



AGENDA
REGULAR MEETING OF THE NEVADA CITY COUNCIL
MONDAY, SEPTEMBER 12, 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. **The Council will be meeting in the Council Chambers, Zoom may be provided, so long as that option is 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, September 12, 2022

1. Call the Meeting to Order
2. Roll Call
3. Approval of the Agenda
4. PUBLIC HEARING(S)
 - A. Proposal to consider the Vacation of City Property for September 12, 2022
 1. Public Hearing
 2. Resolution No. 029 (2022/2023): A Resolution to Vacate and Convey an Alleyway adjoining Block Twelve (12) in Burris Addition
 - B. Golf and ATV/UTV Ordinance
 1. Public Hearing
 2. Ordinance No. 1031 (2022/2023): An Ordinance regarding proposed Modified Chapter 77, pertaining to Golf Carts, first reading
 3. Ordinance No. 1032 (2022/2023): An Ordinance regarding proposed New Chapter 78, pertaining to ATV/UTV, first reading

- C. Proposal to enter into a Sewer Revenue Loan and Disbursement Agreement
 - 1. Public Hearing
 - 2. Resolution No. 030 (2022/2023): A Resolution Authorizing and Approving a Loan and Disbursement Agreement, Combining Loan and Disbursement Agreements, and Providing for the Issuance and Securing the Payment of \$20,838,000 Sewer Revenue Bonds, Series 2022A
- 5. Approval of CONSENT AGENDA (Any item on the Consent Agenda may be removed for separate consideration.)
 - A. Approve Minutes of the Regular Meeting held on August 22, 2022
 - B. Approve Payment of Cash Disbursements, including Check Numbers 78455-78545 and Electronic Numbers 1167-1181 (Inclusive) Totaling \$906,098.17 (See attached list) and the First Interstate Purchasing Card for September Payment
 - C. Approve Builders Risk Insurance and payment for FieldHouse Project in the amount of \$9,529.00
 - D. Resolution No. 031 (2022/2023): A Resolution setting Public Hearing regarding proposed amendment to Chapter 55 of the City Code, pertaining to the Keeping of Bees in the City
 - E. Resolution No. 032 (2022/2023): A Resolution setting Public Hearing regarding proposed New Chapter 159 Vacant Property
 - F. Resolution No. 033 (2022/2023): A Resolution Approving Budgeted Beginning Year Transfers for FY2022/2023
 - G. Approve Tax Abatement:
 - 1. Permit #BP2022-0051, 1860 10th Street, Garage
- 6. PUBLIC FORUM: Time set aside for comments from the public on topics of City business other than those listed on the agenda – no action may be taken. (Please keep your comments to five minutes or less.) This is an opportunity for members of the audience to bring to the Council's attention any item not listed on the agenda. Comments are limited to five (5) minutes per citizen, and the City will notify citizens when their time has expired. Speakers may not yield their times to others, and as a general rule this is not a time for exchange of questions. The Mayor has the authority to reduce the time allowed for comment in accordance with the number of persons present and signed up to speak.
 - A. Proclamation for CROP Hunger Walk
 - B. Proclamation for Library Card Sign Up Week
 - C. Proclamation for National Clean Energy Week
- 7. OLD BUSINESS
 - A. Ordinance No. 1029 (2022/2023): An Ordinance Amending the Zoning Map of the City of Nevada, Iowa, by Rezoning the Property at 640 South 19th Street Outlot A from AR (Agricultural-Residential Reserve District) to R-4 (Multiple Family Dwelling District), second reading
 - B. Ordinance No. 1030 (2022/2023): An Ordinance amending provisions pertaining to Sewer User charges, Chapter 99, second reading

- C. Approve Pay Request No. 15 for WWTF Improvements-Phase 2 from Williams Brothers Construction Inc. in the amount of \$2,419,103.84
- D. Approve Pay Request No. 7 for WWTF Improvements-Phase 3 from Boomerang Corp. in the amount of \$40,873.75
- E. Approve Pay Request No. 1 for WWTF Improvements-Phase 4 from OnTrack Construction, LLC in the amount of \$998,897.20
- F. Approve Pay Request No. 3 for the Fieldhouse from HPC LLC in the amount of \$132,996.20
- G. CDBG-CV MicroEnterprise Funding, Forgivable Loan Agreements
 - 1. Resolution No. 034 (2022/2023): Feltner Properties
 - 2. Resolution No. 035 (2022/2023): Great Plains Millwork
 - 3. Resolution No. 036 (2022/2023): Sweet Dreams Mattress
 - 4. Resolution No. 037 (2022/2023): Wild Roots Salon
 - 5. Resolution No. 038 (2022/2023): Meyer Chiropractic
 - 6. Resolution No. 039 (2022/2023): Thisday Photography

8. NEW BUSINESS

- A. Resolution No. 040 (2022/2023): A Resolution to approve Minor Subdivision, ROSK Subdivision
- B. Ordinance No. 1033 (2022/2023): An Ordinance amending Chapter 69, No parking, funeral parking
- C. Neighborhood Improvement Incentive Program Application, Flummerfelt Homes, Sunridge Estates in the amount of \$25,355

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

10. Discussion and Appropriate Follow up Regarding Dangerous Building, 536 4th Street

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

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

13. ADJOURN

The agenda was posted on the official bulletin board on September 8, 2022, in compliance with the requirements of the open meetings law.

