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NEVADA CITY COUNCIL - MONDAY, JULY 25, 2022 6:00 P.M.

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1. CALL TO ORDER

The City Council of the City of Nevada, Iowa, met for a meeting in the Council Chambers of Nevada City Hall located at 1209 6<sup>th</sup> Street, Nevada, Iowa. Mayor Brett Barker, convened the meeting at 6:00 p.m. on Monday, July 25, 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: Brian Hanson, Jason Sampson, Sandy Ehrig, Steve Skaggs. Absent: Barb Mittman and Dane Nealson. Barb Mittman and Dane Nealson arrived at 6:01 p.m.

Staff Present: Erin Clanton, Jordan Cook, Kerin Wright, Larry Stevens, Erin Mousel, Chris Brandes, Tim Hansen, Ryan Hutton, Ray Reynolds

Also in attendance were: Brenda Dryer, Louis Lang, Doug Anderson, Susan Haberl, Rick Baumhover, Renae Rudkin, Danielle Lindemann, Lance Lindemann, Jason Rudkin

3. APPROVAL OF AGENDA

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

4. PUBLIC HEARING(S)

- A. Proposed Amendment to the Nevada Urban Revitalization Area.  
1. Public Hearing

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 **July 14, 2022**. The public hearing is **to adopt an amendment to the plan for the urban revitalization area**.

Barb Mittman and Dane Nealson arrived at 6:01 p.m.

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

2. Resolution No. 004 (2022/2023): A Resolution adopting Amendment to the Plan for the Nevada Urban Revitalization Area.

Motion by Steve Skaggs, seconded by Barb Mittman, to **adopt Resolution No. 004 (2022/2023)**. After due consideration and discussion the roll was called. Aye: Skaggs, Mittman, Nealson, Sampson, Ehrig, Hanson. Nay: None. The Mayor declared the motion carried.

B. Proposed Amendment to the Nevada Urban Renewal Area  
1. Public Hearing

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 **July 14, 2022**. The public hearing is **on the designation of expanded urban renewal area and proposed urban renewal plan amendment**.

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

2. Resolution No. 005 (2022/2023): A Resolution to Declare Necessity and Establish an Urban Renewal Area, Pursuant to Section 403.4 of the Code of Iowa and Approve Urban Renewal Plan Amendment for the Nevada Urban Renewal Area

Motion by Dane Neelson, seconded by Sandy Ehrig, to **adopt Resolution No 005 (2022/2023)**. After due consideration and discussion the roll was called. Aye: Neelson, Ehrig, Hanson, Mittman, Sampson, Skaggs. Nay: None. The Mayor declared the motion carried.

3. Ordinance No. 1027 (2022/2023): An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the July, 2022 addition to the Nevada Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa, first reading

Motion by Brian Hanson, seconded by Steve Skaggs, to **approve Ordinance No. 1027 (2022/2023)**. After due consideration and discussion the roll was called. Aye: Hanson, Skaggs, Ehrig, Mittman, Neelson, Sampson. Nay: None. The Mayor declared the motion carried.

- a) Consideration of waiving the second and third reading of Ordinance No. 1027 (2022/2023)

Motion by Steve Skaggs, seconded by Dane Neelson, to **approve waiving the second and third reading**. After due consideration and discussion the roll was called. Aye: Skaggs, Neelson, Sampson, Ehrig, Hanson, Mittman. Nay: None. Whereupon, the Mayor declared the motion duly carried and declared that said ordinance had been given its final consideration and has been adopted.

4. Resolution No. 006 (2022/2023): A Resolution Setting a Date of Meeting at which it is Proposed to Approve an Amended Development Agreement with Verbio Nevada LLC, Including Annual Appropriation Tax Increment Payments

Motion by Brian Hanson, seconded by Steve Skaggs, to **adopt Resolution No. 006 (2022/2023)**. After due consideration and discussion the roll was called. Aye: Hanson, Skaggs, Ehrig, Mittman, Neelson, Sampson. Nay: None. The Mayor

5. Resolution No. 007 (2022/2023): A Resolution Setting a Date of Meeting at which it is Proposed to Approve a Development Agreement with Verbio Nevada LLC, Including Annual Appropriation Tax Increment Payment

Motion by Sandy Ehrig, seconded by Steve Skaggs, to **adopt Resolution No. 007 (2022/2023)**. After due consideration and discussion the roll was called. Aye: Ehrig,

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

6. Resolution No. 008 (2022/2023): A Resolution Setting a Date of meeting at which it is Proposed to Approve a Development Agreement with Tom Richards, Including Annual Appropriation Tax Increment Payments

Motion by Barb Mittman, seconded by Dane Nealson, to **adopt Resolution No. 008 (2022/2023)**. After due consideration and discussion the roll was called. Aye: Mittman, Nealson, Sampson, Skaggs, Ehrig, Hanson. Nay: None. The Mayor declared the motion carried.

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

Motion by Dane Nealson, seconded by Steve Skaggs, to **approve the following consent agenda items:**

- A. Approve Minutes of the Regular Meeting held on July 11, 2022
- B. Approve Payment of Cash Disbursements, including Check Numbers 78212-78296 and Electronic Numbers 1144-1151 (Inclusive) Totaling \$2,118,563.46 (See attached list)
- C. Approve Financial Reports for Month of June, 2022
- D. Approve Resolution No. 009 (2022/2023): A Resolution accepting Plat of Survey for Story County Hospitals
- E. Approve Resolution No. 010 (2022/2023): A Resolution Approving Year End Transfers for FY2021/2022

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

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.

Renae Rudkin, requested consideration from the council in changing the city code to allow for beekeeping within the city limits. The council agreed to look into this further and bring it back for future discussion.

