TH STREET
NEVADA, IA 502010530

STATE OF WISCONSIN, BROWN COUNTY

I, D. Roberts, on oath depose and say
that I am the Legal Clerk of NEVADA JOURNAL, a weekly
newspaper, published at : Ames, Story County, Iowa that the
annexed printed:

CITY OF NEVADA
FY23 PH CIP

was published in said newspaper 1 time(s) in issues dated:

March 10, 2022

the last day of said publication being the
10th day of March, 2022

#1446803
NOTICE OF PUBLIC HEARING

Notice is hereby given that the
Nevada City Council will hold a
Public Hearing on Monday, March
28, 2022 at 6:00 p.m. at the Nevada
City Council Chambers, 1209 6th
Street, to hear public input on the
proposed FY22/23- FY 25/26 Cap-
ital Improvement Plan. The meet-
ing may also be held via Zoom due
to the COVID-19 Pandemic at:
<https://us02web.zoom.us/j/87961733099?pwd=UEROtDlUXXZHCzZlQl9ML0Z0cElOdz09>

If you are unable to attend, writ-
ten comments may be addressed to
the City Clerk, 1209 6th Street, P
O Box 530, Nevada, Iowa 50201-
0530 and must be received by 4:00
p.m. on March 28, 2022.

Kerin Wright
City Clerk

Published in the Nevada Journal
on March 10, 2022 (1T)

D. Roberts
Legal Clerk

Amy Kokott
Notary Public, State of Wisconsin, County of Brown

6/30/2025
My commission expires

sworn to before me and subscribed in my presence by this the
10th day of March, 2022

FEE: \$13.93
AD #: 0001446803
ACCT: 37490

AMY KOKOTT
Notary Public
State of Wisconsin

RESOLUTION NO. 071 (2021/2022)

**A RESOLUTION ADOPTING THE FISCAL YEAR 2022/2023
CAPITAL IMPROVEMENTS PROGRAM**

WHEREAS, the statutes of the State of Iowa provide that the Capital Improvements Program shall be adopted by the Corporate Authorities of the City of Nevada; and

WHEREAS, the City Council of the City of Nevada has held the necessary hearing after having caused to be made the publication and notice required by law; and

WHEREAS, the City Council of the City of Nevada has reviewed the capital improvements program Fiscal Year 2022/2023 as presented by the City staff and to be in the best interest of the City of Nevada; and

NOW THEREFORE BE IT RESOLVED BY THE CITY OF NEVADA CITY COUNCIL, STORY COUNTY, IOWA, that the Fiscal Year 2022/2023 capital improvements program for the City of Nevada, Iowa, on file in the City Clerk's Office is hereby adopted and approved.

Passed and approved this 28th day of March, 2022, by the City Council of the City of Nevada, Iowa.

Brett Barker, Mayor

ATTEST:

Kerin Wright, City Clerk

Moved by Council Member __, seconded by Council Member __, that Resolution No. 071 (2021/2022)) be adopted.

AYES: —
NAYS: —
ABSENT: —

The Mayor declared Resolution No. 071 (2021/2022)) adopted.

I hereby certify that the foregoing is a true copy of a record of the adoption of Resolution No. 071 (2021/2022)) at the regular Council Meeting of the City of Nevada, Iowa, held on the 28th day of March, 2022.

Kerin Wright, City Clerk

CAPITAL IMPROVEMENT PROGRAM, FY21/22 through FY26/27

CITY OF NEVADA, IOWA

W:\Office\Finance\BUDGET\2022-2023\CIP

1/15/2022

Project	Funding	2021-2022	2022-23	2023-24	2024-25	2025-2026	2026-2027	Unscheduled
Street Projects								
CBD Improvements, with streetscape	TIF/GO	\$2,000,000						
Bridge Approach & Intakes	RUT		\$15,000	\$150,000				
#1 LHW Reconstruction, 1st St to 5th (3 parts)	TIF/STP			\$140,000	\$1,400,000			
#2 LHW Reconstruction, 7th St to 15th	TIF/STP							
#3 LHW Reconstr, 1st St to Bridge, 15 to 19St	TIF/STP						\$140,000	\$3,080,000
11th St N/S, S14 2nd & LW (bond remainder)	GO	\$1,360,000						\$4,040,000
Street Lights on Fawcett	RUT			\$50,000				
S 11th St-E Ave to S D, Reconst,	GO							\$2,300,000
E Ave-11th to 8th	GO							\$910,000
JS 30 Interchange, Add'l roads	GO							
Total Streets - RUT			\$15,000	\$150,000				
Total Streets - GO/TIF Funding		\$3,360,000	\$0	\$140,000	\$1,400,000	\$0	\$140,000	\$10,330,000
Project	Funding	2021-2022	2022-23	2023-24	2024-25	2025-26	2026-27	Unscheduled
Sewer and Wastewater Projects								
WWTP, Nutrient Removal (transfer to WW/CF)	O/M	\$250,000	\$250,000	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000
WWTP, Plant build	REV	\$20,100,000	\$20,100,000	\$10,000,000				\$0
Televising	O/M	\$15,000						
Sewer lining (CIPP) and manhole rehab - 17-18	O/M							
LHW Reconstr, - 1st St. to 3rd st	O/M				\$165,000			\$440,000
LHW Reconstr, - 11th to 14th (2027)	O/M						\$24,000	\$247,000
Lift Station for Housing	ARPF		\$110,000	\$1,100,000				
S 11th St-E Ave to S D, Line Sewer	O/M							\$65,000
E Ave-11th to 8th, Sewer replacement	O/M							\$200,000
Total Wastewater GO/TIF		\$0	\$0	\$0	\$0			\$247,000
Total Wastewater REV		\$20,100,000	\$20,100,000	\$10,000,000				\$0
Total Wastewater O/M		\$265,000	\$250,000	\$200,000	\$200,000	\$200,000	\$200,000	\$640,000

CAPITAL IMPROVEMENT PROGRAM, FY21/22 through FY26/27

CITY OF NEVADA, IOWA

W:\Office\Finance\BUDGET\2022-2023\CP

1/15/2022

Project	Funding	2021-2022	2022-23	2023-24	2024-25	2025-26	2026-27	Unscheduled
Water Projects								
Water Plant Improvements (2027) (xtr to WUPRS)	Wtr OM							
ABD Wtr Impr, 6th Street from N Ave. to S	TIF/OM	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000
Water Infrastructure Risk Assessment	O/M	\$8,000						
Well #4 Abandonment	O/M	\$150,000						
Water Ties - 8th St., linking P Ave. and Q Ave.	O/M							\$33,000
1/4" Wtr Main Replc - 9th St. (E Ave.-I Ave., J Ave.-L Ave.) 7th St. (E Ave.-H Ave., 10th St. from J Ave.-L Ave), Alley(7th St.-8th St. from L Ave.-N	O/M							\$600,000
1/4" Water Main Replacement - F Ave., 15th to	O/M		\$12,000	\$118,000				
1/4" Wtr Main Replc - 16th, 17th & 18th St., H Ave. to F Ave.	O/M		\$23,000	\$232,000				
HW Reconstruction, #1	O/M			\$16,000	\$165,000			
HW Reconstruction, #2	O/M						\$33,000	\$297,000
HW Reconstruction # 3	O/M							\$429,000
Total Water GO & TIF								
Total Water O/M		\$358,000	\$235,000	\$566,000	\$365,000	\$200,000	\$233,000	\$1,033,000
Storm Sewer Projects								
Cost share Program	Stm O/M	\$7,500	\$7,500	\$7,500	\$7,500	\$7,500	\$7,500	\$7,500
ABD Collector Lines	TIF/OM							
5th to 18th/ H Ave to F Ave (New Addition)	Stm O/M		\$15,000	\$145,000				
HW Reconstruction, #1	O/M			\$14,000	\$140,000			
HW Reconstruction, #2	O/M							
HW Reconstruction # 3	O/M						\$30,000	\$278,000
RF Sponsored Project	SRF		\$1,000,000	\$2,000,000				\$404,000
Total Storm Sewer O/M		\$7,500	\$22,500	\$166,500	\$147,500	\$7,500	\$37,500	\$689,500

CAPITAL IMPROVEMENT PROGRAM, FY21/22 through FY26/27

CITY OF NEVADA, IOWA

W:\Office\Finance\BUDGET\2022-2023\CIP

1/15/2022

Project	Funding	2021-2022	2022-23	2023-24	2024-25	2025-26	2026-27	Unschedule
Capital Building Projects								
Fieldhouse	TIF/GO		\$1,000,000	\$7,000,000				
Splashpad	RSV/LO			\$400,000				
SCORE & Trail Light Fixtures	LOT/ER							
Trail along S14 bridge/roadway	TRL			\$500,000	\$500,000	\$500,000		\$50,000
Total Capital Building Projects	RSV/GO	\$0	\$1,000,000	\$7,500,000	\$500,000	\$500,000	\$0	\$0
TOTAL ALL PROJECTS		\$24,090,500	\$21,607,500	\$18,572,500	\$2,612,500	\$907,500	\$610,500	\$12,939,500

Streets GO Bond every 3 years - approximately \$3,000,000
Water and Wastewater Projects every 3 years -
Storm Projects every 3 years - approximately \$400,000

Proof Of Publication In
NEVADA JOURNAL

CITY OF NEVADA
1209 6TH STREET
NEVADA, IA 502010530

STATE OF WISCONSIN, BROWN COUNTY

I, D. Roberts, on oath depose and say
that I am the Legal Clerk of NEVADA JOURNAL, a weekly
newspaper, published at : Ames, Story County, Iowa that the
annexed printed:

CITY OF NEVADA
PH WWTF Phase 4 Plans

was published in said newspaper 1 time(s) in issues dated:

March 10, 2022

the last day of said publication being the
10th day of March, 2022

D. Roberts
Legal Clerk
Amy Kokott
Notary Public, State of Wisconsin, County of Brown
6/30/2025
My commission expires

sworn to before me and subscribed in my presence by this the
10th day of March, 2022

FEE: \$41.28
AD #: 0001445304
ACCT: 37490

AMY KOKOTT
Notary Public
State of Wisconsin

#1445304
NOTICE OF PUBLIC HEARING ON
PROPOSED
PLANS AND SPECIFICATIONS,
FORM OF CONTRACT AND
ESTIMATE OF COST FOR THE
NEVADA WWTF IMPROVEMENTS -
PHASE 4

CITY OF NEVADA, IA

Notice is Hereby Given: That at
6:00 PM, at the Nevada Council
Chambers, 1209 6th Street, Neva-
da, IA 50201 on March 28, 2022, the
City Council of the City of Nevada,
IA (The "City") will hold a public
hearing on the proposed plans
and specifications, form of con-
tract and estimate of cost (the
"Contract Documents") for the
proposed Nevada WWTF Improve-
ments - Phase 4 (the "Project").

The Project shall consist of:
The Work to be performed un-
der these Contract Documents
consists of the construction of the
Nevada Wastewater Treatment Fa-
cilities (WWTF) - Phase 4. The
Contractor will furnish and install
all labor, materials, and equip-
ment for the construction im-
provements project.

The proposed force main and
trunk sewer will convey raw
wastewater from the new lift sta-
tion to the new WWTF site that
are being constructed under sep-
arate contracts. Additional work
included in the project is the in-
stallation of fiber optic cable from
the new lift station to the new
WWTF, fiber optic cabling end ter-
minations at the new lift station
and new WWTF, and relocation of
an existing gravity sanitary sewer.
The work for this project includes
furnishing labor, materials, and
equipment and installation of ap-
proximately: 9,545-feet of 14-inch
diameter force main pipe, 14,855-
feet of 30-inch diameter trunk
sewer pipe, 2,320-feet of 15-inch
diameter gravity sewer pipe, and
21,615-feet of Fiber optic cable
and related appurtenances. Proj-
ect also includes all related work
including but not limited to: clear-
ing and grubbing, concrete struc-
tures and manholes, trenchless
construction, lateral piping con-
nections, excavation, dewatering,
bypass pumping, erosion control,
site grading, utility services, ac-
cess driveways, chain link fenc-
ing, seeding, site restoration,
demolition, and incidental work.

A copy of the proposed Contract
Documents is on file for public in-
spection in the office of the City
Clerk.

At said hearing any interested
person may file written objections
or present oral comments with re-
spect to the subject matter of the
hearing.

Kerin Wright
City Clerk

Published in the Nevada Journal
on March 10, 2022 (1T)

RESOLUTION NO. 072 (2021/2022)

Resolution finally approving and confirming plans, specifications, form of contract and estimate of cost for the Nevada Wastewater Treatment Facility Improvements – Phase 4 Project

WHEREAS, the City Council of the City of Nevada, Iowa, has heretofore given preliminary approval to the plans, specifications, form of contract and estimate of cost (the “Contract Documents”) for the Nevada Wastewater Treatment Facility Improvements – Phase 4 Project (the “Project”), as described in the notice of hearing on the Contract Documents for the Project; and

WHEREAS, a hearing has been held on the Contract Documents on March 28, 2022;

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

Section 1. The Contract Documents referred to in the preamble hereof are hereby finally approved, and the prior action of the City Council giving preliminary approval is hereby finally confirmed, and the Project, as provided for in the Contract Documents, is necessary and desirable.

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

Passed and approved March 28, 2022.

Brett Barker, Mayor

Attest:

Kerin Wright, City Clerk

The Mayor announced that bids for the construction of the Nevada Wastewater Treatment Facility Improvements – Phase 4 Project had been received before 10:00 a.m., on March 10, 2022, at the office of the City Clerk, Nevada, Iowa, and that on the same day, at the same time, at the same place, such bids had been opened and read, and that this was the time and place set for the consideration of such bids.

Thereupon, the results of the bidding were reported, and HR Green, Inc. (the “Project Engineers”) made their recommendations thereon to the City Council. The bids received for the construction of the Nevada Wastewater Treatment Facility Improvements – Phase 4 Project are as follows:

<u>Name and Address of Bidder</u>	<u>Amount of Base Bid</u>
On Track Construction, LLC. Nevada, IA	\$7,414,414.00
S.J. Louis Construction, Inc. Rockville, MN	\$9,110,491.08*
Boomerang Corp. Anamosa, IA	\$9,373,576.00
Langman Construction, Inc. Rock Island, IL	\$9,838,251.00
Keller Excavation, Inc. Boone, IA	\$10,455,569.00
Synergy Contracting, LLC Des Moines, IA	\$10,963,548.00

*denotes corrected total bid amount

MINUTES OF MEETING TO APPROVE
PLANS AND SPECIFICATIONS, FORM
OF CONTRACT AND ESTIMATE OF
COST AND TO CONSIDER BIDS

Nevada, Iowa

March 28, 2022

The City Council of the City of Nevada, Iowa, met on March 28, 2022, at 6:00 p.m., at the Council Chambers, Nevada, Iowa, pursuant to published notice. The Mayor presided and the roll was called showing the following members of the Council present and absent:

Present: _____

Absent: _____.

The Mayor announced that this was the time and place set for hearing on the plans and specifications, form of contract and estimate of cost for the proposed Nevada Wastewater Treatment Facility Improvements – Phase 4 Project.

Upon investigation, it was found that _____ persons had appeared and filed objections to the proposed plans, specifications, form of contract and estimate of cost of the Nevada Wastewater Treatment Facility Improvements – Phase 4 Project as follows:

(Insert the word “no” in the blank space above or list here the names of objectors and the types of objections, if any are filed.)

The City Council heard said objectors and evidence for or against the proposed Nevada Wastewater Treatment Facility Improvements – Phase 4 Project; whereupon, the Mayor declared the hearing closed.

Council Member _____ introduced the following resolution and moved its adoption, seconded by Council Member _____; and after due consideration thereof by the City Council, 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 motion duly carried and the resolution adopted as follows:

SHEET INDEX

6200	DRIFT	DRIFT	DRIFT
6201	DRIFT	DRIFT	DRIFT
6202	DRIFT	DRIFT	DRIFT
6203	DRIFT	DRIFT	DRIFT
6204	DRIFT	DRIFT	DRIFT
6205	DRIFT	DRIFT	DRIFT
6206	DRIFT	DRIFT	DRIFT
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6208	DRIFT	DRIFT	DRIFT
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6210	DRIFT	DRIFT	DRIFT
6211	DRIFT	DRIFT	DRIFT
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6223	DRIFT	DRIFT	DRIFT
6224	DRIFT	DRIFT	DRIFT
6225	DRIFT	DRIFT	DRIFT
6226	DRIFT	DRIFT	DRIFT
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CONSTRUCTION

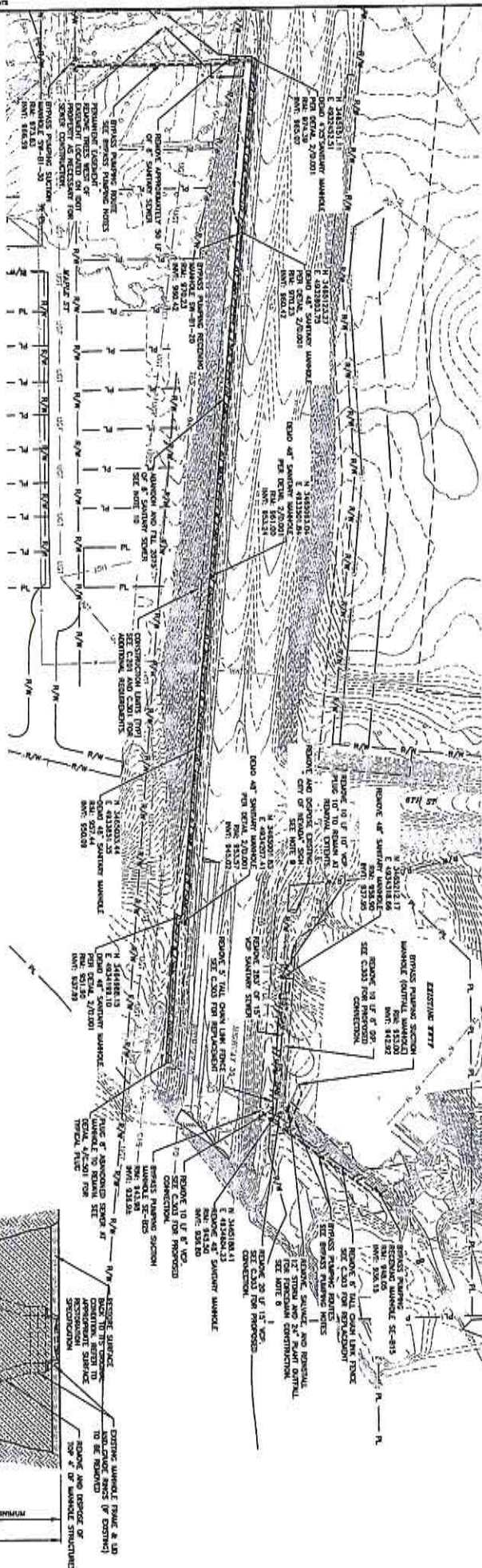
PROJECT LOCATION
TRUNK, SEWER, SEWER
ALLOCATION (NORTH,
DOWNS), UNDERGROUND
PIPER (NORTH AND SOUTH
DOWNS)