Posted _____

E-Mailed _____

F:\OFFICE\COUNCIL\AGENDAS-COUNCIL\2022-2023\2022-09-12.DOC



**MEMO FOR
REGULAR MEETING OF THE NEVADA CITY COUNCIL
MONDAY, SEPTEMBER 12, 2022 – 6:00 P.M.**

4. PUBLIC HEARING(S)

- A. Proposal to consider the Vacation of City Property for September 12, 2022
 - 1. Public Hearing
 - 2. Resolution No. 029 (2022/2023): A Resolution to Vacate and Convey an Alleyway adjoining Block Twelve (12) in Burris Addition
Enclosed you shall find the public hearing notice and resolution to approve. This alleyway was vacated back in 1958 that didn't get recorded at the time.
- B. Golf and ATV/UTV Ordinance
 - 1. Public Hearing
 - 2. Ordinance No. 1031 (2022/2023): An Ordinance regarding proposed Modified Chapter 77, pertaining to Golf Carts, first reading
 - 3. Ordinance No. 1032 (2022/2023): An Ordinance regarding proposed New Chapter 78, pertaining to ATV/UTV, first reading
Enclosed you shall find the public hearing notice and the ordinances.
- C. Proposal to enter into a Sewer Revenue Loan and Disbursement Agreement
 - 1. Public Hearing
 - 2. Resolution No. 030 (2022/2023): A Resolution Authorizing and Approving a Loan and Disbursement Agreement, Combining Loan and Disbursement Agreements, and Providing for the Issuance and Securing the Payment of \$20,838,000 Sewer Revenue Bonds, Series 2022A
Enclosed you shall find the hearing notice and resolution to obtain the next SRF Loan for the new WWTF.

7. OLD BUSINESS

- A. Ordinance No. 1029 (2022/2023): An Ordinance Amending The Zoning Map of the City of Nevada, Iowa, by Rezoning the Property at 640 South 19th Street Outlot A from AR (Agricultural-Residential Reserve District) to R-4 (Multiple Family Dwelling District).
Enclosed you shall find the hearing notice and ordinance to change zoning for Story County Hospital
- B. Ordinance No. 1030 (2022/2023): An Ordinance amending provisions pertaining to Sewer User charges, Chapter 99, second reading
Enclosed you shall find the Sewer Rate Ordinance. The rates will be in effect with the January bills, December meter reading
- C. Approve Pay Request No. 15 for WWTF Improvements-Phase 2 from Williams Brothers Construction Inc. in the amount of \$2,419,103.84
Enclosed you shall find the pay request and recommendation from HRG
- D. Approve Pay Request No. 7 for WWTF Improvements-Phase 3 from Boomerang Corp. in the amount of \$40,873.75
Enclosed you shall find the pay request and recommendation from HRG

E. Approve Pay Request No. 1 for WWTF Improvements-Phase 4 from OnTrack Construction, LLC in the amount of \$998,897.20

Enclosed you shall find the pay request and recommendation from HRG

F. Approve Pay Request No. 3 for the Fieldhouse from HPC LLC in the amount of \$132,996.20

Enclosed you shall find the Fieldhouse pay request and recommendation from RMH.

G. CDBG-CV MicroEnterprise Funding, Forgivable Loan Agreements

Enclosed you shall find resolutions approving the agreements for the Forgivable Loans through the CDBG-CV. One full agreement is with the first resolution, the rest will include each grant amount and nature of the work being done

1. Resolution No. 034 (2022/2023): Feltner Properties
2. Resolution No. 035 (2022/2023): Great Plains Millwork
3. Resolution No. 036 (2022/2023): Sweet Dreams Mattress
4. Resolution No. 037 (2022/2023): Wild Roots Salon
5. Resolution No. 038 (2022/2023): Meyer Chiropractic
6. Resolution No. 039 (2022/2023): Thisday Photography

8. NEW BUSINESS

A. Resolution No. 040 (2022/2023): A Resolution to approve Minor Subdivision, ROSK Subdivision

Enclosed is the recommendation from P&Z and the final plat.

B. Ordinance No. 1033 (2022/2023): An Ordinance amending Chapter 69, No parking, funeral parking

Enclosed you shall find the request and ordinance to remove funeral parking from Chapter 69

C. Neighborhood Improvement Incentive Program Application, Flummerfelt Homes, Sunridge Estates in the amount of \$25,355

Enclosed you shall find the NIIP Application, spreadsheet and invoices for work completed to date. Also enclosed is the recommendation from the Building and Zoning Official.

10. Discussion and Appropriate Follow up Regarding Dangerous Building, 536 4th Street

Enclosed you shall find the letter sent to MacVey's attorney and his response, along with the previous resolution and order.

EXHIBIT A

NOTICE OF PUBLIC HEARING CONCERNING THE VACATION OF CITY PROPERTY

YOU ARE HEREBY NOTIFIED that the City of Nevada, Iowa, proposes to vacate the property known as the alleyway running North and South through Block Twelve (12) in Burris Addition to Nevada, Story County, Iowa, subject to covenants, conditions, restrictions, and easements of record.

YOU ARE FURTHER NOTIFIED, that a Public Hearing will be held in the City Council Chambers, 1209 6th Street, Nevada, Iowa 50201, at the City Council Meeting scheduled to begin at 6:00 p.m. on the 12th day of September 2022 at which time the Council will hear comments for and against the proposal from any interested party. You have a right to attend and express your views on this proposal. If you are unable to attend, you may submit your written comments addressed to the City Clerk, 1209 6th Street, Nevada, Iowa 50201. Your written comments must be received no later than 4:00 p.m. on the 12th day of September, 2022. At the conclusion of the Public Hearing, the Council will consider vacating the above-described property.