Louis Lang expressed his want for a dump station for yard waste this fall. There will not be a dump station in place this year.

## 7. OLD BUSINESS

- A. Approve HR Green Amendment to Master Agreement for Municipal Engineering Services for S-14 Water Main Relocations Project, not to exceed \$10,000

Motion by Barb Mittman, seconded by Steve Skaggs, to **approve HR Green Amendment to Master Agreement for Municipal Engineering Services for S-14 Water Main Relocations Project, not to exceed \$10,000.00.** After due consideration

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

- B. Approve HR Green Amendment No. 1 for 2022 Street Improvements (Originally 2021 Street Improvements) for design of sanitary sewer extension on S-14, maximum fee to be \$4,000

Motion by Dane Nealson, seconded by Jason Sampson, to **approve HR Green Amendment No. 1 for 2022 Street Improvements (Originally 2021 Street Improvements) for design of sanitary sewer extension on S-14, maximum fee to be \$4,000.00.** After due consideration and discussion the roll was called. Aye: Nealson, Sampson, Skaggs, Ehrig, Hanson, Mittman. Nay: None. The Mayor declared the motion carried.

- C. Resolution No. 011 (2022/2023): A Resolution Approving the Story County Housing Trust Grant Agreement with the City of Nevada, IA

Motion by Sandy Ehrig, seconded by Steve Skaggs, to **adopt Resolution No. 011 (2022/2023).** After due consideration and discussion the roll was called. Aye: Ehrig, Skaggs, Hanson, Mittman, Nealson, Sampson. Nay: None. The Mayor declared the motion carried.

## 8. NEW BUSINESS

- A. Resolution No. 012 (2022/2023): A Resolution to approve MOU with Colo Fire Department for Fire Extinguisher training prop

Motion by Brian Hanson, seconded by Barb Mittman, to **adopt Resolution No. 012 (2022/2023).** After due consideration and discussion the roll was called. Aye: Hanson, Mittman, Nealson, Sampson, Skaggs, Ehrig. Nay: None. The Mayor declared the motion carried.

- B. Ordinance No. 1023 (2022/2023): An Ordinance Amending the City Code of Nevada, Iowa, by adding Chapter 158, Property Maintenance and Residential Rental Code, first reading (amended)

Motion by Brian Hanson, seconded by Steve Skaggs, to **approve Ordinance No. 1023 (2022/2023), first reading.** After due consideration and discussion the roll was called. Aye: Hanson, Skaggs, Ehrig, Mittman, Nealson, Sampson. Nay: None. The Mayor declared the motion carried.

- C. Resolution No. 013 (2022/2023): A Resolution Authorizing Development Agreement with WB Realty Company, L.L.C.

Motion by Dane Nealson, seconded by Jason Sampson, to **adopt Resolution No. 013 (2022/2023).** After due consideration and discussion the roll was called. Aye: Nealson, Sampson, Skaggs, Ehrig, Hanson, Mittman. Nay: None. The Mayor declared the motion carried.

- D. Resolution No. 014 (2022/2023): A Resolution approving Nevada Foundation-Human Services Fund Agreement

Motion by Jason Sampson, seconded by Steve Skaggs, to **adopt Resolution No. 014 (2022/2023)**. After due consideration and discussion the roll was called. Aye: Sampson, Skaggs, Ehrig, Hanson, Nealson. Nay: None. Abstain: Mittman. The Mayor declared the motion carried.

- E. Resolution No. 015 (2022/2023): A Resolution setting Date for Public Hearing on Designation of the Expanded Nevada Urban Renewal Area and on Urban Renewal Plan Amendment

Motion by Steve Skaggs, seconded by Jason Sampson, to **adopt Resolution No. 015 (2022/2023)**. After due consideration and discussion the roll was called. Aye: Skaggs, Sampson, Ehrig, Hanson, Mittman, Nealson. Nay: None. The Mayor declared the motion carried.

- F. Discussion and Appropriate Follow up regarding ATV/UTV's in city limits

Motion by Dane Nealson, seconded by Jason Sampson, to **direct staff to research and prepare an ATV/UTV Ordinance for council consideration**. After due consideration and discussion the roll was called. Aye: Nealson, Sampson, Skaggs, Ehrig, Hanson, Mittman. Nay: None. The Mayor declared the motion carried.

## 9. REPORTS:

City Administrator Cook talked about a strategic planning session with Council. The next community coffee is August 13<sup>th</sup>; Dane and the Mayor will be in attendance.

Mayor Barker reported on Healthy Hometowns and the latest Mix and Mingle. Nevada Alumni are looking for the younger classes to take part in planning.

Director of Fire/EMS Reynolds will be visiting West Des Moines Fire Department and will be touring Valley Junction.

Building and Zoning Official Hutton was pleased with the first work session on vacant buildings. The next work session will be on August 1<sup>st</sup> at 6:30 p.m.

Parks & Recreation Director Hansen reported that the aquatic center will be closing for the season on August 21 and they will begin to lose staff on August 1. Dirt work has begun on the Field House.

Sergeant Brandes followed up on numbers for fireworks. In 2021, there were 21 calls between June-July and in 2022, the calls decreased to 9 for the same time frame.

City Clerk Wright reported that she, Jordan, and the Mayor met with the Auditors last week.

## 10. ADJOURNMENT

There being no further business to come before the meeting, motion by Dane Nealson, seconded by Brian Hanson, to **adjourn the meeting**. Following voice vote, the Mayor declared the motion carried at 6:55 p.m. the meeting adjourned.

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Brett Barker, Mayor

ATTEST:

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Kerin Wright, City Clerk

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