G.001



SHEET NO.
G.004

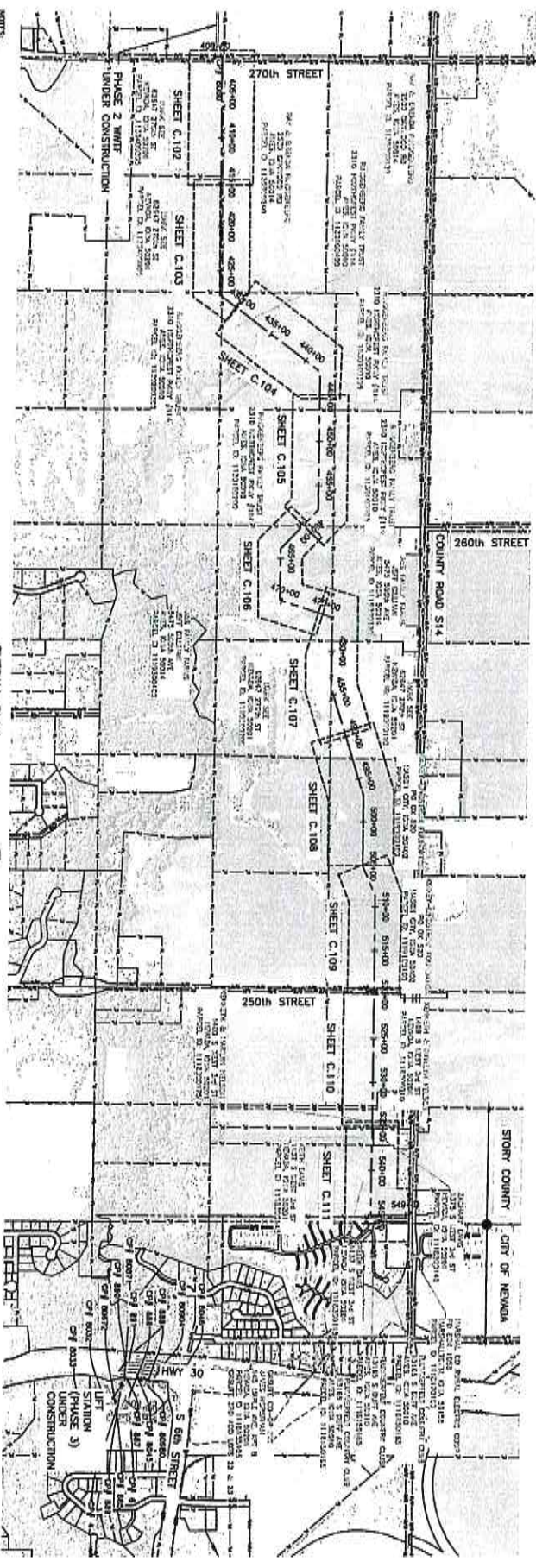


- GENERAL NOTES:**
1. REFER TO SPECIFICATION SECTION 01 100 FOR CONSTRUCTION SECTIONS. SANITARY SEWER REMOVALS SHALL BE CONDUCTED WITH SANITARY SEWER REDUCTIONS AS SHOWN ON C-200 SERIES SHEETS. CONTRACTOR RESPONSIBLE FOR SANITARY SEWER REDUCTIONS FROM THROUGH-CONNECTIONS.
 2. ALL EXISTING MANHOLES SHOWN FOR DEMOLITION SHALL BE FIELD VERIFIED AND LOCATED.
 3. "SCHEDULED" (DATE) DEMOLITION SHOWN IN THIS SHEET REQUIRES EXISTING CONNECTIONS, "SCHEDULED" DEMOLITION AND TIE-IN FROM EXISTING CONNECTIONS, REMOVAL AND TIE-IN TO NEW CONSTRUCTION. "SCHEDULED" DEMOLITION IS NEW WORK TO BE CONSTRUCTED UNDER THIS CONTRACT. EXISTING CONNECTIONS SHALL BE FIELD VERIFIED AND LOCATED.
 4. EXISTING UTILITY LINES SHALL BE FIELD VERIFIED AND LOCATED. EXISTING UTILITY LINES SHALL BE FIELD VERIFIED AND LOCATED. EXISTING UTILITY LINES SHALL BE FIELD VERIFIED AND LOCATED.
 5. FOR ANY GRADING AND/OR PAVING WORK, THE GRADING TO BE FIELD SHALL BE THE INDICATED. EXISTING GRADING SHALL BE FIELD VERIFIED AND LOCATED.
 6. USE OF EXISTING UTILITY LINES FOR DEMOLITION IS NOT ALLOWED. USE OF EXISTING UTILITY LINES FOR DEMOLITION IS NOT ALLOWED.
 7. CONTRACTOR SHALL SECURE LOCATION OF ALL UNDERGROUND UTILITIES TO BE REMOVED OR DISCONTINUED DURING CONSTRUCTION. CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION OF ALL UNDERGROUND UTILITIES TO BE REMOVED OR DISCONTINUED DURING CONSTRUCTION.
 8. PAVING AND GRADING SHALL BE FIELD VERIFIED AND LOCATED. PAVING AND GRADING SHALL BE FIELD VERIFIED AND LOCATED. PAVING AND GRADING SHALL BE FIELD VERIFIED AND LOCATED.
 9. CONTRACTOR SHALL CONDUCT REMOVAL AND RECONSTRUCTION OF EXISTING UTILITY LINES. CONTRACTOR SHALL CONDUCT REMOVAL AND RECONSTRUCTION OF EXISTING UTILITY LINES. CONTRACTOR SHALL CONDUCT REMOVAL AND RECONSTRUCTION OF EXISTING UTILITY LINES.
 10. WORK SHALL BE CONDUCTED IN ACCORDANCE WITH THE SPECIFICATIONS AND STANDARDS OF THE U.S. DEPARTMENT OF TRANSPORTATION. WORK SHALL BE CONDUCTED IN ACCORDANCE WITH THE SPECIFICATIONS AND STANDARDS OF THE U.S. DEPARTMENT OF TRANSPORTATION. WORK SHALL BE CONDUCTED IN ACCORDANCE WITH THE SPECIFICATIONS AND STANDARDS OF THE U.S. DEPARTMENT OF TRANSPORTATION.



DRAWN BY: JH APPROVED: JH DATE: 2/17/2022 2:55:50 PM CADD: JH	SHEET NO.: D.001 PROJECT: NEVADA WATER IMPROVEMENTS - PHASE 4 CITY OF NEVADA NEVADA, NV
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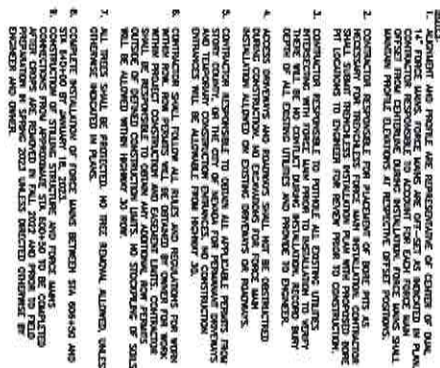
- NOTES:
1. CONTRACTOR RESPONSIBLE TO OBTAIN ALL APPLICABLE PERMITS FROM THE CITY OF NEVADA, STERLING COUNTY, AND THE NEVADA DEPARTMENT OF WATER RESOURCES.
 2. CONSTRUCTION SHALL FOLLOW ALL RULES AND REGULATIONS FOR WORK WITHIN THE CITY OF NEVADA, STERLING COUNTY, AND THE NEVADA DEPARTMENT OF WATER RESOURCES.
 3. CONSTRUCTION SHALL BE COMPLETED BY THE DATE SPECIFIED IN THE PERMIT TO CONSTRUCT.
 4. THE CITY OF NEVADA, STERLING COUNTY, AND THE NEVADA DEPARTMENT OF WATER RESOURCES SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE TRUNK SEWER.
 5. THE CITY OF NEVADA, STERLING COUNTY, AND THE NEVADA DEPARTMENT OF WATER RESOURCES SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE TRUNK SEWER.
 6. THE CITY OF NEVADA, STERLING COUNTY, AND THE NEVADA DEPARTMENT OF WATER RESOURCES SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE TRUNK SEWER.
 7. THE CITY OF NEVADA, STERLING COUNTY, AND THE NEVADA DEPARTMENT OF WATER RESOURCES SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE TRUNK SEWER.
 8. THE CITY OF NEVADA, STERLING COUNTY, AND THE NEVADA DEPARTMENT OF WATER RESOURCES SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE TRUNK SEWER.
 9. THE CITY OF NEVADA, STERLING COUNTY, AND THE NEVADA DEPARTMENT OF WATER RESOURCES SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE TRUNK SEWER.
 10. THE CITY OF NEVADA, STERLING COUNTY, AND THE NEVADA DEPARTMENT OF WATER RESOURCES SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE TRUNK SEWER.



DESIGN BY: HL	DATE: 2022	SCALE: AS SHOWN
APPROVED BY: HL	DATE: 2022	SCALE: AS SHOWN
CAD FILE: 2/17/2022 10:00:15 PM	DATE: 2022	SCALE: AS SHOWN
CAD FILE: 2/17/2022 10:00:15 PM	DATE: 2022	SCALE: AS SHOWN

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NEVADA WATER IMPROVEMENTS - PHASE 4
CITY OF NEVADA
TRUNK SEWER OVERALL PLAN
DATE: 2022
SCALE: AS SHOWN
SHEET NO. C.101



**SPECIFICATIONS
FOR
NEVADA WWTF IMPROVEMENTS – PHASE 4
CITY OF NEVADA, IA
2022**

**HR Green, Inc.
Project No. 160473**

OWNERSHIP OF DOCUMENT

This document, and the ideas and designs incorporated herein, as an instrument of professional service, is the property of HR Green, Inc. and is not to be used, in whole or in part, for any other project without the written authorization of HR Green, Inc.

HR Green, Inc.
Project No. 160473

Nevada WWTF Improvements – Phase 4
Nevada, Iowa

CONTRACT
NEVADA WWTF IMPROVEMENTS – PHASE 4
CITY OF NEVADA, IA

THIS CONTRACT, made and entered into this _____ day of _____, 2022, by and between the City of Nevada, IA by its Mayor, upon order of its City Council hereinafter called the "Jurisdiction", and _____, hereinafter called the "Contractor".

WITNESSETH:

The Contractor hereby agrees to complete the work comprising the below referenced improvement as specified in the contract documents, which are officially on file with the Jurisdiction, in the office of the City Clerk. This contract includes all contract documents. The work under this contract shall be constructed in accordance with the latest Edition of the Urban Standard Specifications for Public Improvements, as further modified by the supplemental specifications and special provisions included in said contract documents, and the Contract Attachment, which is attached hereto. The Contractor further agrees to complete the work in strict accordance with said contract documents, and guarantee the work as required by law, for the time required in said contract documents, after its acceptance by the Jurisdiction.

This contract is awarded and executed for completion of the work specified in the contract documents for the bid prices shown on the Contract Attachment: Bid Items, Quantities and Prices which were proposed by the Contractor in its proposal submitted in accordance with Notice to Bidders and Notice of Public Hearing for the following described improvements:

The Work to be performed under these Contract Documents consists of the construction of the Nevada Wastewater Treatment Facilities (WWTF) – Phase 4. The Contractor will furnish and install all labor, materials, and equipment for the construction improvements project.

The proposed force main and trunk sewer will convey raw wastewater from the new lift station to the new WWTF site that are being constructed under separate contracts. Additional work included in the project is the installation of fiber optic cable from the new lift station to the new WWTF, fiber optic cabling end terminations at the new lift station and new WWTF, and relocation of an existing gravity sanitary sewer. The work for this project includes furnishing labor, materials, and equipment and installation of approximately: 9,545-feet of 14-inch diameter force main pipe, 14,855-feet of 30-inch diameter trunk sewer pipe, 2,320-feet of 15-inch diameter gravity sewer pipe, and 21,615-feet of Fiber optic cable and related appurtenances. Project also includes all related work including but not limited to: clearing and grubbing, concrete structures and manholes, trenchless construction, lateral piping connections, excavation, dewatering, bypass pumping, erosion control, site grading, utility services, access driveways, chain link fencing, seeding, site restoration, demolition, and incidental work.

The Contractor agrees to perform said work for and in consideration of the Jurisdiction's payment of the bid amount of _____ dollars (\$ _____), which amount shall constitute the required amount of the performance, maintenance, and payment bond. The Contractor hereby agrees to commence work under this contract within 10 days of the date specified on the Notice to Proceed, work shall be substantially complete on or before June 9, 2023, and shall be fully completed on or before September 30, 2023, and to pay liquidated damages for noncompliance with said completion provisions at a rate of One Thousand Five Hundred & 00/100 Dollars (\$1,500.00) dollars for each calendar day that the work remains incomplete.

suppliers, agents, or employees furnishing materials or providing labor in the performance of the Contract.

2. PAYMENT: The Contractor and the Surety on this Bond are hereby agreed to pay all just claims submitted by persons, firms, subcontractors, and corporations furnishing materials for or performing labor in the performance of the Contract on account of which this Bond is given, including but not limited to claims for all amounts due for labor, materials, lubricants, oil, gasoline, repairs on machinery, equipment and tools, consumed or used by the Contractor or any subcontractor, wherein the same are not satisfied out of the portion of the contract price which the Jurisdiction is required to retain until completion of the improvement, but the Contractor and Surety shall not be liable to said persons, firms, or corporations unless the claims of said claimants against said portion of the contract price shall have been established as provided by law. The Contractor and Surety hereby bind themselves to the obligations and conditions set forth in Chapter 573, Code of Iowa, which by this reference is made a part hereof as though fully set out herein.
3. MAINTENANCE: The Contractor and the Surety on this Bond hereby agree, at their own expense:
 - A. To remedy any and all defects that may develop in or result from work to be performed under the Contract within the period of Two (2) year(s) from the date of acceptance of the work under the Contract, by reason of defects in workmanship or materials used in construction of said work;
 - B. To keep all work in continuous good repair.
 - C. To pay the Jurisdiction's reasonable costs of monitoring and inspection to assure that any defects are remedied, and to repay the Jurisdiction all outlay and expense incurred as a result of Contractor's and Surety's failure to remedy any defect as required by this section; and
 - D. Contractor's and Surety's agreement herein made extends to defects in workmanship or materials not discovered or known to the Jurisdiction at the time such work was accepted.
4. GENERAL: The Contractor and every Surety on this Bond shall be deemed and held bound, any contract to the contrary notwithstanding, to the following provisions:
 - A. To consent without notice to any extension of time to the Contractor in which to perform the Contract;
 - B. To consent without notice to any change in the Contract or Contract Documents, which thereby increases the total contract price and the penal sum of this bond, provided that all such changes do not, in the aggregate, involve an increase of more than twenty percent of the total contract price, and that this bond shall then be released as to such excess increase; and
 - C. To consent without notice that this Bond shall remain in full force and effect until the Contract is completed, whether completed within the specified contract period, within an extension thereof, or within a period of time after the contract period has elapsed and the liquidated damage penalty is being charged against the Contractor.
 - D. That no provision of this Bond or of any other contract shall be valid which limits to less than five years after the acceptance of the work under the Contract the right to sue on this Bond.
 - E. That as used herein, the phrase "all outlay and expense" is not to be limited in any way, but shall include the actual and reasonable costs and expenses incurred by the Jurisdiction including interest, benefits and overhead where applicable. Accordingly, "all outlay and expense" would include but not be limited to all contract or employee expense, all equipment usage or rental, materials, testing, outside experts, attorneys fees (including overhead expenses of the

PERFORMANCE, PAYMENT AND MAINTENANCE BOND

Jurisdiction's staff attorneys), and all costs and expenses of litigation as they are incurred by the Jurisdiction. It is intended the Contractor and Surety will defend and indemnify the Jurisdiction on all claims made against the Jurisdiction on account of Contractor's failure to perform as required in the Contract and Contract Documents, that all agreements and promises set forth in the Contract and Contract Documents, in approved change orders, and in this Bond will be fulfilled, and that the Jurisdiction will be fully indemnified so that it will be put into the position it would have been in had the Contract been performed in the first instance as required.

In the event the Jurisdiction incurs any "outlay and expense" in defending itself with respect to any claim as to which the Contractor or Surety should have provided the defense, or in the enforcement of the promises given by the Contractor in the Contract, Contract Documents, or approved change orders, or in the enforcement of the promises given by the Contractor and Surety in this Bond, the Contractor and Surety agree that they will make the Jurisdiction whole for all such outlay and expense, provided that the Surety's obligation under this bond shall not exceed 125% of the penal sum of this bond.

In the event that any actions or proceedings are initiated with respect to this Bond, the parties agree that the venue thereof shall be Story County, State of Iowa. If legal action is required by the Jurisdiction to enforce the provisions of this Bond or to collect the monetary obligation incurring to the benefit of the Jurisdiction, the Contractor and the Surety agree, jointly and severally, to pay the Jurisdiction all outlay and expense incurred therefor by the Jurisdiction. All rights, powers, and remedies of the Jurisdiction hereunder shall be cumulative and not alternative and shall be in addition to Surety for any amount guaranteed hereunder whether action is brought against the Contractor or whether Contractor is joined in any such action or actions or not.

NOW THEREFORE, the condition of this obligation is such that if said Principal shall faithfully perform all the promises of the Principal, as set forth and provided in the Contract, in the Contract Documents, and in this Bond, then this obligation shall be null and void, otherwise it shall remain in full force and effect.

When a word, term, or phrase is used in this Bond, it shall be interpreted or construed first as defined in this Bond, the Contract, or the Contract Documents; second, if not defined in the Bond, Contract, or Contract Documents, it shall be interpreted or construed as defined in applicable provisions of the Iowa Code; third, if not defined in the Iowa Code, it shall be interpreted or construed according to its generally accepted meaning in the construction industry; and fourth, if it has no generally accepted meaning in the construction industry, it shall be interpreted or construed according to its common or customary usage.

Failure to specify or particularize shall not exclude terms or provisions not mentioned and shall not limit liability hereunder. The Contract and Contract Documents are hereby made a part of this Bond.

HR Green, Inc.
Project No. 160473

Nevada WWTF Improvements – Phase 4
Nevada, Iowa

Witness our hands, in triplicate, this _____ day of _____, 20____.

Surety Countersigned By:

PRINCIPAL:

Name of Resident Commission Agent

Contractor

Company Name

By: _____
Signature

Company Address

Printed Name, Title

City, State, Zip Code

SURETY:

Company Telephone Number

Surety Company

By: _____
Signature Attorney-in-Fact Officer

Name of Attorney-in-Fact Officer

Company Name

Company Address

City, State, Zip Code

Company Telephone Number

NOTE: All signatures on this performance, maintenance & payment bond must be original signatures in ink; copies or facsimile of any signature will not be accepted. This bond must be sealed with the Surety's raised, embossing seal. The Certificate or Power of Attorney accompanying this bond must be valid on its face and sealed with the Surety's raised, embossing seal.

HR Green, Inc.
Project No. 160473

Nevada WWTF Improvements – Phase 4
Nevada, Iowa

**PERFORMANCE, PAYMENT AND MAINTENANCE BOND
NEVADA WWTF IMPROVEMENTS – PHASE 4
CITY OF NEVADA, IA**

KNOW ALL BY THESE PRESENTS:

That we, _____, as Principal (hereinafter the "Contractor" or "Principal" and _____, as Surety are held and firmly bound unto the City of Nevada, IA, as Obligor (hereinafter referred to as "the Jurisdiction"), and to all persons who may be injured by any breach of any of the conditions of this Bond in the penal sum of _____ Dollars(\$ _____) lawful money of the United States, for the payment of which sum, well and truly to be made, we bind ourselves, our heirs, legal representatives and assigns, jointly or severally, firmly by these presents.

The conditions of the above obligations are such that whereas said Contractor entered into a contract with the Jurisdiction, bearing date the _____ day of _____, 2022, (hereinafter the "Contract") wherein said Contractor undertakes and agrees to construct the following described improvements:

The Work to be performed under these Contract Documents consists of the construction of the Nevada Wastewater Treatment Facilities (WWTF) – Phase 4. The Contractor will furnish and install all labor, materials, and equipment for the construction improvements project.

The proposed force main and trunk sewer will convey raw wastewater from the new lift station to the new WWTF site that are being constructed under separate contracts. Additional work included in the project is the installation of fiber optic cable from the new lift station to the new WWTF, fiber optic cabling end terminations at the new lift station and new WWTF, and relocation of an existing gravity sanitary sewer. The work for this project includes furnishing labor, materials, and equipment and installation of approximately: 9,545-feet of 14-inch diameter force main pipe, 14,855-feet of 30-inch diameter trunk sewer pipe, 2,320-feet of 15-inch diameter gravity sewer pipe, and 21,615-feet of Fiber optic cable and related appurtenances. Project also includes all related work including but not limited to: clearing and grubbing, concrete structures and manholes, trenchless construction, lateral piping connections, excavation, dewatering, bypass pumping, erosion control, site grading, utility services, access driveways, chain link fencing, seeding, site restoration, demolition, and incidental work.

and to faithfully perform all the terms and requirements of said Contract within the time therein specified, in a good and workmanlike manner, and in accordance with the Contract Documents. Provided, however, that one year after the date of acceptance as complete of the work under the above referenced Contract, the maintenance portion of this Bond shall continue in force but the penal sum for maintenance shall be reduced to the sum of \$ _____ which is the cost associated with those items shown on the proposal and in the Contract which require a maintenance bond period in excess of one year.