RESOLUTION NO. 029 (2022/2023)

**A RESOLUTION
TO VACATE AND CONVEY AN ALLEYWAY ADJOINING BLOCK TWELVE (12) IN
BURRIS ADDITION, IN THE CITY OF NEVADA, IOWA**

WHEREAS, The City Council of Nevada, Iowa currently owns property, legally described as:

The alleyway running North and South through Block Twelve (12) in Burris Addition to Nevada, Story County, Iowa

(The "Property"); and

WHEREAS, by Ordinance No. 431 dated January 6, 1958 (a copy attached hereto) the City previously vacated this alleyway however proper conveyance was never recorded; and

WHEREAS, the City reaffirms that it has no use for the Property, that it has not been maintained at public expenses since originally vacated, that the disposal will have no significant impact on public access, and the City will not be inconvenienced by the vacation and conveyance of said Property; and

WHEREAS, the City Council proposes to dispose of the property to the adjacent property owners, Cary Martin and Sherri Martin, husband and wife.

WHEREAS, a resolution was adopted by the City Council of Nevada, Iowa, on August 22, 2022 providing for the proposed vacation and conveyance of all right, title and interest of the City of Nevada, Iowa, in and to the afore-mentioned alleyway; and

WHEREAS, the resolution provided that notice of intention to vacate and convey the alleyway should be given by publication of a Public Notice, in accordance with Iowa Code §364.7, and the notice was duly published in the newspaper as required by law; and

WHEREAS, the resolution provided for a public hearing on the proposed vacation and conveyance, and such hearing has been held; and

WHEREAS, the City Council found and determined that the proposed vacation of said alleyway would serve the public interest.

NOW, THEREFORE, be it resolved by the City Council of Nevada, Iowa:

1. The City of Nevada, Iowa, hereby vacates and conveys all rights, title, and interest in and to the Property.

2. The Mayor is authorized and directed to sign the deed for the conveyance identified above, and the City Clerk is authorized and directed to attest to the Mayor's signature.

3. The City Clerk is authorized and directed to forward the original of the quit claim deed, together with a certified copy of this resolution and of the affidavit of publication of notice of this hearing, to the Story County Recorder's Office for the purpose of causing these documents to be recorded.

4. Upon receipt of the recorded documents back from the Story County Recorder, the City Clerk shall mail the original of the Deed and copies of the other documents to the grantee.

5. Any resolution or part thereof in conflict or inconsistent with this resolution is repealed.

PASSED AND APPROVED this 12th day of September, 2022.

Brett Barker, Mayor

Attest:

Erin Mousel, Acting City Clerk

Moved by Council Member __, seconded by Council Member __, that Resolution No. 029 (2022/2023) be adopted.

AYES: -
NAYS: -
ABSENT: -

The Mayor declared Resolution No. 029 (2022/2023) adopted.

I hereby certify that the foregoing is a true copy of a record of the adoption of Resolution No. 029 (2022/2023) at the regular Council Meeting of the City of Nevada, Iowa, held on the 12th day of September, 2022.

Erin Mousel, Acting City Clerk

EXHIBIT A
NOTICE OF PUBLIC HEARING CONCERNING
AMENDMENTS TO THE NEVADA CODE OF ORDINANCES

YOU ARE HEREBY NOTIFIED that the City of Nevada, Iowa, proposed to amend and add to the Nevada Code of Ordinances by amending Chapter 77 Golf Carts and adding a new Chapter 78 All Terrain Vehicle and Off-Road Utility Vehicle. A copy of the proposed amendments to the Code of Ordinances of the City of Nevada, Iowa is available on the City's website and in the City Clerk's office.

YOU ARE FURTHER NOTIFIED, that a Public Hearing will be held in the City Council Chambers, 1209 6th Street, Nevada, Iowa 50201, at the City Council Meeting scheduled to begin at 6:00 p.m. on the 12th day of September 2022 at which time the Council will hear comments for and against the proposal from any interested party. You have a right to attend and express your views on this proposal. If you are unable to attend, you may submit your written comments addressed to the City Clerk, 1209 6th Street, Nevada, Iowa 50201. Your written comments must be received no later than 4:00 p.m. on the 12th day of September, 2022. At the conclusion of the Public Hearing, the Council will consider ~~vacating the above described property~~ the Proposed Ordinances.

Kerin Wright
City Clerk

ORDINANCE NO. 1031

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF NEVADA, IOWA, 2005, CHAPTER 77, PERTAINING TO GOLF CARTS TO BE OPERATED ON CITY STREETS UNDER CERTAIN CONDITIONS

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

SECTION 1. CHAPTER MODIFIED. Chapter 77 of the Code of Ordinances of the City of Nevada, Iowa, 2005 entitled GOLF CARTS, is amended and which is hereby adopted to read as follows:

77.01 PURPOSE. The purpose of this Chapter of the Code of Ordinances is to permit the operation of golf carts on certain streets in the City, as authorized by Section 321.247 of the Code of Iowa, as amended. This chapter shall apply whenever a golf cart is operated on any city street or alley within the City of Nevada.

77.02 DEFINITIONS. For the purpose of this ordinance the following words and phrases are defined as follows.

1. "Golf cart" means a three (3) or more wheeled recreational vehicle primarily designed for transportation of person(s) and sporting equipment in the sport of golf that is either electric powered or gas powered.
2. "Operate" means to use or control the movement of the golf cart in any manner or degree.
3. "Operator" means the person who uses or controls the movement of the golf cart.
4. "Passenger" means a person who does not use or control the movement of the golf cart but who merely rides on the golf cart.
5. "Street" means that portion of the street or alley intended for vehicular travel.

77.03 OPERATION OF GOLF CARTS PERMITTED.

1. Golf carts may be operated upon city streets by persons possessing a valid driver's license, subject to the additional provisions of this Chapter.
(Code of Iowa, Sec. 321.247[1])
2. Golf carts and operators of golf carts are considered vehicles and shall be subject to the Nevada Traffic Code when operating on city streets.
3. Golf carts are not subject to registration provisions of Code of Iowa, Chapter 321.
(Code of Iowa, Sec. 321.247[2])

77.04 EQUIPMENT REQUIREMENTS.

Golf carts operated upon city streets and alleys shall be equipped with a minimum of the following safety features:

1. A bicycle safety flag, the bottom of which shall be above the top of the golf cart.
2. Adequate brakes.
(Code of Iowa, Sec. 321.247[1])
3. Brake lights.
4. Rear view mirror - driver's side.

77.05 HOURS OF OPERATION.

Golf carts may be operated on city streets and alleys only between sunrise and sunset. Operation of golf carts is not allowed when the snow ordinance is in effect.

(Code of Iowa, Sec. 321.247[1])

77.06 PROHIBITED STREETS.

Golf carts shall not be operated upon any City street which is a primary road extension through the City. However, golf carts may cross such a primary road extension. Lincoln Highway, W. 18th Street, and 19th Street are hereby designated as primary road extensions in the City.
(Code of Iowa, Sec. 321.247[1])

77.07 RULES OF OPERATION.

1. Except when executing a left turn, golf carts shall be driven as close as practicable to the right-hand edge of the right-most motorized travel lane.
2. When necessary to prevent congestion of traffic, golf carts shall be pulled to the right-hand edge of streets and be stopped to allow other motor vehicles traveling in the same direction to pass.
3. When two or more golf carts are being operated in the same direction and general vicinity, they shall proceed in single file.
4. No golf carts shall be operated upon city sidewalks or multi-use trails.
5. The operator of a golf cart shall yield the right of way to pedestrians, bicycles, electric scooters, and electric bicycles.
6. If the golf cart is not equipped with turn signals, the operator of the golf cart shall use hand signals to indicate turning movements.
7. No golf cart shall be operated along city streets while under the influence of alcoholic beverages, narcotics, or habit-forming drugs. There shall be no open containers with alcoholic beverages within the golf cart.
8. No person shall operate a golf cart in a careless, reckless, or negligent manner endangering the person or property of another or causing injury or damage to same.
9. The operator of a golf cart shall be responsible for the safety of all passengers on the golf cart and shall not allow reckless or dangerous behavior by passengers on said vehicles.
10. The operator of a golf cart shall limit occupancy of the golf cart to the number of seats for which the vehicle is registered and occupants shall ride in approved seats while the golf cart is in motion.
11. Golf carts shall not be operated when visibility is such that there is insufficient light to clearly see persons and vehicles at a distance of ~~500~~ 250 feet or less.
12. No person shall leave a golf cart unattended on public property while the motor is running or keys in the ignition.

77.08 PARKING.

Golf carts shall be parked in standard automobile parking spaces. No golf cart may be parked in such a way as to obstruct vehicular, pedestrian, or bicyclist traffic.

77.09 USAGE DURING SPECIAL EVENTS.

Golf carts may be used in support of special events sponsored or as permitted by the City. Operators and passengers shall comply with this chapter any other conditions established by the City for any specific event, which conditions shall be set forth in writing from the City Administrator or designee.

77.10 ACCIDENT REPORTS.

Either the operator, or someone acting for the operator, shall immediately notify a law enforcement officer whenever a golf cart is involved in an accident resulting in injury or death to anyone, or property damage in the amount of \$1,500 or more, and shall file an accident report within 48 hours.

77.11 NEGLIGENCE.

The owner and operator of a golf cart are jointly and severally liable for any injury or damage by negligent operation of the golf cart.

77.12 PENALTY.

A person who violates the provisions of Iowa Code, section 321.247 is guilty of a simple misdemeanor punishable as a scheduled violation under Code of Iowa, Section 805.8A, subsection 3. In addition, a person who violated this ordinance may be cited for a municipal infraction with fines as set forth in Chapter 4 of the Nevada Municipal Code.
(Code of Iowa, Sec. 321.247[3])

SECTION 2. REPEALER. All ordinances or parts of ordinances 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 the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

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

Passed and approved this 12th day of September, 2022.

Passed and approved this ___ day of September, 2022.

Passed and approved this ___ day of October, 2022.