It is expressly understood and agreed by the Contractor and Surety in this bond that the following provisions are a part of this Bond and are binding upon said Contractor and Surety, to-wit:

1. **PERFORMANCE:** The Contractor shall well and faithfully observe, perform, fulfill and abide by each and every covenant, condition and part of said Contract and Contract Documents, by reference made a part hereof, for the above referenced improvements, and shall indemnify and save harmless the Jurisdiction from all outlay and expense incurred by the Jurisdiction by reason of the Contractor's default of failure to perform as required. The Contractor shall also be responsible for the default or failure to perform as required under the Contract and Contract Documents by all its subcontractors,

PERFORMANCE, PAYMENT AND MAINTENANCE BOND

- 1 -

HR Green, Inc.
Project No. 160473

Nevada WWTF Improvements – Phase 4
Nevada, Iowa

IN WITNESS WHEREOF, the Parties hereto have executed this instrument, in triplicate on the date first shown written.

JURISDICTION: City of Nevada, IA

CONTRACTOR:

By

Brett Barker, Mayor

(Seal)

ATTEST:

Kerin Wright, City Clerk

By

Contractor's Authorized Agent Name,
Contractor's Authorized Agent Title

Print Name, Title

Street Address

City, State, Zip Code

Telephone

CONTRACTOR PUBLIC REGISTRATION INFORMATION To Be Provided By:

1. All Contractors: The Contractor shall enter its Public Registration No. _____ issued by the Iowa Commissioner of Labor pursuant to Section 91C.5 of the Iowa Code.
2. Out-of-State Contractors:
 - A. Pursuant to Section 91C.7 of the Iowa Code, an out-of-state contractor, before commencing a contract in excess of five thousand dollars in value in Iowa, shall file a bond with the division of labor services of the department of workforce development. The contractor should contact 515-242-5871 for further information. Prior to contract execution, the Engineer may forward a copy of this contract to the Iowa Department of Workforce Development as notification of pending construction work. It is the contractor's responsibility to comply with said Section 91C.7 before commencing this work.

Nevada WWTF Improvements – Phase 4
Nevada, Iowa

Bond No. _____
Name of Surety _____

CORPORATE ACKNOWLEDGMENT

On this _____ day of _____, 20____, before me, the undersigned, a Notary Public in and for the State of _____, personally appeared _____ and _____, to me known, who, being by me duly sworn, did say that they are the _____, and _____, respectively, of the corporation executing the foregoing instrument; that (no seal has been procured by) (the seal affixed thereto is the seal of) the corporation; that said instrument was signed (and sealed) on behalf of the corporation by authority of this Board of Directors; that _____ and _____ acknowledged the execution of the instrument to be the voluntary act and deed of the corporation, by it and by them voluntarily executed.

Notary Public in and for the State of _____
My commission expires _____, 20____

CONTRACT ATTACHMENT: ITEM 1: GENERAL - None

SRF Required Front-End Specifications

PLEASE NOTE: Attachment 10 is a new program requirement and is effective for all SRF projects bid after January 2021.



- Attachment 1: Certification of Non-Segregated Facilities Form
(to be completed and signed by Prime Contractor and submitted with the bid)
- Attachment 2: Statement in Advertisement for Bids on Debarment and Suspension/Certification Regarding Debarment and Suspension Form *(to be completed and signed by Prime Contractor and submitted with the bid)*
- Attachment 3: Disadvantaged Business Enterprise Certification Form *(to be completed and signed by Prime Contractor and submitted with the bid)*
- Attachment 4: DBE Program Subcontractor Performance Form *(to be completed and signed by Prime and DBE Subcontractor for each subcontract and submitted with the bid)*
- Attachment 5: DBE Program Subcontractor Utilization Form *(to be completed and signed by Prime Contractor and submitted with the bid)*
- Attachment 6: DBE Program Subcontractor Participation Form *(for voluntary use of DBEs)*
- Attachment 7: Other Federal Requirements Language
 - A. Standard Equal Employment Opportunity Specifications
 - B. Federal Labor Standards Provisions (including Davis-Bacon prevailing wage rates**)
 - C. Preservation of Open Competition and Government Neutrality
 - D. Historical and Archeological Finds
 - E. Prohibitions on Procurement from Violating Facilities
- Attachment 8: Right of Entry and Records Retention
- Attachment 9: Use of American Iron and Steel
- Attachment 10: Prohibition on Certain Telecommunications and Video Surveillance Services or Equipment
(to be completed and signed by Prime Contractor and submitted with the bid)

****The Davis Bacon wage determination received from the Iowa Finance Authority must also be included in the front-end specifications.**

It was moved by Council Member _____ and seconded by Council Member _____ that this meeting be adjourned to _____, 2022, at _____ o'clock ____m., at the _____ in Nevada, Iowa, at which time and place the City Council will meet to further consider such proposals.

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 said motion duly carried and the meeting was adjourned to the said time and place.

Brett Barker, Mayor

Attest:

Kerin Wright, City Clerk



► 5525 Merle Hay Road | Suite 200
Johnston, IA 50131
Main 515.278.2913 + Fax 713.965.0044
► HRGREEN.COM

March 23, 2023

Jordan Cook
City Administrator
City of Nevada
1209 6th Street
Nevada, IA 50201

Re: Nevada Wastewater Treatment Facility Improvements - Phase 4
Recommendation of Bid Award
HR Green Project No. 160473

Dear Jordan,

Bids were received on March 10, 2022, for construction of the above referenced project. A total of six (6) bids were received. I have enclosed a copy of the tabulation of the bids received. All bids have been reviewed for completeness and accuracy. The following was found in our review:

1. S.J. Louis Construction bid total of \$9,110,545.00 did not match the sum of the bid items totaling \$9,110,491.08. Correction to total is provided in the bid tabulation.

The bids received are as follows:

Ontrack Construction, LLC, Nevada, IA.....	\$7,414,414.00
S.J. Louis Construction, Inc, Rockville, MN.....	\$9,110,491.08*
Boomerang Corp, Anamosa, IA.....	\$9,373,576.00
Langman Construction, Inc, Rock Island, IL.....	\$9,838,251.00
Keller Excavation, Inc, Boone, IA.....	\$10,455,569.00
Synergy Contracting, LLC, Des Moines, IA.....	\$10,963,548.00

*Denotes corrected Total Bid amount

The apparent low bidder is On Track Construction of Nevada, Iowa. When contacted by HR Green, On Track's representative responded they were comfortable and had no concerns with their bid.

Their bid is approximately 26.5% below the Engineer's Opinion of Probable Cost (EOPC) of \$10,087,000 and approximately 18.5% below the next lowest bidder. The bid spread between the next three lowest bidders was approximately 8%. The low bid was approximately 32% below the highest bidder. On Track Construction noted factors such as location and well-priced subcontractors may have contributed to their low bid.

The bid from On Track Construction, LLC of Nevada, Iowa has been reviewed for accuracy and is recommended for award. Please let me know if you have any questions or comments.

Sincerely,

HR GREEN, INC.

Michael Roth, P.E.
Senior Project Manager

Enclosures

Cc: Kerin Wright, City
Larry Stevens, HRG

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RESOLUTION NO. 073 (2021/2022)

Resolution awarding contract for the Nevada Wastewater Treatment Facility Improvements – Phase 4 Project

WHEREAS, pursuant to notice duly posted in the manner and form prescribed by resolution of the City Council of the City of Nevada, Iowa, and as required by law, bids and proposals were received by this Council for the Nevada Wastewater Treatment Facility Improvements – Phase 4 Project (the “Project”); and

WHEREAS, all of the said bids and proposals have been carefully considered, and it is necessary and advisable that provision be made for the award of the contract for the Project;

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

Section 1. The bid for the Project submitted by the following contractor is fully responsive to the plans and specifications for the Project, is heretofore approved by the City Council, and is the lowest responsible bid received, such bid being as follows:

<u>Name and Address of Contractor</u>	<u>Amount of Bid</u>
On Track Construction, LLC	\$7,414,414.00
1316 6 th St, Suite 109	
Nevada IA 50201	

Section 2. The contract for the Project is hereby awarded to such contractor at the total estimated cost set out above, the final settlement to be made on the basis of the unit prices therein set out and the actual final quantities of each class of materials furnished, the said contract to be subject to the terms of the aforementioned resolution, the notice of hearing and letting, the plans and specifications and the terms of the bidder’s written proposal.

Section 3. The Mayor and City Clerk are hereby authorized and ordered to enter into a written contract with said contractor for the Project, but only after the contractor submits the performance and/or payment bonds which are required by the contract documents, and after the Project Engineers submit a written determination that such surety bonds and other contract documents are satisfactory. No additional City Council action shall be required to approve the executed contract or surety bonds.

Section 4. The amount of the contractor’s performance and/or payment bonds is hereby fixed and determined to be 100% of the amount of the contract.

Section 5. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved March 28, 2022.

Brett Barker, Mayor

Attest:

Kerin Wright, City Clerk

• • • •

On motion and vote, the meeting adjourned.

Brett Barker, Mayor

Attest:

Kerin Wright, City Clerk

ATTESTATION CERTIFICATE:

STATE OF IOWA
STORY COUNTY
CITY OF NEVADA

SS:

I, the undersigned, City Clerk of the City of Nevada, Iowa, hereby certify that the attached is a true, correct and complete transcript of the proceedings had and action taken by the City Council up to the present time in connection with the Nevada Wastewater Treatment Facility Improvements – Phase 4 Project, including a true, correct and complete copy of the resolutions referred to in such minutes.

WITNESS MY HAND this ____ day of _____, 2022.

Kerin Wright, City Clerk

MINUTES OF MEETING TO AWARD
CONTRACT

Nevada, Iowa

March 28, 2022

The City Council of the City of Nevada, Iowa, met on March 28, 2022, at 6:00 o'clock p.m., at the Council Chambers, in the City, pursuant to adjournment and the rules of this Council. The Mayor presided and the roll was called showing the following members of the Council present and absent:

Present: _____

Absent: _____.

The City Council further considered proposals received for the proposed Nevada Wastewater Treatment Facility Improvements – Phase 4 Project and embodied its findings in the resolution next hereinafter referred to.

Council Member _____ introduced the resolution next hereinafter set out, and moved that the said resolution be adopted; seconded by Council Member _____; and after due consideration thereof by the City Council, 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 motion duly carried and the said resolution duly adopted.

PROPOSAL
NEVADA WWTF IMPROVEMENTS – PHASE 4
CITY OF NEVADA, IA

PROPOSAL: PART A – SCOPE

The City of Nevada, IA, hereinafter called the "Jurisdiction", has need of a qualified contractor to complete the work comprising the below referenced improvement. The undersigned Bidder hereby proposes to complete the work comprising the below referenced improvement as specified in the contract documents, which are officially on file with the Jurisdiction, in the office of the City Clerk at the prices hereinafter provided in Part C of the Proposal, for the following described improvements:

The Work to be performed under these Contract Documents consists of the construction of the Nevada Wastewater Treatment Facilities (WWTF) – Phase 4. The Contractor will furnish and install all labor, materials, and equipment for the construction improvements project.

The proposed force main and trunk sewer will convey raw wastewater from the new lift station to the new WWTF site that are being constructed under separate contracts. Additional work included in the project is the installation of fiber optic cable from the new lift station to the new WWTF, fiber optic cabling end terminations at the new lift station and new WWTF, and relocation of an existing gravity sanitary sewer. The work for this project includes furnishing labor, materials, and equipment and installation of approximately: 9,545-feet of 14-inch diameter force main pipe, 14,855-feet of 30-inch diameter trunk sewer pipe, 2,320-feet of 15-inch diameter gravity sewer pipe, and 21,615-feet of Fiber optic cable and related appurtenances. Project also includes all related work including but not limited to: clearing and grubbing, concrete structures and manholes, trenchless construction, lateral piping connections, excavation, dewatering, bypass pumping, erosion control, site grading, utility services, access driveways, chain link fencing, seeding, site restoration, demolition, and incidental work.

PROPOSAL: PART B – ACKNOWLEDGMENT OF ADDENDA

The Bidder hereby acknowledges that all addenda become a part of the contract documents when issued, and that each such addendum has been received and utilized in the preparation of this bid. The Bidder hereby acknowledges receipt of the following addenda by inserting the number of each addendum in the blanks below and certifies that said addenda were utilized in the preparation of this bid.

ADDENDUM NUMBER 1 ADDENDUM NUMBER _____
ADDENDUM NUMBER 2 ADDENDUM NUMBER _____

PROPOSAL: PART C – BID ITEMS, QUANTITIES AND PRICES

UNIT BID PRICE CONTRACTS: The Bidder must provide the Unit Bid Price, the Total Bid Price, any Alternate Prices and the Total Construction Costs on the Proposal Attachment: Part C – Bid Items, Quantities, and Prices. In case of discrepancy, the Unit Bid Price governs. The quantities shown on the Proposal Attachment: Part C – Bid Items, Quantities and Prices are approximate only, but are considered sufficiently adequate for the purpose of comparing bids. The Jurisdiction shall only use the Total Construction Cost for comparison of the bids. The Total Construction Cost, including any Add-Alternates shall be used for determining the sufficiency of the bid security.

BASE BID CONTRACTS: The bidder must provide any Bid Prices, and alternate Prices, and the Total of the Base Bid plus any Add-alternates on the Proposal Attachment: Part C-Bid Items, Quantities, and the Prices. The Jurisdiction shall only use the Total Construction Cost for comparison of the bids. The Total Construction Cost, including any Add-Alternates shall be used for determining the sufficiency of the bid security.

PROPOSAL

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PROPOSAL: PART D – GENERAL

The Bidder hereby acknowledges that the Jurisdiction, in advertising for bids for this project reserves the right to:

1. Reject any or all bids. Award of the contract, if any, to be to the lowest responsible, responsive bidder; and
2. Reject any or all alternates in determining the items to be included in the contract. Designation of the lowest responsible, responsive bidder to be based on the comparison of the total bid only, not including any alternates; and
3. Make such alterations in the documents or in the proposal quantities as it determines necessary in accordance with the contract documents after execution of the contract. Such alterations shall not be considered a waiver of any conditions of the contract documents, and shall not invalidate any of the provisions thereof; and

The Bidder hereby agrees to:

1. Enter into a contract, if this proposal is selected, in the form approved by the Jurisdiction, provide proof of registration with the Iowa Division of Labor in accordance with Chapter 91C of the Iowa Code, and furnish a performance, maintenance, and payment bond; and
2. Forfeit bid security, not as a penalty but as liquidated damages, upon failure to enter into such contract and/or furnish said bond; and
3. Commence the work on this project within 10 days of the date specified on the Notice to Proceed; and
4. Substantially complete the project on or before June 9, 2023; and
5. Fully complete the project on or before September 30, 2023; and
6. Pay liquidated damages for noncompliance with said completion provisions at the rate of One Thousand Five Hundred & 00/100 Dollars (\$1,500.00) for each calendar day thereafter the work remains incomplete.

PROPOSAL: PART E – NON-COLLUSION AFFIDAVIT

The Bidder hereby certifies:

1. That this proposal is not affected by, contingent on, or dependent on any other proposal submitted for any improvement with the Jurisdiction; and
2. That no individual employed by the Bidder has employed any person to solicit or procure the work on this project, nor will any employee of the Bidder make any payment or agreement for payment of any compensation in connection with the procurement of this project; and
3. That no part of the bid price received by the Bidder was or will be paid to any person, corporation, firm, association, or other organization for soliciting the bid, other than the payment of their normal compensation to persons regularly employed by the Bidder whose services in connection with the construction of the project were in the regular course of their duties for the Bidder; and
4. That this proposal is genuine and not collusive or sham; that the Bidder has not colluded, conspired, connived or agreed, directly or indirectly, with any bidder or person, to submit a sham bid or to refrain from bidding, and has not in any manner, directly or indirectly, sought, by agreement or collusion, or communication or conference, with any person, to fix the bid price of the Bidder or of any other bidder, and that all statements in this proposal are true;

PROPOSAL

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HR Green, Inc.
Project No. 160473

Nevada WWTF Improvements – Phase 4
Nevada, Iowa

and

5. That the individual(s) executing this proposal have the authority to execute this proposal on behalf of the Bidder.

PROPOSAL: PART F – ADDITIONAL REQUIREMENTS

The Bidder hereby agrees to comply with the additional requirements listed below which are included in this proposal and identified as proposal attachments:

ITEM NO.	DESCRIPTION OF ATTACHMENT
1.	Bidder Status Form and Worksheet: Authorization to Transact Business
2.	SRF or other funding required documents

HR Green, Inc.
Project No. 160473

Nevada WWTF Improvements – Phase 4
Nevada, Iowa

PROPOSAL: PART G – IDENTITY OF BIDDER

The Bidder shall indicate whether the bid is
Submitted by a/an:

- ☐ Individual,
Sole Proprietorship
- ☐ Partnership
- ☐ Corporation
- ☐ Joint-venture: all parties must join-in and
execute all documents
- ☒ Other

On Track Construction, LLC

Bidder

[Signature]

Signature

By

Matt Rungt

Name (Print/Type)

President

Title

The Bidder shall enter its Public Registration
Number C1321-24 issued
By the Iowa Commissioner of Labor Pursuant
Section 91C.5 of the Iowa Code.

1316 6th St Suite 109

Street Address

Nevada IA 50201

City, State, Zip Code

1-888-850-0208

Telephone Number

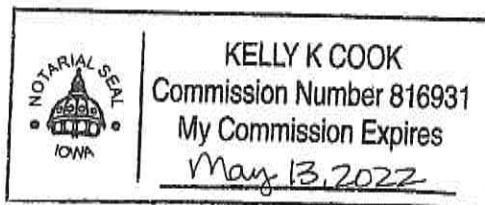
NOTE: The signature on this proposal must be an original signature in ink; copies or facsimile of any
signature will not be accepted.

Subscribed and sworn to before me this 10th day of March, 20 22.

Kelly K Cook
Notary Public in and for

State of Iowa
County of Story

My commission expires May 13, 2022



PROPOSAL
NEVADA WWTF IMPROVEMENTS – PHASE 4
CITY OF NEVADA, IA

PROPOSAL ATTACHMENT: PART C – BID ITEMS, QUANTITIES AND PRICES

This is a UNIT BID PRICE CONTRACT. The bidder must provide the Unit Bid Price, the Total Bid Price, and the Total Construction Cost; in case of discrepancy, the Unit Bid Price governs. The quantities shown on the Proposal Attachment: Part C – Bid Items, Quantities and Prices are approximately only, but are considered sufficiently adequate for the purpose of comparing bids. The Jurisdiction shall only use the Total Construction Cost for comparison of bids.