Brett Barker, Mayor

Attest:

Kerin Wright, City Clerk

ORDINANCE NO. 1032

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF NEVADA, IOWA, 2005, BY ADDING CHAPTER 78, ALL TERRAIN VEHICLE AND OFF ROAD UTILITY VEHICLE, TO PERMIT TO BE OPERATED ON CITY STREETS UNDER CERTAIN CONDITIONS

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

SECTION 1. NEW CHAPTER. The Code of Ordinances of the City of Nevada, Iowa, 2005, is amended by adding a new Chapter 78, entitled All-Terrain Vehicles and Off-Road Utility Vehicle also known in this ordinance as UTV, which is hereby adopted to read as follows:

- 78.01 PURPOSE.** The purpose of this Chapter of the Code of Ordinances is to permit the operation of ATV's/UTV's on certain streets in the City, pursuant to Section 321I.10 of the Code of Iowa, as amended. This chapter shall apply whenever an ATV/UTV is operated on any city street or alley within the City of Nevada.
- 78.02 DEFINITIONS.** For the purpose of this ordinance the following words and phrases are defined as follows.
1. "All Terrain Vehicles (ATV)" means a motorized vehicle not less than three and not more than six non-highway tires that is limited in engine displacement to less than 1000 cubic centimeters and in total dry weight to less than 1200 pounds and that has a seat or saddle designed to be straddled by the operator and handlebars for steering control.
 2. "Off-Road Utility Vehicle (UTV)" means a motorized vehicle with not less than four and not more than eight nonhighway tires or rubberized tracks that has a seat that is of bucket or bench design, not intended to be straddled by the operator, and a steering wheel or control levers for control. "Off-road utility vehicle" includes the following vehicles:
 - a. "Off-road utility vehicle - type 1" means an off-road vehicle with a total dry weight of one thousand two hundred pounds or less and a width of fifty inches or less.
 - b. Off-road vehicle - type 2" means an off-road utility vehicle, other than a type 1 off-road vehicle, with a total dry weight of two thousand pounds or less and a width of sixty-five inches or less.
 - c. Off-road vehicle - type 3" means an off-road utility vehicle, other than a type 1 off-road vehicle, with a total dry weight of more than two thousand pounds or a width of sixty-five inches or both.
 3. "Operate" means to use or control the movement of the ATV/UTV in any manner or degree.
 4. "Operator" means the person who uses or controls the movement of the ATV/UTV.
 5. "Passenger" means a person who does not use or control the movement of the ATV/UTV but who merely rides on the ATV/UTV.
 6. "Street" means that portion of the street or alley intended for vehicular travel.
- 78.03 OPERATION OF ATV/UTV PERMITTED.**
1. ATV's/UTV's may be operated upon the streets of the City by persons possessing a valid Iowa operator's license, and at least eighteen (18) years of age.
 2. ATV's/UTV's and operators of ATV's/UTV's are considered vehicles and shall be subject to the Nevada Traffic Code when operating on city streets.

3. ATV's/UTV's are allowed to operate on roadways as set forth in Iowa Code Section 321I.10

78.04 RULES OF OPERATION.

1. Except when executing a left turn, ATV'S/UTV'S shall be driven as close as practicable to the right-hand edge of the right-most motorized travel lane.
2. When necessary to prevent congestion of traffic, ATV'S/UTV'S shall be pulled to the right-hand edge of streets and be stopped to allow other motor vehicles traveling in the same direction to pass.
3. When two or more ATV'S/UTV'S are being operated in the same direction and general vicinity, they shall proceed in single file.
4. No ATV's/UTV's shall be operated upon city sidewalks or multi-use trails.
5. The operator of an ATV'S/UTV'S shall yield the right of way to pedestrians, bicycles, electric scooters, and electric bicycles.
6. No ATV'S/UTV'S shall be operated along city streets while under the influence of alcoholic beverages, narcotics, or habit-forming drugs. There shall be no open containers with alcoholic beverages within the ATV/UTV.
7. No person shall operate an ATV/UTV in a careless, reckless, or negligent manner endangering the person or property of another or causing injury or damage to same.
8. The operator of an ATV/UTV shall be responsible for the safety of all passengers on the ATV/UTV and shall not allow reckless or dangerous behavior by passengers on said vehicles.
9. The operator of an ATV/UTV shall limit occupancy of the ATV/UTV to the number of seats for which the vehicle is registered and occupants shall ride in approved seats while the ATV/UTV is in motion.
10. ATV'S/UTV'S shall not be operated when visibility is such that there is insufficient light to clearly see persons and vehicles at a distance of 250 feet or less.
11. No person shall leave an ATV/UTV unattended on public property while the motor is running or keys in the ignition.

78.05 SPEED. No ATV's/UTV's shall be operated on any City Street at a speed in excess of the posted speed limit with maximum speed of thirty-five (35) miles per hour.

78.06 EQUIPMENT. ATV's/UTVs shall comply with the equipment required by state law, including Iowa Code Section 321.234A.

77.07 PARKING. ATV's/UTVs shall be parked in standard automobile parking spaces. No ATV's/UTVs may be parked in such a way as to obstruct vehicular, pedestrian, or bicyclist traffic.

78.08 HOURS AND DATES. ATV's/UTV's and operators of ATV's/UTV's are considered vehicles and shall be subject to the Nevada Traffic Code when operating on city streets.

78.09 TRAVEL PROHIBITED. It shall be unlawful to operate ATV's/UTV's in any public cemetery, park, playground, or on any sidewalk or trail or any other publicly owned property without express written permission from the City, public parking areas excluded.

78.10 OCCUPANT LOAD. It shall be unlawful to operate ATV's/UTV's in excess of the designed occupant load thereof or ride on any portion not designed to carry passengers.