ITEM NO.		UNIT	QUANTITY	UNIT PRICE	TOTAL
DIVISION 1 - GENERAL REQUIREMENTS					
1	Mobilization	LS	1	\$255,000.00	\$255,000.00
2	Construction Survey	LS	1	17,750.00	17,750.00
DIVISION 2 - EARTHWORK					
3	Clearing and Grubbing	AC	10	1515.00	15,150.00
4	Topsoil, Onsite	CY	54,000	4.00	216,000.00
5	Subgrade Preparation	SY	187	9.00	1,683.00
6	Subbase, Modified, 6"	TON	227	46.00	10,442.00
DIVISION 3 - TRENCH EXCAVATION AND BACKFILL					
7	Rock Removal	CY	10	435.00	4,350.00
8	Trench Foundation	TON	10	69.00	690.00
9	Concrete Encasement	LF	10	550.00	5,500.00
DIVISION 4 - SEWERS AND DRAINS					
10	Sanitary Sewer Gravity Main, PVC, Trenched, 6"	LF	10	300.00	3,000.00
11	Sanitary Sewer Gravity Main, PVC, Trenched, 8"	LF	10	300.00	3,000.00
12	Sanitary Sewer Gravity Main, PVC, Trenched (Normal Bury), 15"	LF	381	130.00	49,530.00
13	Sanitary Sewer Gravity Main, Trenched (Deep Bury), 15"	LF	1,092	240.00	262,080.00
14	Trunk Sewer Gravity Main, Trenched, 30"	LF	14,824	169.00	2,505,256.00
15	Trunk Sewer Gravity Main, PVC, Trenched, 30"	LF	30	470.00	14,100.00
16	Sanitary Outfall Sewer, DIP, Trenched, 24"	LF	20	545.00	10,900.00
17	Sanitary Sewer Force Main and Gravity Sewer, Restrained Joint PVC, Trenched, 14"	LF	1,906	147.00	280,182.00

ITEM NO.		UNIT	QUANTITY	UNIT PRICE	TOTAL
18	Sanitary Sewer Force Main, Restrained Joint PVC, Trenchless, 14"	LF	6,670	172.00	1,147,240.00
19	Sanitary Sewer Force Main and Gravity Sewer with Casing Pipe, Trenchless, 14"	LF	1,770	570.00	1,008,900.00
20	Removal of Sanitary Sewer, DIP, 6"	LF	10	115.00	1,150.00
21	Removal of Sanitary Sewer, VCP, 8"	LF	60	40.00	2,400.00
22	Removal of Sanitary Sewer, VCP, 10"	LF	10	40.00	400.00
23	Removal of Sanitary Sewer, VCP, 15"	LF	303	40.00	12,120.00
24	Remove Sanitary Sewer Outfall, 24", DIP	LF	20	175.00	3,500.00
25	Sanitary Sewer Abandonment, Fill, 8" VCP	LF	2,075	15.00	31,125.00
26	Storm Sewer, Trenched, 12", RCP	LF	20	155.00	3,100.00
27	Removal of Storm Sewer, RCP, 12"	LF	20	60.00	1,200.00
DIVISION 5 - WATER MAINS AND APPURTENCES					
28	14" DI 11.25° RJ MJ Bend	EA	4	4,275.00	17,100.00
29	14" DI 22.5° RJ MJ Bend	EA	4	4,275.00	17,100.00
30	14" DI 45° RJ MJ Bend	EA	12	4,275.00	51,300.00
DIVISION 6 - STRUCTURES FOR SANITARY AND STORM SEWERS					
31	Sanitary Manhole, SW-301, 48 IN.	EA	2	14,500.00	29,000.00
32	Sanitary Manhole, SW-301, 48 IN., >20' Height	EA	4	16,500.00	66,000.00
33	Sanitary Manhole, SW-303, 48 IN (Modified)	EA	1	28,500.00	28,500.00
34	Sanitary Manhole, SW-301, 60 IN (Modified)	EA	21	14,500.00	304,500.00
35	Sanitary Manhole, SW-301, 72 IN (Modified)	EA	2	18,250.00	36,500.00
36	Stilling Structure	EA	1	247,769.00	247,769.00
37	Remove Manhole	EA	2	1,200.00	2,400.00
38	Remove Manhole, Partial	EA	6	6,500.00	39,000.00
39	External Drop Connection	EA	2	22,500.00	45,000.00
DIVISION 7 - STREETS AND RELATED WORK					
40	Class A Road Surfacing, 3"	TON	113	63.00	7,119.00
DIVISION 8 - TEMPORARY TRAFFIC CONTROL					
41	Temporary Traffic Control	EA	2	9,550.00	19,100.00

ITEM NO.		UNIT	QUANTITY	UNIT PRICE	TOTAL
DIVISION 9 - SITEWORK & LANDSCAPING					
42	Seeding, Fertilizing, and BFM Mulching - Type I	AC	1	5,800.00	5,800.00
43	Seeding, Fertilizing, and BFM Mulching - Type II	AC	10	5,555.00	55,550.00
44	Seeding, Fertilizing, and BFM Mulching - Type V	AC	2	4,050.00	8,100.00
45	SWPPP Management	LS	1	7,575.00	7,575.00
46	Filter Sock Installation, Maintenance, and Removal	LF	15,000	2.80	42,000.00
47	Silt Fence, Installation, Maintenance, and Removal	LF	15,000	1.80	27,000.00
48	Stabilized Construction Entrance	EA	8	3,900.00	31,200.00
49	Removal and Replacement, Chain Link Fence, 6' w/ Type 1 Barbed Wire Support Arm	LF	645	35.00	22,575.00
50	Removal and Reinstallation, Field Fence	LF	500	56.00	28,000.00
51	Temporary Security Fence, Chain Link, 6'	LF	800	7.00	5,600.00
DIVISION 11 - MISCELLANEOUS					
52	Concrete Washout	EA	1	2,525.00	2,525.00
53	Existing Utility Temporary Support	EA	7	3,750.00	26,250.00
54	Tile Repair	LF	300	65.00	19,500.00
55	Temporary Bypass Pumping, MH-0130	EA	1	41,500.00	41,500.00
56	Temporary Bypass Pumping, MH-0160	EA	1	49,000.00	49,000.00
57	Temporary Bypass Pumping, Outfall Sewer	EA	1	44,500.00	44,500.00
58	Remove Existing Sign	LS	1	500.00	500.00
FIBER OPTICS					
59	Handhole, Installed	EA	14	1,850.00	25,900.00
60	1-1/4" HDPE Conduit, Installed (Via HDD)	LF	4,673	14.00	65,422.00
61	UG Fiber Optic Cable, Installed	LF	7,202	3.50	25,207.00
62	Aerial Fiber Optic Cable, Installed	LF	17,668	5.50	97,174.00
63	Guy & Anchor, Installed	EA	8	550.00	4,400.00
64	Riser, Installed	EA	2	500.00	1,000.00
65	Pole, Installed	EA	1	2,000.00	2,000.00
TOTAL ITEM 1 - 65					\$7,414,414.00

HR Green, Inc.
Project No. 160473

Nevada WWTF Improvements – Phase 4
Nevada, Iowa

NOTE: IT IS UNDERSTOOD THAT THE ABOVE QUANTITIES ARE ESTIMATED FOR THE PURPOSE OF THIS BID. ALL QUANTITIES ARE SUBJECT TO REVISION BY THE CITY. QUANTITY CHANGES WHICH AMOUNT TO TWENTY (20) PERCENT OR LESS OF THE TOTAL BID SHALL NOT AFFECT THE UNIT PRICE BID.

On Track Construction, LLC
Bidder

To be completed by all bidders Part A

If you answered "Yes" for each question above, your company qualifies as a resident bidder. Please complete Parts B and D of this form.

If you answered "No" to one or more questions above, your company is a nonresident bidder. Please complete Parts C and D of this form.

Dates: 04 / 01 / 2018 to present Address: 1316 6th St. Suite 109
City, State, Zip: Nevada, IA 50201

Dates: 04 / 01 / 2017 to 04 / 01 / 2018 Address: 880 Lake Shore Drive
City, State, Zip: Nevada, IA 50201

Dates: _____ / _____ / _____ to _____ / _____ / _____ Address: _____
You may attach additional sheet(s) if needed. City, State, Zip: _____

2. Does your company's home state or foreign country offer preferences to resident bidders, resident labor force preferences or any other type of preference to bidders or laborers? ☐ Yes ☐ No

3. If you answered "Yes" to question 2, identify each preference offered by your company's home state or foreign country and the appropriate legal citation.

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Worksheet: Authorization to Transact Business

This worksheet may be used to help complete Part A of the Resident Bidder Status form. If at least one of the following describes your business, you are authorized to transact business in Iowa.

- ☒ Yes ☐ No My business is currently registered as a contractor with the Iowa Division of Labor.
- ☐ Yes ☒ No My business is a sole proprietorship and I am an Iowa resident for Iowa income tax purposes.
- ☐ Yes ☒ No My business is a general partnership or joint venture. More than 50 percent of the general partners or joint venture parties are residents of Iowa for Iowa income tax purposes.
- ☒ Yes ☐ No My business is an active corporation with the Iowa Secretary of State and has paid all fees required by the Secretary of State, has filed its most recent biennial report, and has not filed articles of dissolution.
- ☐ Yes ☒ No My business is a corporation whose articles of incorporation are filed in a state other than Iowa, the corporation has received a certificate of authority from the Iowa secretary of state, has filed its most recent biennial report with the secretary of state, and has neither received a certificate of withdrawal from the secretary of state nor had its authority revoked.
- ☐ Yes ☒ No My business is a limited liability partnership which has filed a statement of qualification in this state and the statement has not been canceled.
- ☐ Yes ☒ No My business is a limited liability partnership which has filed a statement of qualification in a state other than Iowa, has filed a statement of foreign qualification in Iowa and a statement of cancellation has not been filed.
- ☐ Yes ☒ No My business is a limited partnership or limited liability limited partnership which has filed a certificate of limited partnership in this state, and has not filed a statement of termination.
- ☐ Yes ☒ No My business is a limited partnership or a limited liability limited partnership whose certificate of limited partnership is filed in a state other than Iowa, the limited partnership or limited liability limited partnership has received notification from the Iowa secretary of state that the application for certificate of authority has been approved and no notice of cancellation has been filed by the limited partnership or the limited liability limited partnership.
- ☒ Yes ☐ No My business is a limited liability company whose certificate of organization is filed in Iowa and has not filed a statement of termination.
- ☐ Yes ☒ No My business is a limited liability company whose certificate of organization is filed in a state other than Iowa, has received a certificate of authority to transact business in Iowa and the certificate has not been revoked or canceled.

NEVADA CITY COUNCIL - MONDAY, MARCH 14, 2022 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, March 14, 2022, 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, Steve Skaggs, Sandy Ehrig, Dane Nealson, Jason Sampson. Absent: Brian Hanson.

Staff Present: Erin Clanton (via Zoom), Jordan Cook, Kerin Wright, Larry Stevens, Ray Reynolds, Ryan Hutton, Tim Hansen, Rhonda Maier,

Also in attendance were: Jeff Harris, Henry Corbin, Brenda Dryer, Linda Griffith, John Molacek, Kerry Weig, Jan Gammon, Brandon Sills, Brooke Hartmann, Matt Miller and Louis Lang.

3. APPROVAL OF AGENDA

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

4. PUBLIC HEARING(S)

A. General Obligation Urban Renewal Loan Agreement, Field House

1. Public Hearing, proposal to enter into a General Obligation Urban Renewal Loan Agreement

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 **March 3, 2022**. The public hearing is **proposed action to enter into a loan agreement**.

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

2. Resolution No. 064 (2021/2022): A Resolution taking additional action on proposal to enter into General Obligation Urban Renewal Loan Agreement and providing for the levy of taxes to pay the same

Motion by Dane Nealson, seconded by Sandy Ehrig, to **adopt Resolution No. 064 (2021/2022)**. After due consideration and discussion the roll was called. Aye: Nealson, Ehrig, Mittman, Sampson, Skaggs. Nay: None. The Mayor declared the motion carried.

B. WWTF-Phase 4, Trunk Sewer Line

1. Public Hearing, a review of the application for State Revolving Fund Loan and contents of an environmental information document and the City's project plan. To discuss the proposed plan, actual cost and user fees associated with the project and address any citizens concerns, if any, with the plan

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 **February 3, 2022**. The public hearing is regarding the **environmental information for the SRF loan for the new wastewater treatment facility project an opportunity for any comments.**

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

C. Field House Project 2022

1. Public Hearing, on proposed plans, specifications, form of contract and estimate of cost for the Field House 2022 Project

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 **February 24, 2022**. The public hearing is to **approve plans, specifications and form of contract for the Field House 2022 Project.**

There were **no written or oral objections** to the aforementioned recommendation. The public hearing closed at 6:03 p.m.

2. Resolution No. 065 (2021/2022): A Resolution finally approving and confirming plans, specifications, form of contract and estimate of cost for the Field House Project 2022

Motion by Dane Nealson, seconded by Barb Mittman, to **adopt Resolution No. 065 (2021/2022).** After due consideration and discussion the roll was called. Aye: Nealson, Mittman, Sampson, Skaggs, Ehrig. Nay: None. The Mayor declared the motion carried.

3. Consideration of bids for the Field House 2022 Project
4. Resolution No. 066 (2021/2022): A Resolution awarding contract for the Field House Project 2022

Motion by Sandy Ehrig, seconded by Steve Skaggs, to **adopt Resolution No. 066 (2021/2022).** After due consideration and discussion the roll was called. Aye: Ehrig, Skaggs, Mittman, Nealson, Sampson. Nay: None. The Mayor declared the motion carried.

5. Approve Equipment Bid for Field House for the Park and Rec Department

Motion by Barb Mittman, seconded by Steve Skaggs, to **approve the Field House Equipment Bid from H2I Group in the amount of \$242,428.** After due consideration and discussion the roll was called. Aye: Mittman, Skaggs, Ehrig, Nealson, Sampson. Nay: None. The Mayor declared the motion carried.

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

Motion by Dane Nealson, seconded by Jason Sampson, to **approve the following consent agenda items:**

- A. Approve Minutes of the Regular Meeting held on February 28, 2022
- B. Approve Minutes of the Work Session Meeting held on February 28, 2022
- C. Approve Payment of Cash Disbursements, including Check Numbers 77405-77492 and Electronic Numbers 1075-1077 (Inclusive) Totaling \$286,863.14 (See attached list)
- D. Approve Great Western Purchasing Card (See attached list)
- E. Approve Financial Reports for Month of February, 2022
- F. Approve Renewal for Class "E" Liquor License with privileges and Sunday Sales Permit, Casey's Marketing Co d/b/a Casey's General Store #3319, 1800 South B Avenue, Effective April 30, 2022
- G. Accept 2021 Certified Local Government Annual Report
- H. Approve agreement with Nevada Foundation for Economic Development Assistance
- I. Resolution No. 067 (2021/2022): A Resolution approving the Amendment for the Iowa Economic Development Authority, Hormel Food Corporation/Burke Marketing and City of Nevada Contract

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

6. PUBLIC FORUM

- A. Louis Lang addressed the council regarding the brush pile.

7. OLD BUSINESS

- A. Approve Pay Request No. 9 for the WWTF-Phase 2 Project from Williams Brothers in the amount of \$381,163.59

Motion by Jason Sampson, seconded by Sandy Ehrig, to **approve Pay Request No. 9 for the Wastewater Treatment Facility-Phase 2 Project from Williams Brothers in the amount of \$381,163.59.** After due consideration and discussion the roll was called. Aye: Sampson, Ehrig, Mittman, Nealson, Skaggs. Nay: None. The Mayor declared the motion carried.

- B. Resolution No.068 (2021/2022): A Resolution adopting Duplication of Benefits Policies and Procedures

Motion by Steve Skaggs, seconded by Barb Mittman, to **adopt Resolution No. 068 (2021/2022).** After due consideration and discussion the roll was called. Aye: Skaggs, Mittman, Nealson, Sampson, Ehrig. Nay: None. The Mayor declared the motion carried.

8. NEW BUSINESS

- A. Streetscape recommendations for Main Street, Main Street Design Committee

Motion by Dane Nealson, seconded by Barb Mittman, to **approve Main Street Nevada Street Design Committee recommendations.** After due consideration and discussion

the roll was called. Aye: Nealson, Mittman, Sampson, Skaggs, Ehrig. Nay: None. The Mayor declared the motion carried.

- B. Resolution No. 069 (2021/2022): A Resolution declaring Intent to Provide Economic Development Support to Development Property at 1521 S G Avenue

Motion by Dane Nealson, seconded by Barb Mittman, to **adopt Resolution No. 069 (2021/2022)** After due consideration and discussion the roll was called. Aye: __. Nay: None. The Mayor declared the motion carried.

9. REPORTS:

City Administrator Cook reported on his attendance at the following meetings: Foundation, Main Street Nevada, Pizza Pie-looza and Community Coffee.

Mayor Barker noted Main Street Nevada businesses were getting involved in Pizza Pie-looza.

Council Member Mittman updated council on the progress with the ad hoc funding and opportunity for a Crop Walk and ways to provide local matches.

Police Sergeant Cizmadia reported staff will be going back to 10-hour schedules. He also noted there have been a couple alcohol issues they are working through.

NEDC Director Dryer relayed things are busy and there have been several inquiries. She also mentioned the Business Appreciation Breakfast coming up.

Main Street Nevada Director Corbin informed council of a visit from Main Street America Director next month.

City Engineer Stevens advised the timeline for 2022 Street Improvement Project will be coming soon. There will be a public information meeting to inform local residents affected by project.

10. ADJOURNMENT

There being no further business to come before the meeting, motion by Dane Nealson, seconded by Jason Sampson, to **adjourn the meeting**. Following voice vote, the Mayor declared the motion carried at 7:04 p.m. the meeting adjourned.

Brett Barker, Mayor

ATTEST:

Kerin Wright, City Clerk

Published: _____
Council Approved: _____

NEVADA CITY COUNCIL - MONDAY, MARCH 14, 2022 7:08 P.M.

The City Council of the City of Nevada, Iowa, met for a work session, Nevada Code Recodification, in the Council Chambers of Nevada City Hall located at 1209 6th Street, Nevada, Iowa. Present were: Brett Barker, Barb Mittman, Sandy Ehrig, Steve Skaggs, Jason Sampson, Dane Nealson, Jordan Cook, Erin Clanton, Ray Reynolds, Ryan Hutton, Brenda Dryer, Matt Miller and Kerin Wright. The work session began at 7:08 p.m. on Monday, March 14, 2022, pursuant to the rules of the Council. The public notice was posted on the official bulletin board in compliance with the open meeting law.

No decisions of the council were made at the work session. The work session concluded at 7:48 p.m.

Brett Barker, Mayor

ATTEST:

Kerin Wright, City Clerk

Published: _____

Council Approved: _____

Item # 5B
 Date: 3/28/22

CITY OF NEVADA
CLAIMS REPORT FOR MARCH 28, 2022
3/15/22 THRU 3/28/22

VENDOR	REFERENCE	AMOUNT	CHECK #
WAGeworks	FSA 2021 PMTS	8.90	1079
TREASURER STATE OF IA	SALES TAX 3/1-15/2022	5,372.29	1080
TREASURER STATE OF IA	WET 3/1-15/2022	10,486.34	1081
WILLIAMS BROTHERS CONST	WWTF PHASE 2 PR#9	381,163.59	77493
CONTRACTOR SOL	WTR-SLING/SPREADER	1,852.00	77494
COMPUTER RES SPEC	LIB-IT SVCS	247.50	77495
BAKER & TAYLOR	LIB-MATERIALS	2,104.17	77496
IA COMM NTWK	LIB-LONG DISTANCE	0.08	77497
C&K HEATING	LIB-HVAC MAINT	366.87	77498
DEMCO	LIB-SHELF/LABELS/PROTECTORS	735.93	77499
JOHNSON CONTROLS	LIB-ALARM REPAIRS	135.42	77500
AMAZON.COM	LIB-SUPPLIES	843.95	77501
CENTER POINT	LIB-MATERIALS	765.22	77502
CENGAGE	LIB-MATERIALS	645.67	77503
BLACKHAWK SPRINK	LIB-SPINKLER INSPECTION	702.00	77504
THE LIBRARY STORE	LIB-SHELVES	175.26	77505
FARMHOUSE	LIB-ALA NEH GRANT	86.00	77506
SOLKO, KATHY	LIB-REIMB	13.94	77507
BLACKBIRD DESIGN	LIB-BANNER/GRANT	272.98	77508
MIDWEST TAPE	LIB-CDBS/DVDS	706.77	77509
GORNICHEC, GENEVIEVE	ALA/NEH GRANT	650.00	77510
OLSEN, RENA	ALA NEH GRANT	283.28	77511
ELLSWORTH, LORETTA	ALA NEH GRANT	470.96	77512
WAGeworks	FSA 2021 PMTS	150.48	1082
IPERS	IPERS	33,958.79	1083
TREASURER STATE OF IA	STATE TAXES	8,240.00	1084
EFTPS	FED/FICA TAX	25,154.00	1085
AMER'N FAMILY	AFLAC	1,235.09	77516
MISSION SQUARE	DEFERRED COMP	862.50	77517
COLLECTION SVCS CTR	CHILD SUPPORT	1,022.85	77518
GREAT WESTERN	HSA	353.33	77519
ALLIANT	CH/STS/SC/CD-UTILITIES	4,807.29	77520
FAST LANE	STS-WAX	90.48	77521
VAN WALL	WTR-FILTERS	28.08	77522
NEVADA POSTMASTER	WTR/WWT-PERMIT#2 1ST CLASS	265.00	77523
ARNOLDS	PD/STS/FD/EMS-SUPPLIES	548.32	77524
STORY CO TREASURER	WTR-WH OAK ASSMTS	1,977.14	77525
GATEHOUSE	PUBLIC NOTICES	642.36	77526
STORY CO MED CTR	WWT-HEP(2) CORNISH	238.00	77527
HOKEL	WTR-SUPPLIES	425.29	77528
MECHANICAL COMFORT	WTR-REPAIR	357.50	77529
HAWKEYE TRUCK EQUIP	WTR-CUTTING EDGES/GUARD	907.80	77530