78.11 PROOF OF FINANCIAL LIABILITY COVERAGE. No person shall operate an ATV/UTV on any public street, or alley without proof of financial liability coverage for the vehicle and carried proof of such financial liability coverage in accordance with Section 321.20B of the Code of Iowa.

78.12 ACCIDENT REPORTS. Either the operator, or someone acting for the operator, shall immediately notify a law enforcement officer whenever an ATV/UTV is involved in an accident resulting in injury or death to anyone, or property damage in the amount of \$1,500 or more, and shall file an accident report within 48 hours.

78.13 NEGLIGENCE. The owner and operator of an ATV/UTV are jointly and severally liable for any injury or damage by negligent operation of the ATV/UTV.

78.14 PENALTY. A person who violates the provisions of Iowa Code, section 321.234A is guilty of a simple misdemeanor punishable as a scheduled violation under Code of Iowa, Section 805.8A, subsection 3. In addition, a person who violated this ordinance may be cited for a municipal infraction with fines as set forth in Chapter 4 of the Nevada Municipal Code.

SECTION 2. REPEALER. All ordinances or parts of ordinances 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 the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

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

Passed and approved this 12th day of September, 2022.


Passed and approved this ___ day of September, 2022.

Passed and approved this ___ day of October, 2022.

Brett Barker, Mayor

Attest:

Kerin Wright, City Clerk

 KeyCite Yellow Flag - Negative Treatment
Proposed Legislation

Iowa Code Annotated
Title VIII. Transportation [Chs. 306-330b]
Subtitle 2. Vehicles [Chs. 321-323a]
Chapter 321I. All-Terrain Vehicles (Refs & Annos)

I.C.A. § 321I.10

321I.10. Operation on roadways, highways, and trails

Effective: July 1, 2022

Currentness

<[Text subject to final changes by the Iowa Code Editor for Code 2023.]>

1. A person shall not operate an all-terrain vehicle or off-road utility vehicle upon roadways or highways except as provided in section 321.234A and this section.

1A. A registered all-terrain vehicle or off-road utility vehicle may be operated on an undivided two-lane primary highway that is not part of the interstate road system over the most direct and accessible route between any of the following locations:

- a. An all-terrain vehicle park or trail.
- b. A secondary road on which such vehicles are authorized to operate under subsection 2.
- c. A city street on which such vehicles are authorized to operate under subsection 3.
- d. The vehicle operator's residence.

2. a. A registered all-terrain vehicle or off-road utility vehicle may be operated on any of the following secondary roads:

(1) An unpaved secondary road.

(2) A paved, undivided two-lane secondary road over the most direct and accessible route between any of the following locations:

(a) An all-terrain vehicle park or trail.

(b) Another secondary road on which such vehicles are authorized to operate under this paragraph.

(c) A city street on which such vehicles are authorized to operate under subsection 3.

(d) The vehicle operator's residence.

(3) A paved, undivided secondary road or segment thereof, if authorized by the county board of supervisors. The board shall evaluate the traffic conditions on all such secondary roads under its jurisdiction and designate roadways on which all-terrain vehicles or off-road utility vehicles may be operated without unduly interfering with or constituting an undue hazard to conventional motor vehicle traffic. In designating such roadways, the board may authorize all-terrain vehicles and off-road utility vehicles to stop at service stations or convenience stores along a designated roadway.

b. Notwithstanding paragraph "a", a county may prohibit the operation of all-terrain vehicles and off-road utility vehicles on a secondary road or segment thereof under its jurisdiction as follows:

(1) When the secondary road or segment thereof is closed to motor vehicle traffic pursuant to section 306.41.

(2) When the secondary road or segment thereof is designated as a detour route pursuant to section 306.41.

(3) For any other secondary road or segment thereof, for no more than seven consecutive days and no more than thirty days in a calendar year when the prohibited days are established by ordinance.

3. A city may regulate the operation of registered all-terrain vehicles and off-road utility vehicles and may designate streets under the jurisdiction of the city within its corporate limits, and two-lane primary and secondary road extensions in the city, which may be used for the operation of such vehicles. In designating such streets, the city may authorize all-terrain vehicles and off-road utility vehicles to stop at service stations or convenience stores along a designated street. However, a city shall not charge a fee to operate a registered all-terrain vehicle or off-road utility vehicle within the city.

4. All-terrain vehicles shall not be operated on snowmobile trails except where designated by the controlling authority and the primary snowmobile trail sponsor.

5. An all-terrain vehicle or off-road utility vehicle may make a direct crossing of a highway that is not part of the interstate road system provided all of the following occur:

a. The crossing is made at an angle of approximately ninety degrees to the direction of the highway and at a place where no obstruction prevents a quick and safe crossing.

b. The all-terrain vehicle or off-road utility vehicle is brought to a complete stop before crossing the shoulder or main traveled way of the highway.

321I.10. Operation on roadways, highways, and trails, IA ST § 321I.10

- c. The driver yields the right-of-way to all oncoming traffic which constitutes an immediate hazard.
- d. In crossing a divided highway, the crossing is made only at an intersection of such highway with another public street or highway.
- e. The crossing is made from a street, roadway, or highway on which the all-terrain vehicle or off-road utility vehicle is authorized to operate to a street, roadway, or highway on which such vehicle is authorized to operate.

Credits

Added by Acts 2004 (80 G.A.) ch. 1132, § 53. Amended by Acts 2004 (80 G.A.) ch. 1175, § 371; Acts 2005 (81 G.A.) ch. 20, H.F. 591, § 9; Acts 2006 (81 G.A.) ch. 1030, S.F. 2253, § 37; Acts 2009 (83 G.A.) ch. 179, S.F. 478, § 125; Acts 2010 (83 G.A.) ch. 1186, S.F. 2381, § 10; Acts 2017 (87 G.A.) ch. 32, H.F. 464, § 2, eff. July 1, 2017; Acts 2022 (89 G.A.) ch. 1105, H.F. 2130, §§ 8 to 11, eff. July 1, 2022.

I. C. A. § 321I.10, IA ST § 321I.10

Current with legislation effective 7/1/2022 from the 2022 Regular Session, subject to changes made by Iowa Code Editor for Code 2023.

End of Document

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RESOLUTION NO. 030 (2022/2023)

Resolution authorizing and approving a Loan and Disbursement Agreement, combining Loan and Disbursement Agreements, and providing for the issuance and securing the payment of \$20,838,000 Sewer Revenue Bonds, Series 2022A

WHEREAS, the City of Nevada (the “City”), in Story County, State of Iowa, did heretofore establish a Municipal Sanitary Sewer System (the “Utility”) in and for the City which has continuously supplied sanitary sewer service in and to the City and its inhabitants since its establishment; and

WHEREAS, the management and control of the Utility are vested in the City Council (the “Council”), and no board of trustees exists for this purpose; and

WHEREAS, the City has heretofore proposed to contract indebtedness and enter into a certain Sewer Revenue Loan and Disbursement Agreement (the “Agreement #1”) and to borrow money thereunder in a principal amount not to exceed \$1,500,000, pursuant to the provisions of Section 384.24A of the Code of Iowa, for the purpose of paying the cost, to that extent, of planning, designing and constructing improvements and extensions to the Utility (the “Project”), and has published notice of the proposed action and has held a hearing thereon on November 9, 2020; and

WHEREAS, pursuant to a prior resolution of the Council, the City used a portion of its authority under the Agreement #1 to issue its \$1,360,000 Sewer Revenue Bond, SRF Series 2021, dated January 29, 2021 (the “Series 2021 Bond”), a portion of which remains outstanding; and

WHEREAS, the City has also heretofore proposed to contract indebtedness and enter into a certain Sewer Revenue Loan and Disbursement Agreement (the “Agreement #2”) and to borrow money thereunder in a principal amount not to exceed \$39,900,000, pursuant to the provisions of Section 384.24A of the Code of Iowa, for the purpose of paying additional costs of the Project, and has published notice of the proposed action and has held a hearing thereon on March 22, 2021; and

WHEREAS, pursuant to a prior resolution of the Council, the City used a portion of its authority under the Agreement #2 to issue its \$10,000,000 Taxable Sewer Revenue Bond, SRF Series 2021A, dated April 30, 2021 (the “Series 2021A Bond”), a portion of which remains outstanding; and

WHEREAS, pursuant to a prior resolution of the Council, the City used a portion of its authority under the Agreement #2 to issue its \$10,000,000 Taxable Sewer Revenue Bond, SRF Series 2022, dated January 28, 2022 (the “Series 2022 Bond”), a portion of which remains outstanding; and

WHEREAS, pursuant to the resolutions (the “Outstanding Bond Resolutions”) authorizing the issuance of the Series 2021 Bond, the Series 2021A Bond, and the Series 2022 Bond (collectively, the “Outstanding Bonds”), the City reserved the right to issue additional obligations payable from the Net Revenues of the Utility and ranking on a parity with the Outstanding Bonds under the terms and conditions set forth in the Outstanding Bond Resolutions; and

WHEREAS, the City has heretofore proposed to contract indebtedness and enter into a certain Sewer Revenue Loan and Disbursement Agreement (the “Agreement #3”) and to borrow money thereunder in a principal amount not to exceed \$18,500,000, pursuant to the provisions of Section 384.24A of the Code of Iowa, for the purpose of paying the cost, to that extent, of planning, designing and constructing improvements and extensions to the Utility (the “Project”), and has published notice of the proposed action and has held a hearing thereon on September 12, 2022; and

WHEREAS, pursuant to the provisions of Section 384.28 of the Code of Iowa, the City Council intends to combine its remaining authority under the Agreement #1 (\$140,000), a portion of its authority under Agreement #2 (\$2,198,000), and its authority under Agreement #3 (\$18,500,000), and enter into a Sewer Revenue Loan and Disbursement Agreement (the “Agreement”); and

WHEREAS, it is necessary at this time for the City Council to approve the Agreement with the Iowa Finance Authority, an agency and public instrumentality of the State of Iowa, as lender (the “Lender”) and to issue Sewer Revenue Bonds, Series 2022A (the “Bonds”) in evidence thereof in the principal amount of \$20,838,000 in order to pay the costs of the Project;

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

Section 1. The City hereby combines a portion of its authority under the Agreement #1, the Agreement #2, and the Agreement #3 into the Agreement. It is hereby determined that the City shall enter into the Agreement with the Lender. The Agreement shall be in substantially the form as has been placed on file with the City and shall provide for a loan (the “Loan”) to the City in the amount of \$20,838,000, for the purpose as set forth in the preamble hereof.

The Mayor and City Clerk are hereby authorized and directed to sign the Agreement on behalf of the City, and the Agreement is hereby approved.