ROBB MORGAN	CEM/STS-TREE REMOVAL	13,900.00	77531
GOOD AND QUICK	FD-TIRE REPAIR	78.00	77532
DORSEY & WHITNEY	WWTF(SRF#3) BOND COSTS	11,000.00	77533
IA MUN FINANCE OFFICERS	ADM-MOUSEL DUES	50.00	77534
SANDRY FIRE	FD-CASE FOR SCBA	185.70	77535
STOREY KENWORTHY	WTR/WWT-ENVELOPES	3,021.46	77536
IA DEPT OF PUBLIC HEALTH	POOL-POOL REGISTRATION	140.00	77537
IA PRISON IND	PD-CLOTHING WALLESER	230.00	77538
VESSCO	WTR-REPAIR	1,819.56	77539
STAPLES	CA-SUPPLIES	2.49	77540
WINDSTREAM	PD/LIB-PHONES	136.41	77541
CONSUMERS ENERGY	ALL-UTILITY	5,674.68	77542
TENDALL, JAMIE	STS-SHIRTS TENDALL	96.27	77543
JOHN DEERE FIN	PKM/STS/PKM/WTR-SUPPLIES	160.21	77544
HR GREEN	ENGINEERING	79,130.87	77545
BELL, KEVIN	FD-REIMB	132.46	77546
PLUMB SUPPLY CO	WTR-PIPE	37.90	77547
JAX OUTDOOR GEAR	REC-BASEBALL SCOREBOOKS	1,978.00	77548
FREEDOM TIRE	FD-#11 TIRES	267.80	77549
AMES TRENCHING	P&Z/WTR-102 K AVE DEMO/MAIN RP	5,060.00	77550
ZIMCO	PKM-CHALK/GRASS SEED	583.00	77551
JOHNSON CONTROLS	WTR-SECURITY	250.00	77552
UNITYPOINT CLINIC	STS-DOT TESTING	84.00	77553
CENTRAL IA WATER ASSC	WTR/LWE RAW WATER 4/2022	449.31	77554
AMAZON	REC/PD/WWT/CEM/STS-SUPPLIES	404.54	77555
AMES FORD LINCOLN	PD-#33 RPR	447.46	77556
KRUCK	CH-EXP TANK/ESJ PIPE	1,831.76	77557
LYNN CARD CO	FD-CARDS	190.00	77558
RACOM CORP	STS/WTR/CA/PS-RADIOS	28,902.71	77559
BAILEY, JOSIE	PD-REIMB	25.93	77560
DOG WASTE DEPOT	PKM-DOG WASTE BAGS	273.88	77561
WATCHGUARD VIDEO	PD-MAGNETIC CENTER MOUNT	248.00	77562
FIRE SERVICE TRNG BUREAU	FD-PYKE TRNG	50.00	77563
MENARDS - AMES	PKM-SUPPLIES	38.60	77564
RMH ARCH	FIELD HOUSE-ARCH	50,534.65	77565
BLACKBIRD	ALL-BRANDNG	21.76	77566
CENTRALSQUARE	PD-ANNUAL MAINT FEE	18,427.50	77567
MARTINEZ, BRANDON	PD-COMPLIANCE CHECKS	150.00	77568
AMERICAN BUSINESS PHONES	ADM-PHONES	472.04	77569
MADISON NATIONAL LIFE INS	ALL-LIFE INSURANCE	458.40	77570
DICKS, MADISON	PD-REIMB	25.03	77571
RAYMOND, HUNTER	SB-CLINIC	60.00	77572
FIRE MARSHALL SUPPORT SVS	PD-CROWD MANAGER TRNG	239.40	77573
	Refund Checks Total		
	Accounts Payable Total	716,623.20	
	Payroll Checks	73,953.59	

***** REPORT TOTAL *****

790,576.79

GENERAL	143,203.04
ROAD USE TAX	28,380.44
LOCAL OPTION SALES TAX	14,485.86
LIBRARY TRUST	1,846.61
NORTH STORY BASEBALL	1,978.00
PARK OPEN SPACE	56.23
SC/FIELDHOUSE	50,534.65
2021 STS 11TH/S14	2,813.50
WATER	50,414.34
SEWER	27,308.80
SEWER CAP IMP PROJECT	467,204.34
LANDFILL/GARBAGE	56.02
STORM WATER	74.61
REVOLVING FUND	2,060.97
FLEX BENEFIT REVOLVING	159.38
TOTAL FUNDS	<u>790,576.79</u>

Item # 50
Date: 3/28/22



State of Iowa

Alcoholic Beverages Division

Applicant

NAME OF LEGAL ENTITY	NAME OF BUSINESS(DBA)	BUSINESS
FARMHOUSE CATERING, L.C.	Cozy Home and Table	(515) 230-2717

ADDRESS OF PREMISES	CITY	COUNTY	ZIP
1005 6th St	Nevada	story	50201-1826

MAILING ADDRESS	CITY	STATE	ZIP
1024 6th Street	Nevada	Iowa	50201

Contact Person

NAME	PHONE	EMAIL
Evie Peterson	(515) 709-9405	farmhousecatering@gmail.com

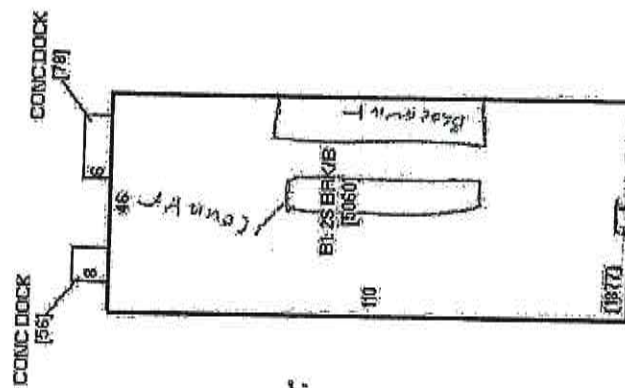
License Information

LICENSE NUMBER	LICENSE/PERMIT TYPE	TERM	STATUS
	Class B Wine Permit	12 Month	Submitted to Local Authority

TENTATIVE EFFECTIVE DATE	TENTATIVE EXPIRATION DATE	LAST DAY OF BUSINESS
Mar 16, 2022	Mar 15, 2023	

SUB-PERMITS

Class B Wine Permit



What would be
 sold on racks by
 the bottle

BEER AND/OR LIQUOR RENEWAL CERTIFICATE OF INSPECTION

This application will be on the 3/28/22 Council Agenda

Business Name Cozy Home and Table Phone Number _____

Address 1005 6th St

Manager's Name _____ Phone Number _____

Address _____

Owners Name _____ Phone Number _____

Address _____

I hereby certify that the premises where the above applicant intends to operate pursuant to a beer or liquor license has been inspected by the undersigned and that on the date of the inspection the premises (conforms/did not conform) to all applicable fire regulations of the City of Nevada and the State of Iowa.

The Fire Department recommends ☒ approval ☐ denial of a beer or liquor license to this business.

3/17/22
Date

[Signature]
FIRE INSPECTOR AND/OR BUILDING INSPECTOR

COMMENTS/OR REASONS IF DENIED: (Write on back or another sheet if needed)

No issues

Item # 5D
Date: 3/28/22

**APPLICATION
FOR
GARBAGE AND SOLID WASTE HANDLERS AND HAULERS LICENSE**

UNDER PROVISIONS OF TITLE III - CHAPTER 106
OF THE CITY CODE OF NEVADA, IOWA.

NEW X RENEWAL _____

I/We, Garbage Guys address 305 S Water St, Cambridge, IA
do hereby, this 10 day of March, 2022 make application for a License/Renewal from 5004
the City of Nevada, Iowa, pursuant to Chapter 106 of the City Code of Ordinances of Nevada, Iowa, to
pick up and haul garbage or refuse within the aforesaid City.

This License/Renewal to run from January 1, 2022 to December 31, 2022. I have attached the
following documents to this application: 1) a Certificate of Satisfactory Inspection issued by the City
of Ames that my equipment meets the requirements of Chapter 106; 2) A complete and accurate listing
of the number and type of collection and transportation equipment to be used; 3) a complete description
of the frequency, routes and method of collection and transportation to be used; 4) a statement as to the
precise location and method of disposal or processing facilities to be used; 5) a certificate or affidavit of
my Insurance necessary under Chapter 106, meeting the minimum requirements of said Ordinance, and
6) if a corporation, the names and addresses of the officers thereof.

My License/Renewal fee of \$ 75.00 (\$25 per vehicle - list below) is attached to this application. I
further state that I have been issued a copy of Chapter 106 and that I am thoroughly familiar with all of
its requirements and will conduct myself and my equipment accordingly.

Signed

By Clinton Eichinger
Owner, Garbage Guys

Vehicles:

1. 2020 International 20 yd Rear Loader
2. 2019 Peterbilt 20 yd Rear Loader
3. 2009 Mack Roll Off License # JWT 8917
4. _____
5. _____

For Official Use Only

Date Application received _____

Date Approved by Nevada City Council on _____

Attest:

City Clerk, _____

City Administrator _____



Proclamation

“NATIONAL LIBRARY WEEK”

WHEREAS, libraries are accessible and inclusive places that foster a sense of connection and build community;

WHEREAS, libraries connect people to technology, providing access to broadband internet, computers, and training that are critical for accessing education and employment opportunities;

WHEREAS, libraries offer opportunities for everyone to connect with new ideas and become their best selves through access to multimedia content, programs, and classes – in addition to books;

WHEREAS, today's libraries and their services extend far beyond the four walls of a building and everyone is welcome to use their resources;

WHEREAS, in times of crisis, libraries and library professionals play an invaluable role in supporting their communities both in person and virtually;

WHEREAS, libraries strive to develop and maintain programs and collections that are as diverse as the populations they serve and ensure equity of access for all;

WHEREAS, to adapt to our changing world, libraries are expanding their resources and continuing to meet the needs of their patrons;

WHEREAS, libraries have long served as trusted and treasured institutions for all members of the community regardless of race, ethnicity, creed, ability, sexual orientation, gender identity, or socio-economic status;

WHEREAS, libraries are cornerstones of democracy, promoting the free exchange of information and ideas for all;

WHEREAS, libraries, librarians, and library workers are joining library supporters and advocates across the nation to celebrate National Library Week;

NOW, THEREFORE, be it resolved that I, Mayor Brett Barker, proclaim National Library Week, April 3-9, 2022. During this week, I encourage all residents to connect with their library by visiting online or in person to access resources and services.

Signed this 28th day of March, 2022.




Brett Barker, Mayor



Item # 7A
Date: 3/28/22

**HR GREEN, INC.
PROFESSIONAL SERVICES AGREEMENT AMENDMENT NO. 1**

THIS AMENDMENT, made this 14th day of March, 2022 by and between, City of Nevada, IA the CLIENT, and HR GREEN, INC. (hereafter "COMPANY"), for professional services concerning:

City of Nevada, IA Sponsored Project Concept Design

hereby amends the original Professional Services Agreement dated January 19, 2021 as follows:

The CLIENT and COMPANY agree to amend the Scope of Services of the original Professional Services Agreement and previous amendments as follows:

1. Retracement Plat of Survey for 27 parcels within the Survey Limits, shown on Attachment A.
2. Topographic Survey for the areas noted on Attachment A – Survey Limits.

This scope will be completed within 7 weeks of the receipt of this signed amendment. CLIENT will obtain Right of Entry for survey from the private property owners within the Survey Limits.

COMPANY Project Number: 191900.02

The CLIENT and COMPANY agree to amend other provisions of the original Professional Services Agreement and previous amendments as follows:

None

In consideration for these services, the CLIENT AGREES to adjust the payment for services performed by COMPANY on the following basis:

Per current rate schedule with a maximum fee to be increased by Thirty Thousand Five Hundred Dollars (\$30,500).

The total authorized compensation after this Amendment, including the original Professional Services Agreement and all previous Amendments, is Two Hundred Thirteen Thousand Dollars (\$213,000).

THIS AMENDMENT is subject to all provisions of the original Professional Services Agreement.

THIS AMENDMENT, together with the original Professional Services Agreement and all previous amendments represents the entire and integrated AGREEMENT between the CLIENT and COMPANY.

THIS AMENDMENT executed the day and year written above.

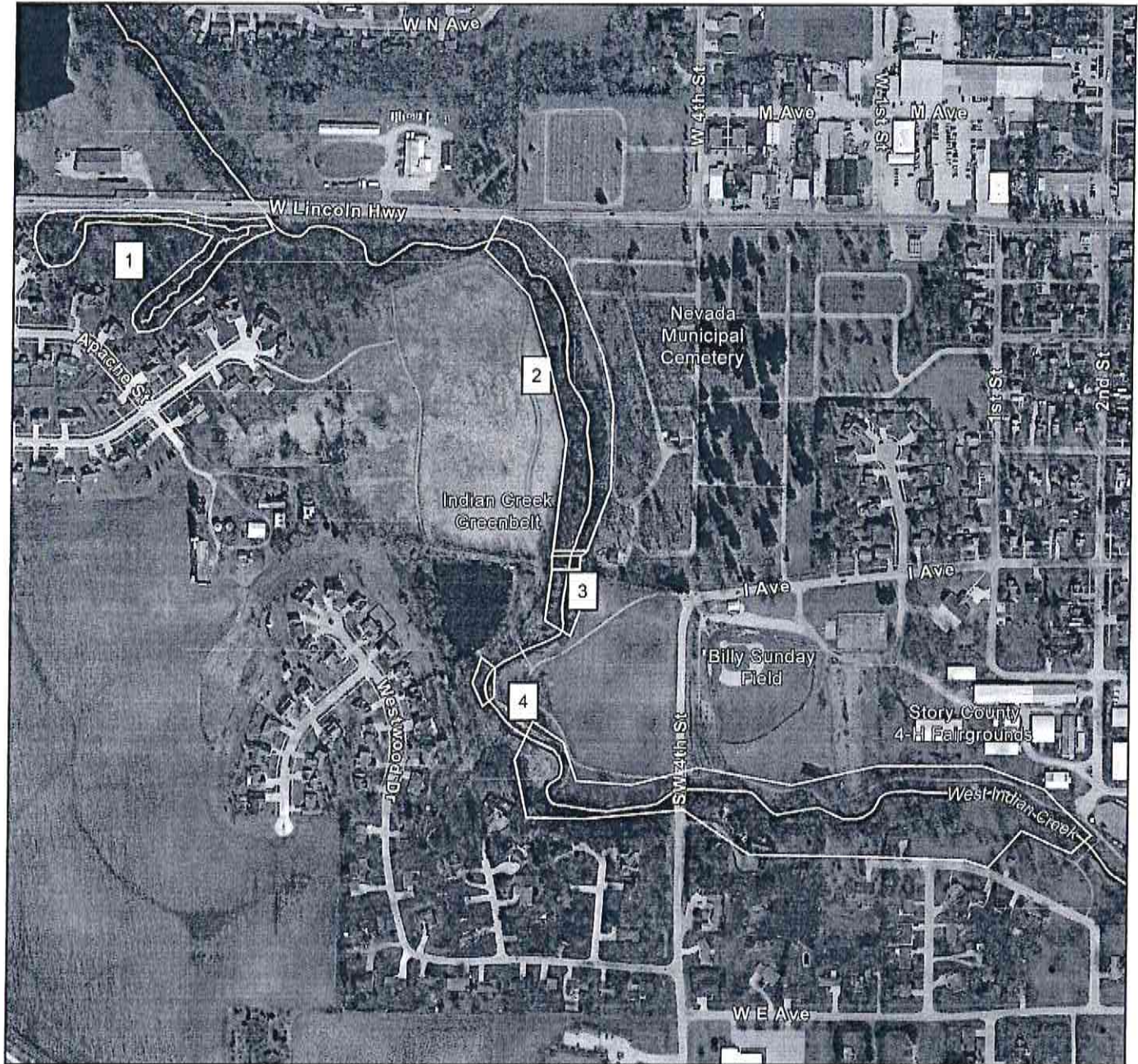
City of Nevada, IA

HR GREEN, INC.

Jordan Cook
By: City Administrator

Teresa Stadelmann, PE
By: Principal

ATTACHMENT A



Legend

— Flowline

1. Ditch Line and Drainage Channel (1,100 LF)
2. West Indian Creek Channel at Cemetery (1,100 LF)
3. West Indian Creek Channel and Structure (175 LF)
4. West Indian Creek Channel (2,500 LF)

West Indian Creek Survey Locations North

Nevada, IA

0 250 500
Feet



Item # 7B
Date: 3/28/22



► 5525 Merle Hay Road | Suite 200
Johnston, IA 50131
Main 515.278.2913 + Fax 713.965.0044
► hrgreen.com

March 21, 2022

Mr. Jordan Cook
City Administrator
City of Nevada
1209 6th Street
Nevada, IA 50201

Re: Nevada WWTF Improvements – Phase 3: Recommendation on Contractor's Application for Payment No. 1

Dear Jordan:

Attached is an electronic copy of Payment Application No. 1 from Boomerang Corp. for the Nevada WWTF Improvements – Phase 3 project. Items included in this application are summarized as follows:

- **Division 01 – Bonds / Permits / Insurance**
- **Division 01 – Administration / Project Management**

The total for Pay Application No. 1 is \$95,475.50. As of this Pay Application, Boomerang Corp. has been paid 1.3% of the contract, which breaks down to work completed of 1.3% with no stored materials. As of this Pay Application, 9.6% of the time has been used. Boomerang Corp. appears to be on schedule based on work completed and time remaining.

We have reviewed Payment Application No. 1 and find the requested items acceptable. No on-site labor has occurred to date, thus there are no certified payrolls for review with this payment application. Administrative and project management is not subject to the Davis-Bacon wage rates. Therefore, we recommend full payment of Payment Application No. 1 as submitted by Boomerang Corp. Please execute the pay application and distribute copies to all parties.

If you have any questions regarding this payment application, please feel free to contact me at (515) 657-5304.

Sincerely,

HR GREEN, INC.

A handwritten signature in black ink, appearing to read 'Michael Roth'.

Michael Roth, P.E.
Project Manager

Cc : Kerin Wright, City Clerk (via email)
Mark Jones, WWTF Superintendent (via email)
Katie Helgens, Boomerang Corp. (via email)
Bud Maynard, Boomerang Corp. (via email)



► Mr. Jordan Cook
Page 2 of 2
March 21, 2022

J:\2016\160473.03\Construction\Payment\Pay_Estimates\#1\ltr-032122-WWTF Impr_Phase_3-Pay_Request_1_recommendation.docx

APPLICATION AND CERTIFICATION FOR PAYMENT

TO OWNER: City of Nevada PROJECT: Nevada Wastewater Improvements
FROM CONTRACTOR: Boomerang Corp 12536 Buffalo Road Anamosa, Iowa 52205
APPLICATION NO: 1 PERIOD TO: 2/22/2022 PROJECT NOS: CONTRACT DATE: HR Green Michael Roth

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract. Continuation Sheet is attached.

1. ORIGINAL CONTRACT SUM	\$ 7,077,000.00
2. Net change by Change Orders	\$ -
3. CONTRACT SUM TO DATE (Line 1 + 2)	\$ 7,077,000.00
4. TOTAL COMPLETED & STORED TO DATE	\$ 100,500.53
5. RETAINAGE:	
a. 5% of Work Completed (Not including water main) (Columns D + E on Continuation Sheet)	\$ -
b. 5% of Stored Material (Column F on Continuation Sheet)	\$ -
Total Retainage (Line 5a + 5b) (Total in Column I on Continuation Sheet)	\$ 5,025.03
6. TOTAL EARNED LESS RETAINAGE (Line 4 less Line 5 Total)	\$ 95,475.50
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)	\$ -
8. CURRENT PAYMENT DUE	\$ 95,475.50
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6)	\$ 6,981,524.50

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR:

By: *Michael Roth*

Date: 3-17-2022



By: *Cindy Behrends*
ENGINEER'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Engineer certifies to the Owner that to the best of the Engineer's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED..... \$ 95,475.50

(Attached explanation if amount certified differs from the amount applied for. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified)

ENGINEER:

Michael Roth

By: _____ Date: 3/21/22

OWNER'S APPROVAL:

By: _____ Date: _____

APPLICATION NO:

2/22/2022

PERIOD TO:
ENGINEER'S PROJECT NO.:

2/22/2022

4

APPLICATION AND CERTIFICATE FOR PAYMENT,
containing Contractor's signed Certification, is attached.

In tabulations below, amounts are stated to the nearest dollar.

Use Column I on Contracts where variable retainage for line items may apply.

PERIOD TO:
2/22/2022
ENGINEER'S PROJECT NO.:

A Item No.	B Description of Work	C Scheduled Value		D Work Completed		E Materials Presently Stored (not in D or E)	F Total Completed & Stored to Date (D + E + F)		G % (G/C)	H Balance to Finish (C - G)	I Retainage (at Variable Rate)
		From Previous Application (D + E)	This Period	From Previous Application (D + E)	This Period						
8	Weather Barrier At Masonry Materials	\$ 4,500.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 4,500.00	\$ -
	Weather Barrier at Masonry Labor	\$ 7,500.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 7,500.00	\$ -
	TPO Roofing Submittals	\$ 4,500.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 4,500.00	\$ -
	TPO Roofing Labor	\$ 55,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 55,000.00	\$ -
	Sheet Metal Flashings and Trims Labor and Materials	\$ 9,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 9,000.00	\$ -
	Roofing Accessories Labor and Materials	\$ 6,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 6,000.00	\$ -
	Firestopping/Miscellaneous Insulation Labor and Materials	\$ 1,500.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 1,500.00	\$ -
	Division 8 Doors and Hardware	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	#DIV/0!	\$ -	\$ -
	ALL door and Hardware Submittals	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	#DIV/0!	\$ -	\$ -
	Aluminum Doors Frames Materials	\$ 20,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 20,000.00	\$ -
9	Aluminum Doors Frames Labor	\$ 13,500.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 13,500.00	\$ -
	Hardware Materials	\$ 10,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 10,000.00	\$ -
	FRP Doors and Frames Materials	\$ 12,500.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 12,500.00	\$ -
	FRP Doors and Frames Labor	\$ 8,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 8,000.00	\$ -
	Floor Hatches Labor and Materials	\$ 50,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 50,000.00	\$ -
	Overhead Ceiling Doors Materials	\$ 11,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 11,000.00	\$ -
	Overhead Ceiling Doors Labor Shipping	\$ 3,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 3,000.00	\$ -
	Translucent Roof Assemblies Materials	\$ 15,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 15,000.00	\$ -
	Translucent Roof Assemblies Labor	\$ 7,500.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 7,500.00	\$ -
	Division 9 Finishes	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	#DIV/0!	\$ -	\$ -
10	Painting Labor and Materials	\$ 43,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 43,000.00	\$ -
	Corrosion Protective Liner Materials	\$ 130,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 130,000.00	\$ -
	Corrosion Protection Liner Labor	\$ 265,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 265,000.00	\$ -
	Division 10 Specialties	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ -	\$ -
22	Signage Labor and Materials	\$ 900.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 900.00	\$ -
	Tool Accessories Labor and Materials	\$ 800.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 800.00	\$ -
	Fire Extinguishers Labor and Materials	\$ 800.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 800.00	\$ -
	Division 22,23,35 Plumbing/HVAC/Gates	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ -	\$ -
	Hydropneumatic Surge Tanks Materials Down Payment	\$ 32,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 32,000.00	\$ -
	Hydropneumatic Surge Tanks Materials - Balance	\$ 288,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 288,000.00	\$ -
	Process Valves/ Gates Materials	\$ 13,500.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 13,500.00	\$ -
	Process Valves/ Gates Labor	\$ 243,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 243,000.00	\$ -
	Plumbing/HVAC Materials	\$ 25,500.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 25,500.00	\$ -
	Liebert Mini Split Materials	\$ 260,834.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 260,834.00	\$ -
25	Plumbing HVAC Labor	\$ 25,066.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 25,066.00	\$ -
	Process Piping Materials Down Payment	\$ 197,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 197,000.00	\$ -
	Process Piping Balance Materials	\$ 15,350.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 15,350.00	\$ -
	Process Piping Labor	\$ 109,650.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 109,650.00	\$ -
	Process Piping Labor	\$ 76,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 76,000.00	\$ -
	Process Piping Labor	\$ 5,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 5,000.00	\$ -
	Training/ Start Ups	\$ 10,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 10,000.00	\$ -
	Submittals	\$ 5,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 5,000.00	\$ -
	Division 25,27 Integrated Automation, Comm.	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	#DIV/0!	\$ -	\$ -
	Jetco Submittals	\$ 30,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 30,000.00	\$ -
28	Jetco Production Labor and Materials	\$ 320,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 320,000.00	\$ -
	Final Checks Start up	\$ 30,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 30,000.00	\$ -
	Division 28 Electrical	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	#DIV/0!	\$ -	\$ -
	Demo	\$ 1,700.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 1,700.00	\$ -

APPLICATION AND CERTIFICATE FOR PAYMENT,
containing Contractor's signed Certification, is attached.

PERIOD TO: 2/22/2022
ENGINEER'S PROJECT NO.:

In tabulations below, amounts are stated to the nearest dollar.
Use Column I on Contracts where variable retainage for line items may apply.

A Item No.	B Description of Work	C Scheduled Value		D From Previous Application (D + E)		E Work Completed This Period		F Materials Properly Stored (not in D or E)	G Total Completed & Stored to Date (D + E + F)		H Balance to Finish (C - G)	I Retainage (if Variable rate)
		\$		\$		\$		\$		% (G/C)	\$	
28	Underground Labor	\$ 40,000.00		\$ -		\$ -		\$ -		0%	\$ 40,000.00	\$ -
	Underground Materials	\$ 41,000.00		\$ -		\$ -		\$ -		0%	\$ 41,000.00	\$ -
	Branch Conduit Labor	\$ 30,000.00		\$ -		\$ -		\$ -		0%	\$ 30,000.00	\$ -
	Branch Conduit Materials	\$ 28,000.00		\$ -		\$ -		\$ -		0%	\$ 28,000.00	\$ -
	Feeder Conduit Labor	\$ 35,000.00		\$ -		\$ -		\$ -		0%	\$ 35,000.00	\$ -
	Feeder Conduit Materials	\$ 13,000.00		\$ -		\$ -		\$ -		0%	\$ 13,000.00	\$ -
	Branch Wire Labor	\$ 16,000.00		\$ -		\$ -		\$ -		0%	\$ 16,000.00	\$ -
	Branch Wire Materials	\$ 42,000.00		\$ -		\$ -		\$ -		0%	\$ 42,000.00	\$ -
	Feeder Wire Labor	\$ 11,000.00		\$ -		\$ -		\$ -		0%	\$ 11,000.00	\$ -
	Feeder Wire Materials	\$ 33,500.00		\$ -		\$ -		\$ -		0%	\$ 33,500.00	\$ -
	Electrical Gear Labor	\$ 8,500.00		\$ -		\$ -		\$ -		0%	\$ 8,500.00	\$ -
	Lighting Protection Labor and Materials	\$ 11,000.00		\$ -		\$ -		\$ -		0%	\$ 11,000.00	\$ -
	Lighting Labor	\$ 33,000.00		\$ -		\$ -		\$ -		0%	\$ 33,000.00	\$ -
	Lighting Materials	\$ 4,000.00		\$ -		\$ -		\$ -		0%	\$ 4,000.00	\$ -
	Devices Labor	\$ 17,000.00		\$ -		\$ -		\$ -		0%	\$ 17,000.00	\$ -
	Devices Materials	\$ 6,000.00		\$ -		\$ -		\$ -		0%	\$ 6,000.00	\$ -
29	Generator Labor	\$ 23,000.00		\$ -		\$ -		\$ -		0%	\$ 23,000.00	\$ -
	Controls Labor	\$ 36,000.00		\$ -		\$ -		\$ -		0%	\$ 36,000.00	\$ -
	Submittals/CAD Design	\$ 137,600.00		\$ -		\$ -		\$ -		0%	\$ 137,600.00	\$ -
	Cummins Generator/Transfer Switch Materials	\$ -		\$ -		\$ -		\$ -		#DIV/0!	\$ -	\$ -
30	Electronic Safety and Security	\$ 5,695.48		\$ -		\$ -		\$ -		0%	\$ 5,695.48	\$ -
	Security Camera Down Payment	\$ 5,035.01		\$ -		\$ -		\$ -		0%	\$ 5,035.01	\$ -
	Security Camera Labor and Materials Balance	\$ -		\$ -		\$ -		\$ -		#DIV/0!	\$ -	\$ -
		\$ -		\$ -		\$ -		\$ -		#DIV/0!	\$ -	\$ -
31	Division 31 Earthwork	\$ -		\$ -		\$ -		\$ -		0%	\$ -	\$ -
	Lay down /storage areas	\$ 25,000.00		\$ -		\$ -		\$ -		0%	\$ 25,000.00	\$ -
	Shovel/Backspread topsoil	\$ 6,000.00		\$ -		\$ -		\$ -		0%	\$ 6,000.00	\$ -
	Mass Excavation	\$ 85,000.00		\$ -		\$ -		\$ -		0%	\$ 85,000.00	\$ -
	Dewatering	\$ 50,000.00		\$ -		\$ -		\$ -		0%	\$ 50,000.00	\$ -
	Backfill Structures	\$ 20,000.00		\$ -		\$ -		\$ -		0%	\$ 20,000.00	\$ -
	Final Grade	\$ 5,000.00		\$ -		\$ -		\$ -		0%	\$ 5,000.00	\$ -
		\$ -		\$ -		\$ -		\$ -		0%	\$ -	\$ -
		\$ -		\$ -		\$ -		\$ -		0%	\$ -	\$ -
		\$ -		\$ -		\$ -		\$ -		0%	\$ -	\$ -
32	Division 32 Exterior Improvements	\$ -		\$ -		\$ -		\$ -		0%	\$ -	\$ -
	Aggregate Base Courses Labor and Materials	\$ 25,000.00		\$ -		\$ -		\$ -		0%	\$ 25,000.00	\$ -
	Paving Labor and Materials	\$ 90,000.00		\$ -		\$ -		\$ -		0%	\$ 90,000.00	\$ -
	Asphalt Patch	\$ 5,000.00		\$ -		\$ -		\$ -		0%	\$ 5,000.00	\$ -
	Temporary Access Road	\$ 4,500.00		\$ -		\$ -		\$ -		0%	\$ 4,500.00	\$ -
	Granular Surfacing	\$ 3,500.00		\$ -		\$ -		\$ -		0%	\$ 3,500.00	\$ -
	Chain Link Fence and Gates	\$ 27,000.00		\$ -		\$ -		\$ -		0%	\$ 27,000.00	\$ -
	Rollard Covers	\$ 1,500.00		\$ -		\$ -		\$ -		0%	\$ 1,500.00	\$ -
	Seeding	\$ 5,000.00		\$ -		\$ -		\$ -		0%	\$ 5,000.00	\$ -
		\$ -		\$ -		\$ -		\$ -		#DIV/0!	\$ -	\$ -
33	Division 33 Utilities	\$ -		\$ -		\$ -		\$ -		0%	\$ -	\$ -
	Disinfection of Watermain	\$ 1,500.00		\$ -		\$ -		\$ -		0%	\$ 1,500.00	\$ -
	Video-taping of Sanitary Sewer	\$ 500.00		\$ -		\$ -		\$ -		0%	\$ 500.00	\$ -
	Precast Manholes Materials with Liner Materials	\$ 65,000.00		\$ -		\$ -		\$ -		0%	\$ 65,000.00	\$ -
	Tapping Sleeve Labor	\$ 30,000.00		\$ -		\$ -		\$ -		0%	\$ 30,000.00	\$ -
	Tapping Sleeve Labor and Materials	\$ 6,000.00		\$ -		\$ -		\$ -		0%	\$ 6,000.00	\$ -
	Watermain Materials	\$ 25,000.00		\$ -		\$ -		\$ -		0%	\$ 25,000.00	\$ -
	Watermain Labor	\$ 28,000.00		\$ -		\$ -		\$ -		0%	\$ 28,000.00	\$ -
	Hydrostatic Testing	\$ 800.00		\$ -		\$ -		\$ -		0%	\$ 800.00	\$ -
	Sanitary Piping Materials	\$ 50,000.00		\$ -		\$ -		\$ -		0%	\$ 50,000.00	\$ -
34	Sanitary Piping Labor	\$ 25,000.00		\$ -		\$ -		\$ -		0%	\$ 25,000.00	\$ -
	Sanitary Sewer/Manhole Testing	\$ 1,200.00		\$ -		\$ -		\$ -		0%	\$ 1,200.00	\$ -

APPLICATION AND CERTIFICATE FOR PAYMENT,
containing Contractor's signed Certification, is attached.

In tabulations below, amounts are stated to the nearest dollar.

Use Column I on Contracts were variable retainage for five items may apply.

PERIOD TO:
ENGINEER'S PROJECT NO.:

[illegible]

ORDINANCE NO. 1023 (2021/2022)

AN ORDINANCE AMENDING THE CITY CODE OF NEVADA, IOWA, BY ADDING CHAPTER 158 (PROPERTY MAINTENANCE AND RESIDENTIAL RENTAL CODE)

WHEREAS, the City of Nevada (the "City") desires to establish minimum regulations regarding the conditions and maintenance of rental properties, buildings and structures. Ensuring that rental structures, buildings, and properties are safe, sanitary and fit for occupation and use; and

WHEREAS, the City adopts the International Property Maintenance Code pursuant to Iowa Code Chapter 562A; and

WHEREAS, the City deems it to be in the best interest of the City, in order to promote and protect the public health, safety, morals and general welfare of the citizens of the City of Nevada, to adopt new municipal code chapter 158.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of Nevada, Iowa as follows:

SECTION 1. ADD NEW CHAPTER 158 (PROPERTY MAINTENANCE AND RESIDENTIAL RENTAL CODE). The Code of Ordinances of the City of Nevada, Iowa, is amended by adding new Chapter 158 Property Maintenance and Residential Rental Code, as follows:

CHAPTER 158: PROPERTY MAINTENANCE AND RESIDENTIAL RENTAL CODE

158.01 TITLE AND STATEMENT OF PURPOSE. *The ordinance codified in this chapter is entitled as the "Property Maintenance and Residential Rental Code". The purpose of this chapter is to establish minimum regulations regarding the conditions and maintenance of rental properties, buildings, and structures. Standards outlined in Chapter 158 are to ensure that rental structures, buildings, and properties are safe, sanitary, and fit for occupation and use.*

158.02 ADOPTION OF PROPERTY MAINTENANCE CODE. *The International Property Maintenance Code, published by the International Code Council, Inc., is adopted in full except for such portions as may be hereinafter deleted, modified or amended.*

158.03 APPLICABILITY. *Provisions within this chapter shall be applicable to the maintenance, repair, equipment, use and occupancy of all residential rental buildings and accessory dwelling structures that are now in existence or hereafter constructed, habilitated, renovated, or converted to residential use within the corporate limits of the City of Nevada. Provisions within this chapter include, but are not limited to single-family dwellings, two-family dwellings, multi-family dwellings, mobile homes regulated under 562A of the Iowa Code, accessory dwelling units and/or rooming/sleeping units with the following exceptions:*

- a) Single-family dwellings which are occupied by the owner;*
- b) Transient shelters, group homes and college dormitories subject to state licensing; and*
- c) Hotels, motels, extended stay hotels and other similar uses subject to state licensing.*

Provisions within this chapter shall also be applicable to the land and common areas that provide services to individual owner-occupied units where said land and common area is under the ownership of someone other than that of said owner occupied unit, including, but not limited to, mobile home parks, horizontal property regimes pursuant to Iowa Code 499B, and multiple housing cooperatives pursuant to Iowa Code 499A.

158.04 DEFINITIONS. *The following terms are defined for the purposes of Chapter 158:*

- 1. "Building and Zoning Official" means the official who is charged with the administration and enforcement of this code, or any duly authorized representative.*
- 2. "Dwelling Unit" means a single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.*
- 3. "Group homes" means those dwelling units which provide for the care of a group of persons, such as but not limited to a nursing home or treatment facility that are subject to state licensing.*

4. "Inspection" means a review of a dwelling unit, building or structure for its compliance to adopted and relevant city codes.
5. "Minor" means an individual under the age of 18.
6. "Multi-family dwelling" means a building designed for or occupied exclusively by three or more families. This includes condominiums or individual dwelling units within the structure that are being rented or leased.
7. "Owner" means any person who, alone or jointly or severally with others shall have legal title to any dwelling unit, with or without accompanying actual possession thereof; or shall have charge care or control of any dwelling or dwelling unit, as owner or agent of the owner, or as executor, administrator, trustee or guardian of the estate of the owner. Any such person thus representing the actual owner shall be bound to comply with the provisions of this chapter to the same extent as if the representative were the owner.
8. "Rental inspection certificate" means a certificate issued upon the inspection and certification of a dwelling unit and allows for that dwelling unit to be rented and occupied.
9. "Single-family dwelling" means a building designed for or occupied exclusively by one family.
10. "Tenant/Occupant" means any individual residing in a rental dwelling unit or having possession of a space within a rental dwelling.
11. "Transient shelters" means those units providing temporary or transitional residence for a period of thirty-one (31) days or less.
12. "Two-family dwelling" means a building designed for or occupied exclusively by two families. This includes condominiums or individual dwelling units within the structure that are being rented or leased.

158.05 INTERPRETATION. In their interpretation and application, the provisions of this chapter shall be held to minimum requirements, adopted for the promotion and protection of the public health, safety, morals, and general welfare. Wherever the requirements of this chapter are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, deed restrictions, or covenants, the most restrictive, or that imposing the higher standards, shall govern.

158.06 CODE ENFORCEMENT OFFICER. It shall be the duty of the Building and Zoning Official, or other officially delegated and/or appointed by the City Administrator, who shall administer and enforce the provisions within this chapter and to conduct any required inspections or tests.

158.07 REGISTRATION AND INSPECTION CERTIFICATION REQUIRED. After the effective date hereof, no person shall rent, lease, let, operate, or otherwise allow the occupancy of any dwelling unit or any portion of any dwelling unit (including sleeping rooms) unless they hold a valid rental inspection certificate.

1. **Issuance.** Following the submission of a rental registration application, on forms provided by the City of Nevada, and review of the residential unit for compliance with the provisions within this chapter, the Building and Zoning Official shall issue a rental certificate to the owner and/or agent. No certificate shall be issued until all inspections, registration and other fees have been passed, completed, and paid.
2. **Owner and/or Agent Information Required.** Owners of residential rental properties in the City, who reside in Story County or any county contiguous thereto, shall provide the Building and Zoning Department with their contact information including but not limited to:
 - a) Mailing addresses
 - b) Telephone numbers
 - c) Fax numbers; and
 - d) E-mail addresses

Owners of residential rental properties in the City who reside in any area other than described above, shall provide the department with the contact information of an individual over the age of eighteen (18) who shall reside in Story County or any county contiguous thereto, and who shall be designated as agent for scheduling inspections, receiving notice, and service of process.

3. **Rental Inspection Certificate.** Certificates shall be readily available for examination by prospective tenants, tenants, and the Building and Zoning Official at all times.
4. **Certificate Duration and Validation.** Certificate shall expire at the end of two (2) years following its date of issuance, or from the listed expiration date, unless suspended or revoked as hereinafter provided.
5. **Certificate Renewal.** Certificates shall be revoked if not renewed within thirty (30) days from the date of expiration. Renewal shall include an inspection of rental property for compliance to provisions within this chapter.
6. **Transfer of Ownership.** A notice to the Building and Zoning Department is required from the owner within ninety-six (96) hours after a rental property is sold, transferred, conveyed, or otherwise disposed of

ownership, interest, or control. Notices shall include the name and address of the person succeeding to the ownership and control thereof. Certificates are transferable as long as the succeeding property owner re-registers the rental property under their name and contact information. The succeeding property owner will have thirty (30) days to re-register said property at no cost. If the succeeding property owner fails to re-register the rental property within thirty (30) days, rental certification shall be revoked or suspended.

7. **New Units.** New construction projects, which have received final inspection approval and have been issued a Certificate of Occupancy, need not complete an inspection for a period of two (2) years from the issue date but shall register their property and provide their contact information to the City in order to be compliant with provisions in this chapter.
8. **Crime-free Housing Training.** All persons applying for a rental permit for residential property and/or the managers of the respective rental properties of four (4) or more rental units, shall have successfully completed mandatory crime-free management training, administered or certified by the city, prior to issuance of the rental housing occupancy permit. The permit will be issued only after successful completion of the training. A temporary occupancy permit may be issued to the property owner for a minimum reasonable period of time which the inspector determines is needed in order to complete training requirements.

158.08 INSPECTION PROCEDURES. The owner and/or agent shall schedule an inspection to be conducted by the Building and Zoning Department to ensure compliance with the requirements of this chapter.

1. **Appointments.** Appointments for inspections shall be scheduled by the applicant through the City during regular business hours and shall provide at minimum one (1) business day notice. The City may request for the appointment to be rescheduled. The owner and/or agent shall be required to arrange for access to all portions of the building. Failure to provide access to all portions of the building shall prevent the issuance of a rental certificate and thus compliance with the law. The owner and/or agent shall notify all tenants of the inspection in accordance with Chapter 562A, Uniform Residential Landlord and Tenant Law, of the Code of Iowa. Failure to notify tenants shall result in reinspection.

2. **Inspection Schedule.** The Building and Zoning Department shall seek to inspect every residential rental dwelling within the corporate limits of the City of Nevada every two (2) years. As part of the inspection process, the City may determine to extend or shorten the timeframe to the next scheduled inspection. Factors that may influence the City to inspect more or less frequently include, but are not limited to the following:

- a) Age and condition of dwelling
- b) Inspection history
- c) Tenant/management complaints
- d) Natural disasters such as flooding
- e) Timely inspection scheduling, follow-up, and fee payment by the owner
- f) In-house inspection and maintenance program by the owner that includes specific life/safety provisions

It shall be the responsibility of the owner and/or agent to ensure that their rental properties have a valid rental inspection certificate. The City may schedule inspection appointments with the owner and/or agent of the property by regular mail and/or email, a minimum of thirty (30) days in advance of the inspection. It shall be the owner and/or agent's responsibility to notify all tenants of the inspection date and time, in accordance with Iowa law.

3. **Inspections shall not be conducted under the following circumstances and shall result in a reinspection:**

- a) When a minor is serving on the behalf of the owner and/or agent
- b) When the inspection is against the will of the tenant without the building owner and/or agent present
- c) When no prior notice is given to the tenant, as is required by state law
- d) Without either the owner and/or agent, tenant of the dwelling, or the designated agent being present

4. **Administrative Search Warrants.** When under any section of this code it is necessary to enter in or upon any building, structure, land or other premises for inspection purposed or when there is reasonable cause to believe there exists in, at or upon a building, structure, land or other premises within the jurisdiction of the city a violation of any section of this Code enacted under police powers related to health or safety and a city officer or employee is authorized to conduct inspections has attempted to gain entry to any building, structure, land or other premises for the purpose of such inspection and has been refused such entry, the council in the exercise of its home rule powers authorizes the city attorney or their designee to make an application for an administrative search warrant in the name and authority of the city as provided by law.

158.09 RENTAL HOUSING STANDARDS. The Building and Zoning Official shall inspect each rental unit or portion thereof, including any dwelling unit, guestroom or suite of rooms, to determine whether the premises are safe for human habitation or whether they are deemed substandard as set forth below.

Substandard conditions shall include, but not be limited to, the following:

- 1. Lack of proper water closet, lavatory, bathtub or shower;*
- 2. Lack of proper kitchen sink;*
- 3. Lack of hot and cold running water to plumbing fixtures;*
- 4. Lack of heating facilities;*
- 5. Lack of or improper operations required ventilating equipment;*
- 6. Lack of or minimum amounts of natural light and ventilation;*
- 7. Lack of required electrical lighting;*
- 8. Dampness of habitable rooms;*
- 9. Infestation of insects, vermin or rodents;*
- 10. General dilapidation or improper maintenance;*
- 11. Lack of connection to the required sewage disposal system;*
- 12. Lack of adequate garbage and rubbish storage and removal facilities;*
- 13. Lack of valid minimum rental housing occupancy permit for the dwelling unit;*
- 14. Structural Hazards, including:*
 - (a) Deteriorating or inadequate foundations;*
 - (b) Defective or deteriorating flooring or floor supports;*
 - (c) Flooring or flooring supports of insufficient size to carry imposed loads with safety;*
 - (d) Members of wall, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration;*
 - (e) Members of walls, partitions or other vertical supports that are of insufficient size to carry imposed loads with safety;*
 - (f) Members of ceilings, roofs, ceiling and roof supports or other horizontal members which sag, split or buckle due to defective material or deterioration;*
 - (g) Members of ceiling, roofs, ceiling and roof supports or other horizontal members that are of insufficient size to carry imposed loads with safety;*
 - (h) Fireplaces or chimneys which list, bulge or settle due to material deterioration; and*
 - (i) Fireplaces or chimneys which are insufficient size or strength to carry imposed loads with safety.*
- 15. Hazardous wiring. Hazardous wiring shall include all wiring, except that which conformed with all applicable laws in effect at the time of installation and which has been maintained in good condition and is being used in a safe manner;*
- 16. Hazardous plumbing. Hazardous plumbing shall include all plumbing, except that which conformed with all applicable laws in effect at the time of installation and which has been maintained in good condition and which is free of cross connections and siphoning between fixtures;*
- 17. Hazardous mechanical equipment. Hazardous mechanical equipment shall include all mechanical equipment, including vents, except that which conformed with all applicable laws in effect at the time of installation and which has been maintained in good and safe condition;*
- 18. Faulty weather protection. Faulty weather protection shall include, but not be limited to, the following:*
 - (a) Deteriorated, crumbling or loose plaster;*
 - (b) Deteriorating or ineffective water-proofing of exterior walls, roofs, foundations or floors, including broken windows or doors;*
 - (c) Defective weather protection or lack of weather protection for exterior wall coverings, including lack of paint, or weathering due to lack of paint or other approved protective covering; and*
 - (d) Broken, rotted, split or buckled exterior wall coverings or roof.*
- 19. Fire hazards. Any building or portion thereof, device, apparatus, equipment, combustible waste or vegetation which, in the opinion of the Chief of Fire Department or his or her designee, is in such condition as to cause a fire or explosion or provide a ready fuel to augment the spread and intensity of fire or explosion arising from any cause shall be deemed a fire hazards.*
- 20. Faulty materials of construction. Faulty materials of construction shall include all materials of construction, except those which are specifically allowed or approved by this chapter and the building code, and which have been adequately maintained in good and safe condition.*
- 21. Hazardous or unsanitary premises. Hazardous or unsanitary premises shall include those premises on which an accumulation of weeds, vegetation, junk, dead organic matter, debris, garbage, offal, rat harborages, stagnant water, combustible materials and similar materials or conditions constitute fire health or safety hazards.*

22. *Inadequate maintenance. Any building or portion thereof which is determined to be an unsafe or dangerous building in accordance with the Building Code of the city shall be deemed to be inadequately maintained.*
 23. *Inadequate exits. All buildings or portion thereof not provided with adequate exit facilities as required by this chapter shall be deemed to have inadequate exits. When an unsafe condition exists through lack of or improper location of exits, additional exits may be required to be installed.*
 24. *Inadequate fire-resistive construction or firefighting equipment.*
 - (a) *Fire-resistive. All buildings or portion thereof which are not provided with the fire-resistive construction required by this chapter shall be deemed to have inadequate fire-resistive construction, except those buildings or portions thereof which the owner proves by clear satisfactory and convincing evidence:*
 - (i) *Conformed with all applicable laws at the time of their construction, conversion to rental dwelling unit status and increase in number of rental dwelling units; and*
 - (ii) *Whose fire-resistive construction has been adequately maintained and improved with any increase in number of dwelling units or occupant load, and with any alteration, addition or change in occupancy.*
 - (b) *Deemed inadequate. All buildings or portions thereof which are not provided with the fire extinguishing system or equipment required by this chapter shall be deemed to have inadequate fire extinguishing systems or equipment.*
 25. *Improper occupancy. Improper occupancy shall include any occupancy of a building or portion thereof occupied for living, sleeping, cooking or dining purposes which was not designed or intended to be used for such occupancy. Improper occupancy shall also include the occupancy of, or allowing the occupancy of, any dwelling unit for which there is not in effect a valid and current minimum rental housing occupancy permit or a valid and current registration receipt with respect to said dwelling.*
- 158.10 MOBILE HOMES.** *Mobile homes shall be regulated and inspected in accordance with the following classifications:*
1. *The class of mobile homes denoted as manufactured homes, as defined in 42 USC 5402(6), shall bear a data plate, serial number and certification label as required by Manufactured Home Construction and Safety Standards, Department of Housing and Urban Development (1985) sections 3280.5, 3280.6 and 3280.8, or shall meet the requirements of section 3280.7.*
 2. *Mobile homes manufactured from March 1973 through May 1976 shall bear the seal of the state.*
 3. *Mobile homes manufactured prior to March 1973 shall be inspected for general conformity with the Manufactured Home Construction and Safety Standards cited in this section as such standards govern fire safety, plumbing, mechanical and electrical systems, and general construction.*
 4. *All other mobile homes not included in the classifications in sections (1) through (3) of this section shall be inspected for general conformity with the Manufactured Home Construction and Safety Standards cited in this section as such standards govern fire safety, plumbing, mechanical and electrical systems, and general construction.*
 5. *A mobile home showing no evidence of modification and generally well-maintained as set forth in this article, shall be issued an inspection certificate in the same manner as any other dwelling unit subject to this article.*
- 158.11 COMPLAINTS.** *Unless there are significant health, safety, or general welfare issues, a tenant shall first file a written complaint to the owner or agent. Complaints shall be submitted in writing.*
1. *An owner or agent shall have seven (7) days to address the complaint.*
 2. *If the complaint is not remedied to the tenant's satisfaction within seven (7) days of receiving said complaint, or if the complaint is of a significant health, safety, or general welfare issue, the Building and Zoning Official shall schedule an inspection with the tenant and owner.*
 3. *No person shall pursue an action for eviction in retaliation for a complaint.*
 4. *No person shall cause any service, facility, equipment or utility required under this chapter to be removed, shut off, or discontinued in retaliation for a complaint.*
- 158.12 REVOCATION AND SUSPENSION OF CERTIFICATES.** *Any rental inspection certificate may be summarily revoked and/or suspended by the Board of Adjustment upon the review of a notice of violation of any provision of this chapter or upon any outstanding fees, fines, or violations on any rental properties and/or units under the jurisdiction of the City of Nevada.*
- 158.13 WITHHOLDING OR DENIAL OF CERTIFICATES.** *Any rental inspection certificate may be withheld or denied by the Building and Zoning Department if an owner has outstanding fees, fines, or violations on any rental*

properties and/or units under the jurisdiction of the City of Nevada, or if the inspection reveals any of the substandard conditions as set forth in Section 158.09.

158.14 VIOLATIONS AND PENALTIES. Any person who fails to comply with any provisions of this chapter or other applicable code or regulation shall be subject to a fine as set forth in Chapter 4. In the instance that a rental property fails to meet the requirements within this chapter, the Building and Zoning Official may issue an order requiring for the property owner or agent to correct violations within a reasonable amount of time.

Whenever the City determines that a violation of this chapter exists, the City shall give notice of the violation. The notice shall be in writing and shall describe with reasonable detail the violation(s) to allow the property owner to correct said violation(s).

158.15 FEES. All fees due to the City for registration, and/or rental housing certificates, as determined by City Council resolution, shall be collected in prior to issuance of a certificate.

158.16 RENT COLLECTIONS. Rent shall not be recoverable by the owner or lessee of any dwelling unit which does not comply with the provisions of this chapter for any period of occupancy which commences on or after the date that the City gives notice to the owner and tenant of the provisions of this section. Rent shall not thereupon be recoverable by the owner of such dwelling unit until the City gives written notice to the owner and occupant that such dwelling unit has been issued a valid inspection certificate as required by this chapter.

158.17 APPEALS. Appeals to the Board of Adjustment concerning interpretation or administration of this chapter may be taken by any person aggrieved by any decision of the Building and Zoning Official. Such appeals shall be taken within a reasonable time, not exceeding 60 days, by filing with the Building and Zoning Official and with the Board of Adjustment a notice of appeal specifying the grounds thereof. The Building and Zoning Official shall forthwith transmit to the Board all papers constituting the record upon which the action appeal from was taken. The Board of Adjustment shall fix a reasonable time for the hearing of appeal, give public notice thereof as well as due notice to the parties in interest, and decide the same within a reasonable time. At the hearing any party may appear in person or by agent or attorney. A fee as set by the Resolution of the City Council shall be paid to the Building and Zoning Official at the time the notice of appeals is filed.

158.18 VARIANCES. In the case of appeals requesting a variance, the Board of Adjustment may grant a reasonable variance in a specific case and from a specific provision of this chapter, subject, however, to appropriate conditions; and, provided that, the Board makes specific findings of fact based on the evidence presented on the record as a whole, that the following factors have been established by the required standard of proof:

1. There are practical difficulties or unnecessary hardships in carrying out the strict letter of the notice or order;
2. Due to the particular circumstances presented, the effect of the application of the provisions of this chapter would be arbitrary in the specific case;
3. An extension of time to bring the property into compliance with the provisions of this chapter would not constitute an appropriate remedy for practical difficulties or unnecessary hardships in this arbitrary effect;
4. Such a variance is in harmony with the general purpose and intent of this chapter in securing the public health, safety and general welfare;
5. The granting of such variance will not render the structure unsafe for habitation; and
6. The structure benefitted by the variance conformed with all applicable provisions of this Code of Ordinances, including, but not limited to, zoning provisions, at each of the following times:
 - (a) At time of construction;
 - (b) At the time of its conversion to rental dwelling status; and
 - (c) At the time of any increase in number of rental dwelling units in the structure.

158.19 PROGRAM REQUIREMENTS. Crime-free lease addendum.

1. All residential rental property owner with four or more rental units, entering into leases regarding residential rental property shall utilize the crime-free lease addendum provided by the city. Property owners shall advise prospective tenants of the required crime-free lease addendum prior to entering into any lease or rental agreement.

2. The crime free lease addendum shall make criminal activity a lease violation and will specify that criminal activity is not limited to violent criminal activity or drug-related criminal activity engaged in by, facilitated by, or permitted by the tenant, a member of the household, a guest or any party under the control of the tenant. The property owner shall take all reasonable action to enforce the terms of the crime-free housing addendum, including eviction of the tenant in violation pursuant to the requirements of state law.

3. It shall constitute a violation of this subchapter for any residential rental property owner to knowingly permit any tenant to occupy any residential rental property without entering into a crime-free lease addendum or to occupy any residential rental property in violation of any provision of the crime-free lease addendum required under this section. Any failure to include a crime-free lease addendum or similar approved language may result in penalty as set forth below.

4. **Training.** All residential rental property owners with four or more rental units, shall have successfully completed mandatory crime-free management training, administered or certified by the city, prior to issuance of occupancy permits. Recertification training will be required of all residential rental property owners every three years.

5. **Property contact information.** The residential rental property owner shall provide the City with emergency contacts for each rental property, who can provide the names of the residents in each unit and has authority to make decisions with respect to the property.

6. **Tenant background checks.** All residential rental property owners with four or more rental units shall check the criminal background of all prospective tenants through a screening program approved by the Police Department. Copies of the completed background check must be retained in the tenant's files and made available to the city upon request.

7. **Chronic law enforcement issues.** Residential rental property owners with fewer than four rental units will be subject to program requirements of this subchapter only if the rental unit(s) experience chronic law enforcement issues. In the event of chronic law enforcement issues, property owners shall remain subject to program requirements for a period of 24 months violation free, following the latest founded incident. Chronic law enforcement issues are unit specific, with occupants therein and defined as:

- (a) One or more Founded Level 1 Violations as defined in 158.21 within a 12-month period.
- (b) Two or more Founded Level 2 Violations as defined in 158.21 within a 12-month period.
- (c) Three or more Founded Level 3 Violations as defined in 158.21 within a 12-month period.

8. **Enforcement/penalties.**

(a) **Notice.** Whenever the City determines that a violation of this section exists, the City shall give notice of violation and an order to correct to the property owner. The notice shall be in writing and shall describe with reasonable detail the violation(s) so that the property owner has the opportunity to correct said violation.

(b) **Violation.** Any person who fails to comply with any provisions of this subchapter after receiving written notice of the violations(s) and being given a reasonable opportunity to correct such violations(s) shall be deemed to be in violation of this subchapter.

(c) **Penalty.** Any property owner violating any provision of this subchapter or other applicable code or regulation with regard to the Crime-Free Multi-Housing Program shall be subject to a municipal infraction for each offense. A separate offense shall be deemed committed on each day a violation occurs or continues to exist. Permit renewals will not be approved unless all outstanding penalties are paid in full.

9. **Suspension/revocation.** Any failure of an owner to take reasonable action enforce the terms of the crime-free lease addendum after having been notified by the City of activity or conduct occurring on the residential rental property in violation of the addendum, and after having been given a reasonable opportunity to remedy such activity or conduct, shall be sufficient grounds for the suspension of his or her residential rental permit for a period of up to 90 days. Repeated suspensions may be grounds for revocation. The property owner shall have the right to appeal any suspension as set forth in this subchapter.

158.20 PUBLIC NUISANCE PROPERTY.

1. It shall be the responsibility of the owner of each dwelling unit that is subject to the provisions of this subchapter to assure that the use and occupancy of such dwelling unit does not unreasonably interfere with or adversely affect the rights of nearby residents to the quiet enjoyment of their property, and does not disturb the health, safety, comfort or general welfare of the occupants of surrounding properties.

2. Any use or occupancy, or allowing the use or occupancy, of any dwelling unit subject to the provisions of this subchapter in violation of the requirements of division (A) above shall constitute a public nuisance as defined in 158.21.

3. Failure of the owner to comply with the requirements of this section with respect to any dwelling unit owned by the owner shall be grounds for the assessment of infraction points covering such dwelling unit as provided in 158.21 of this subchapter.

158.21 ASSESSMENT OF INFRACTION POINTS. Founded complaint of violations.

1. In addition to the possibility of the issuance of a municipal infraction, the owner of any dwelling unit subject to the provisions of this subchapter at which a founded complaint of a violation of any of the following provisions of this code occurs shall be assessed infraction points, in accordance with the following schedule:

2. Nuisance property. A property shall be deemed a nuisance property upon a determination by the city that any one or more of the following is true with respect to the property:

(a) Level 1 Violation. One or more founded calls for service have been made concerning the following nuisance activities at or within 1,000 feet of the property within a period of 12 consecutive months, whether committed by a resident, guest(s) or other person(s) under the resident's control:

(i) Manufacture, delivery or possession of a controlled substance in violation of Iowa Code Chapter 124;

(ii) Kidnapping as defined in Iowa Code Chapter 710;

(iii) Arson as defined in Iowa Code Chapter 712;

(iv) Burglary as defined in Iowa Code Chapter 713;

(v) Robbery as defined in Iowa Code Chapter 711;

(vi) Sex abuse as defined in Iowa Code Chapter 709;

(vii) Intimidation with a dangerous weapon as defined in Iowa Code Section 708.6;

(viii) Willful injury as defined in Iowa Code Section 708.4;

(ix) Sexual exploitation of a minor in violation of Iowa Code Section 728.12;

(x) Felony gambling in violation of Iowa Code Chapter 725.7;

(xi) Felony criminal mischief as defined in Iowa Code Chapter 716;

(xii) Animal contests in violation of Iowa Code Chapter 717D;

(xiii) Riot as defined in Iowa Code Section 723.1;

(xiv) Prostitution as defined in Iowa Code Chapter 725;

(xv) Sex offender registry violations as defined in Iowa Code Chapter 692A;

(xvi) Owning, keeping or harboring a dangerous animal as defined in Nevada Municipal Code 55.01 and prohibited by 55.08 thereof.

(b) Level 2 Violation. Two or more founded calls for service have been made concerning the following nuisance activities at or within 1,000 feet of the property within a period of 12 consecutive months, whether committed by a resident, guest(s) or other person(s) under the resident's control:

(i) Serious or aggravated misdemeanor criminal mischief as defined in Iowa Code Chapter 716;

(ii) Serious or aggravated misdemeanor assault as defined in Iowa Code Chapter 708;

(iii) Serious or aggravated misdemeanor theft as defined in Iowa Code Chapter 714;

(iv) Misdemeanor gambling as defined in Iowa Code Chapter 725;

(v) False imprisonment as defined in Iowa Code Section 710.7;

(vi) Unlawful discharge of any device in violation of Chapter 41.10 and 41.11 of the Nevada Municipal Code;

(vii) Engaging in conduct prohibited by 50.02(10) of the Nevada Municipal Code concerning houses of ill fame;

(viii) Failure to disperse from an unlawful assembly as defined in Iowa Code § 723.3.

(c) Level 3 Violation. Three or more founded calls for service have been made concerning the following nuisance activities at or within 1,000 feet of the property within a period of 12 consecutive months, whether committed by a resident, guest(s) or other person(s) under the resident's control:

(i) Unlawful assembly in violation of Iowa Code § 723.2;

(ii) Simple misdemeanor assault in violation of Iowa Code Chapter 708;

(iii) Owning, keeping, harboring or knowingly permitting an animal to create such noise as to constitute a violation of 55.06 of the Nevada Municipal Code;

(iv) Disorderly Conduct in violation of Nevada Municipal Code 40.04;

(v) Consumption or intoxication in public places in violation of Iowa Code § 123.46;

(vi) Disorderly conduct in violation of Iowa Code § 723.4;

(vii) Persons under legal age in violation of Iowa Code § 123.47;

(viii) Making, continuing or causing the making or continuance of a noise disturbance as limited by Nevada Municipal Code Chapter 40;

(viii) False reports or communications to public safety entities in violation of Iowa Code § 718.6;

(ix) *Violation of any other general provisions not specifically listed, but prohibited in Chapter 40 "Public Peace" of the Nevada Municipal Code;*

(x) *Violation of any public nuisance not specifically listed, but prohibited in Chapter 50 "Public Peace" of the Nevada Municipal Code.*

1. *Notwithstanding the foregoing, Chapter 158, shall not apply to calls for service made by a caller seeking law enforcement assistance or other emergency assistance for a victim of crime or abuse, or seeking law enforcement assistance or other emergency assistance for an individual in any other emergency situation, if the caller had a reasonable belief that emergency assistance was necessary to prevent the perpetration or escalation of the abuse, crime or other emergency or, in the event of abuse, crime or other emergency, the emergency assistance was actually needed. Notwithstanding the foregoing, no penalty shall be imposed under this subchapter against a resident, owner, tenant or landlord because the resident, owner, tenant or landlord was a victim of abuse or crime.*

2. *Conduct within the scope of this subchapter may arise out of a mental health condition and that, accordingly, any documented mental health condition of which City officials are made aware may be taken into account when applying the terms of this subchapter.*

3. *Except where otherwise specified, the references in this section to provisions of the Iowa Code or the Nevada Municipal Code shall not be construed to mean that prosecution of the specific charge is required to proceed under this subchapter, nor shall it be construed to mean the nuisance activity must be proven beyond a reasonable doubt. Rather, in determining whether a property is a nuisance property, the city shall apply the criteria of this section using a preponderance of evidence as the standard of proof. Any determination pursuant to this section shall be subject to administrative appeal and/or court review as set forth in this subchapter.*

4. *Penalty. The City may issue a municipal infraction citation to the owner or any occupant of a dwelling unit, or both, for a violation of any of the provisions of this subchapter or of this code, in addition to the assessment of infraction points against such dwelling unit hereunder for the same conduct or incident which forms the basis of the municipal infraction citation or citations against the owner or occupant of such dwelling unit.*

Suspension. In the event any dwelling unit that is covered by this subchapter is assessed one Level 1 infraction point, two Level 2 infraction points, three Level 3 infraction points or a combination of Level 1, 2, 3 infractions points in rolling 12-month period under the provisions of this subchapter, the minimum rental housing occupancy permit covering such dwelling shall be subject to suspension as provided in this section for a period of six months if the occupancy permit has not been previously suspended, or for 12 months, if the dwelling unit's occupancy permit has previously been suspended under this subchapter. For purposes of this section, any points assessed against a dwelling unit shall be deemed to have been assessed as of the date that the conduct upon which the founded complaint which led to the assessment of points actually occurred

SECTION 2. REPEALER. All ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed.

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

SECTION 4. WHEN EFFECTIVE. This ordinance shall be effect from and after its final passage, approval and publication as provided by law.

Passed First Reading by the City Council of Nevada, Iowa, 28th day of March, 2022.

Passed Second Reading by the City Council of Nevada, Iowa, the __ day of __, 2022.

PASSED AND ENACTED by the City Council of Nevada, Iowa, the __ day of __, 2022.

Brett Barker, Mayor

ATTEST:

Kerin Wright, City Clerk

1st Reading – March 28, 2022

Motion by Council Member __, seconded by Council Member __, first reading of Ordinance No. 1023 (2021/2022).

AYES: —
NAYS: —
ABSENT: —

2nd Reading –

Motion by Council Member __, seconded Council Member __, to approve the second reading of Ordinance No. 1023 (2021/2022).

AYES: —
NAYS: —
ABSENT: —

3rd Reading –

Motion by Council Member __, seconded by Council Member __, to approve the third reading of Ordinance No. 1023 (2021/2022)

AYES: —
NAYS: —
ABSENT: —

The Mayor declared Ordinance No. 1023 (2021/2022) was passed on __, 2022.

I certify that the foregoing was published as Ordinance No. 1023 (2021/2022) on the __ day of __, 2022.

Kerin Wright, City Clerk

ORDINANCE NO. 1024 (2021/2022)

**AN ORDINANCE AMENDING THE CITY CODE OF NEVADA, IOWA, BY ADDING
CHAPTER 48 (MOBILE FOOD VENDORS)**

WHEREAS, the City of Nevada (the "City") desires to establish minimum regulations regarding the person engaged in the business of selling food and beverages from a mobile food unit (self-contained motorized vehicle, trailer or pushcart); and

WHEREAS, the City establishes Chapter 48 of the Code of Ordinances of the City of Nevada, Iowa, for any person to engage in the sale of food or beverages from a mobile food unit; and

WHEREAS, the City deems it to be in the best interest of the City, in order to promote and protect the public health, safety, morals and general welfare of the citizens of the City of Nevada, to adopt new municipal code chapter 48.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of Nevada, Iowa as follows:

SECTION 1. ADD NEW CHAPTER 48 (MOBILE FOOD VENDORS). The Code of Ordinances of the City of Nevada, Iowa, is amended by adding new Chapter 48 Mobile Food Vendors Code, as follows:

CHAPTER 48: MOBILE FOOD VENDORS

48.01 DEFINITION. *"Mobile food vendor" means a person engaged in the business of selling food or beverages from a mobile food unit (self-contained motorized vehicle, trailer or pushcart).*

48.02 MOBILE FOOD UNIT LICENSE REQUIRED. *It shall be unlawful for any person to engage in the sale of food or beverages from a mobile food unit without first obtaining a mobile food unit establishment license from the State of Iowa in accordance with Iowa Code Chapter 137F. Each mobile food unit shall comply with Story County and State of Iowa inspection requirements and display State license in full view of the public in or on the unit.*

48.03 FIRE DEPARTMENT INSPECTION. *In addition to the State-issued license, it shall be unlawful for any person to engage in the sale of food or beverages from a mobile food unit without first passing an inspection from the City Fire Department, as follows:*

- A.** *All mobile food units that have cooking facilities shall be inspected by the Fire Department prior to initiation of business operations within the City.*
- B.** *All mobile food units inspected must comply with the provisions of the International Fire Code, 2021 Edition, Section 319, as amended.*
- C.** *Each mobile food unit shall have a working fire suppression system, where required.*
- D.** *Inspections are required annually. It shall be the obligation of the mobile food vendor to schedule the inspection with the Fire Department.*
- E.** *The cost of the fire department inspection shall be set by resolution of the City Council.*
- F.** *Upon completion of the annual fire inspection, if the Fire Department determines that the mobile food unit passes the inspection, the Fire Chief shall issue a Certificate of Compliance and identify any conditions for operation as deemed appropriate as a result of said inspection.*

48.04 INSPECTION PROCEDURE

- A.** *Request. The request for inspection shall be filed with the Fire Department.*
- B.** *Timely Submitted. Unless otherwise provided herein, requests for inspection must be submitted not less than ten (10) calendar days prior to the proposed start date of the mobile food unit activities. The City reserves the right to reject any requests that have not been timely submitted to the City. The Fire Chief shall have the discretionary right to process any request for an inspection made less than 10 calendar days prior to the desired start date.*

C. Request Contents. The request for inspection shall be made on a form provided by the City and shall include:

- 1. Full name of the vendor.*
- 2. Vendor's contact information including mailing address, phone numbers and e-mail address.*
- 3. State health inspection certificate with the classification level of the state license identified.*
- 4. Description of the kitchen facilities, cooking facilities, preparation area, safety features (fire suppression system, etc.) of the mobile food unit.*
- 5. Photographs of the mobile food unit from the front, side and back.*
- 6. Make, model and year of vehicle to be used and the license plate number.*
- 7. Overall size of the vehicle; to include length, width, and height.*
- 8. Map of location where the vendor will operate the mobile food unit.*
- 9. Hours of operation for the mobile food unit, as allowed within the standards set forth in this code section.*
- 10. Inspection fees.*

D. Issuance of Certificate of Compliance. Upon completion of the Fire Department inspection and determination of compliance with the applicable regulations, the Fire Department will issue a Certificate of Compliance. The Certificate of Compliance shall be displayed next to the State license in full view of the public in or on the unit.

E. Modification of Certificate of Compliance After Issuance. Should the mobile food vendor change, repair or remodel the kitchen facilities, cooking facilities, preparation area or safety features of the mobile food unit during the term of the Certificate of Compliance, a new fire inspection shall be required.

Right to Appeal: If the Fire Chief revokes or refuses to issue a Certificate of Compliance, a vendor may appeal to the City Council at its next regularly scheduled meeting by filing with the City Clerk a written request for an appeal to the City Council at least seven (7) days prior to the meeting. As a result of this appeal, the City Council may affirm, modify or reverse the decision of the Fire Chief not to issue the Certificate of Compliance.

48.05 PERFORMANCE STANDARDS.

- A. Mobile food unit(s) are allowed to be operated on public property only if approved by the City.*
- B. No mobile food unit shall be left unattended or stored on any site overnight, unless that property is under the ownership or control of (by way of a lease or other contractual agreement) the operator of the unit and is being done so in compliance with all other city code requirements or the mobile food unit is a participant in a multiple (contiguous) day, city permitted, public property approval. Any mobile food unit found unattended shall be considered in violation of these regulations and subject to certificate revocation, towing, or any other action legally allowed.*
- C. Music and Sound Making Devices. The use of music or sound making devices as a part of mobile food unit shall be prohibited, unless expressly allowed as part of an approved event.*
- D. Persons conducting business from a mobile food unit must do so in compliance with the following standards:*
 - 1. The mobile food vendor must obtain expressed written consent of the property owner or lessee to use the property on which they propose to operate, which consent must include the dates and times of operation as well as contact information for the property owner. The written consent must be kept in the unit at all times that the unit is on the property. Written consent does not excuse or permit the violation of any other impossible regulations.*
 - 2. No mobile food unit may be located on a vacant lot or lot with a vacant building.*
 - 3. The operator of the mobile food unit shall display their state license and City Certificate of Compliance in full view of the public in or on the unit.*
 - 4. Mobile food shall be limited to the hours of operation between eight o'clock (8:00) A.M. and ten o'clock (10:00) P.M., unless otherwise approved by the City.*
 - 5. Mobile food units shall serve patrons which are on foot only; no drive-up service to the unit itself shall be provided or allowed.*

6. *The mobile food unit must be located on a paved or rocked surface, unless approved as part of an event permit.*
7. *Mobile food units shall be located on property that is zoned URBAN CORRIDOR (UC), DOWNTOWN COMMERCIAL (DC), GENERAL COMMERCIAL (GC), GENERAL INDUSTRIAL (GI), LIMITED INDUSTRIAL (LI), and LIMITED COMMERCIAL (LC).*
8. *All mobile food units shall maintain a minimum separation from buildings of fifteen feet as measured to the closest building element including awnings or canopies, tents or membrane structures. Location of food unit shall not impede pedestrians entering or exiting a building.*
9. *The window or area where a patron orders and receives their purchase shall be located so as to not require a patron to stand, or create a line that may cause pedestrians to be in the public right of way, vehicle travel lane, including parking lot drive aisles, or similar situation that may create a potential safety hazard. Adequate safe space for patrons waiting for their order must be available on the property where the mobile food unit is located.*
10. *Signs are limited to those that are attached to the exterior of the mobile unit and must be mounted flat against the unit and not project more than six inches (6") from the exterior of the unit. One temporary freestanding business identification sign of 16 square feet or less is permitted. Such a sign shall only be permitted during the time the mobile unit is operating. Off premises signs directing patrons to the mobile food unit are prohibited.*
11. *During business hours, the mobile food vendor shall provide a trash receptacle for use by customers and shall keep the area around the mobile food unit clear of litter and debris at all times.*
12. *All mobile food units shall be located in such a manner as to not create a safety hazard, such as blocking emergency access to buildings and the site, obstructing access to fire hydrants, impeding entering and exiting from a building, creating a visual impediment for the motoring public at drive entrances, intersections, pedestrian crossings, or similar movement and access.*

48.06 **PROPERTY OWNER/LESSEE RESPONSIBILITY.** *By allowing the mobile food unit on their property, the property owner or lessee jointly and severally with the vendor are responsible for compliance with this chapter and to ensure the safety of pedestrians and access of emergency vehicles to and around the site. Failure to do so could result in the property owner or lessee being party to any enforcement actions or penalties allowed by law.*

48.07 **INSPECTION FEES.** *At the time of submittal of the request for inspection, the vendor shall pay to the City the applicable inspection fee. The fee schedule will be set by resolution and may be modified from time to time with approval by resolution of the City Council.*

48.08 **COMPLIANCE WITH THE LAW.** *Each mobile food unit vendor shall comply with all applicable federal, state, and local laws, regulations and rules.*

48.09 **SUSPENSION OR REVOCATION OF CERTIFICATE OF COMPLIANCE.** *Any Certificate of Compliance issued under the provisions of this chapter may be suspended or revoked by the City as follows:*

A. Grounds. The Fire Chief may suspend or revoke any Certificate of Compliance issued under this chapter, for any of, but not limited to, the following reasons:

1. *The vendor has violated this chapter or any other chapter of this code or has otherwise conducted his/her business in an unlawful manner.*
2. *The vendor has conducted his/her business in such manner as to endanger the public welfare, safety, order or morals.*
3. *The Fire Chief has received and investigated three (3) or more found complaints during the certificate term related to the manner in which the vendor is conducting business.*

B. Emergency Revocation. The Fire Chief may suspend or revoke any Certificate of Compliance immediately, upon oral notification to the operator of the mobile food unit, in the event the mobile food unit is creating a danger to the public health or safety. In such event, the vendor shall immediately cease operations. The Fire Chief will cause the notice of revocation to be

served in person by a city official or by mail to the vendor's local address within twenty-four (24) hours.

- C. *Notice of Suspension or Revocation; Right to Appeal. The Fire Chief shall cause notice of the certificate revocation to be served in person by a city official or by mail to the vendor's local address, which notice shall specify the reason(s) for such action, at which time operations of the vendor must cease within the corporate limits of the City of Nevada. The vendor may appeal the revocation of the certificate to the City Council at its next regularly scheduled meeting by filing with the City Clerk a written request for an appeal to the City Council at least seven (7) days prior to the meeting. The City Council may affirm, modify or reverse the decision of the Fire Chief to revoke such certificate. If a certificate is revoked, no refund of any inspection fee paid shall be made. Upon the revocation of a certificate, the vendor is not eligible for the issuance of a new certificate under this chapter for a period of one year from the date the certificate revocation is served in person or deposited in the U.S. mail.*

48.10 PENALTY. *Unless another penalty is expressly provided by this chapter for any particular provision or section, violations of this chapter are simple misdemeanors subject to a fine of not more than \$625.00 or may be punishable as municipal infractions subject to a civil penalty as set forth in this Code of Ordinances. Each day a municipal infraction occurs and/or is permitted to exist constitutes a separate offense. Police officers and code enforcement officers shall have the authority to issue citations for violations of this chapter, and shall have the discretion to enforce this chapter as either a simple misdemeanor or municipal infraction.*

SECTION 2. REPEALER. All ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed.

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

SECTION 4. WHEN EFFECTIVE. This ordinance shall be effect from and after its final passage, approval and publication as provided by law.

Passed First Reading by the City Council of Nevada, Iowa, 28th day of March, 2022.

Passed Second Reading by the City Council of Nevada, Iowa, the __ day of __, 2022.

PASSED AND ENACTED by the City Council of Nevada, Iowa, the __ day of __, 2022.

Brett Barker, Mayor

ATTEST:

Kerin Wright, City Clerk

1st Reading – March 28, 2022

Motion by Council Member __, seconded by Council Member __, first reading of Ordinance No. 1023 (2021/2022).

AYES: —

NAYS: —

ABSENT: —

2nd Reading –

Motion by Council Member __, seconded Council Member __, to approve the second reading of Ordinance No. 1023 (2021/2022).

AYES: —
NAYS: —
ABSENT: —

3rd Reading –

Motion by Council Member __, seconded by Council Member __ to approve the third reading of Ordinance No. 1023 (2021/2022)

AYES: —
NAYS: —
ABSENT: —

The Mayor declared Ordinance No. 1023 (2021/2022) was passed on __, 2022.

I certify that the foregoing was published as Ordinance No. 1023 (2021/2022) on the __ day of __, 2022.

Kerin Wright, City Clerk

City Administrators Report

March 10-March 24, 2022

Dorsey and Whitney:

Have had a couple of meeting with our bond attorneys to keep housing projects on target. They have started working on a draft.

Hotel to Apartments

The property did close on the 18th, so it is no longer a hotel.

Sponsored Project

We are moving forward with both the West Indian Creek and Harrington Park.

Pizza Pie-looza

Still moving along, have about a ¼ of the volunteer positions filled, we are still meeting weekly.

Human Services:

Our Human services met and we will be meeting again on Friday to discuss next steps on who will be the funding agency.

IMMI:

Last week I attended Iowa Municipal Managers Institute (IMMI). I will admit, it was not as good as it typically is but there were still some good sessions. The best session talked about the benefits/challenges of a hybrid workforce as well as the “resignation” era. Kind of eye opening, there is actually a total of 37% of jobs that can be 100% remote in the US. Seems like a pretty small number considering we have many people working from home across the US.

Updates:

Verbio Agreement

We were not able to get it back in time for this agenda, we are still working through some of the kinks as well as variable pertaining to frequency of unloading.

Burke Agreement

Still working on getting everything updated from our last meeting.

Design:

Mainstreet did a great job with different examples to help jazz up Downtown, we now need to figure out sponsorships and different activities that can help raise money for some of the ideas.

Ordinances:

Will be seeing some of the ordinances we’ve been reviewing on the council agenda for this next meeting.

Leadership Nevada:

We had Leadership Nevada again today. Heard a lot of good feedback on the City tour. Most people didn’t know we had as much going on as we do and majority of the people didn’t know the history either. I think it was a little eye opening on some of the achievements and struggles we’ve had and still have.



STAFF MEETING AGENDA

Monday, March, 7 @ 9:00 A.M

A. Business

a. City Administrator

- i. Teen Maze-Volunteers, 2022
- ii. Pizza Pie-Looza
- iii. Possible large development
- iv. Maintenance Plan
- v. Department Development plans
- vi. Hwy 30 Interchange
- vii. Burke/Verbio Agreements
- viii. Housing Developments