Section 2. The Bonds are hereby authorized to be issued in evidence of the obligation of the City under the Agreement, in the aggregate principal amount of \$20,838,000, to be dated the date of delivery to or upon the direction of the Lender, and bearing interest from the date of each advancement made at the rate of 1.75% per annum pursuant to the Agreement, until payment thereof, as set forth in Exhibit A attached to the Agreement.

The Bonds may be in the denomination of \$1,000 each or any integral multiple thereof and, at the request of the Lender, shall be initially issued as a single bond in the denomination of \$20,838,000 and numbered R-1.

The City Clerk is hereby designated as the Registrar and Paying Agent for the Bonds and may be hereinafter referred to as the “Registrar” or the “Paying Agent.”

Payment of the principal of and interest on the Bonds and premium, if any, shall be payable at the office of the Paying Agent to the registered owners thereof appearing on the registration books of the City. All such payments, except full redemption, shall be made to the registered

owners appearing on the registration books at the close of business on the fifteenth day of the month next preceding the payment date. Final payment of principal shall only be made upon surrender of the Bond or Bonds to the Paying Agent.

In addition to the payment of principal of and interest on the Bonds, the City also agrees to pay the Initiation Fee and the Servicing Fee (defined in the Agreement) in accordance with the terms of the Agreement.

The Bonds shall be executed on behalf of the City with the official manual or facsimile signature of the Mayor and attested with the official manual or facsimile signature of the City Clerk, and shall be fully registered bonds without interest coupons. The issuance of the Bonds and the amount of the Loan advanced thereunder shall be recorded in the office of the City Treasurer, and the certificate on the back of each Bond shall be executed with the official manual or facsimile signature of the City Treasurer. In case any officer whose signature or the facsimile of whose signature appears on the Bonds shall cease to be such officer before the delivery of such Bonds, such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

The Bonds shall be fully registered as to principal and interest in the names of the owners on the registration books of the City kept by the Registrar. Each Bond shall be transferable without cost to the registered owner thereof only upon the registration books of the City upon presentation to the Registrar, together with either a written instrument of transfer satisfactory to the Registrar or the assignment form thereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The record and identity of the owners of the Bonds shall be kept confidential as provided by Section 22.7 of the Code of Iowa.

The Bonds are subject to optional redemption by the City at a price of par plus accrued interest (i) on any date with the prior written consent of the Lender, or (ii) in the event that all or substantially all of the Project is damaged or destroyed. Any optional redemption of the Bonds by the City may be made from any funds regardless of source, in whole or from time to time in part, in inverse order of maturity upon not less than thirty (30) days' notice of redemption by e-mail, facsimile, certified or registered mail to the Lender (or any other registered owner of the Bonds). The Bonds are also subject to mandatory redemption as set forth in Section 5 of the Agreement.

All of the Bonds and the interest thereon, together with the Outstanding Bonds and any additional obligations as may be hereafter issued and outstanding from time to time ranking on a parity therewith under the conditions set forth herein (which additional obligations are hereinafter sometimes referred to as "Parity Obligations"), shall be payable solely from the Net Revenues of the Utility and the Sinking Fund hereinafter referred to, both of which are hereby pledged to the payment of the Bonds. The Bonds shall be a valid claim of the owners thereof only against said Net Revenues and Sinking Fund. None of the Bonds shall be a general obligation of the City, nor payable in any manner by taxation, and under no circumstances shall the City or the Utility be in any manner liable by reason of the failure of the Net Revenues of the Utility to be sufficient for the payment in whole or in part of the Bonds and the interest thereon.

Section 3. The Bonds shall be executed as herein provided as soon after the adoption of this resolution as may be possible and thereupon they shall be delivered to the Registrar for registration and delivery to the Lender, upon receipt of the loan proceeds (the “Loan Proceeds”), and all action heretofore taken in connection with the Agreement is hereby ratified and confirmed in all respects.

Section 4. The Bonds shall be in substantially the following form:

(Form of Bond)

UNITED STATES OF AMERICA
STATE OF IOWA
STORY COUNTY
CITY OF NEVADA

SEWER REVENUE BOND, SERIES 2022A

No. R-1 \$20,838,000

RATE	MATURITY DATE	BOND DATE
1.75%	June 1, 2052	September 30, 2022

The City of Nevada (the “City”), in Story County, State of Iowa, for value received, promises to pay from the source and as hereinafter provided, on the maturity date of this Bond to

IOWA FINANCE AUTHORITY

or registered assigns, the principal sum of

TWENTY MILLION EIGHT HUNDRED THIRTY-EIGHT THOUSAND DOLLARS

Interest at the rate specified above shall be payable semiannually on June 1 and December 1 of each year, commencing December 1, 2022, and principal shall be due and payable in installments in the amounts shown on the Principal Payment Schedule, attached hereto as Exhibit A, on June 1, 2023, and annually thereafter on June 1 in each year until the principal and interest are fully paid, except that the final installments of the entire balance of principal and interest, if not sooner paid, shall become due and payable on June 1, 2052. Interest shall be computed on the basis of a 360-day year of twelve 30-day months.

The City Clerk shall act as Registrar and Paying Agent and may be hereinafter referred to as the “Registrar” or the “Paying Agent.”

Payment of the principal of and interest on this Bond and premium, if any, shall be payable at the office of the Paying Agent to the registered owners thereof appearing on the registration books of the City at the addresses shown on such registration books. All such payments, except full redemption, shall be made to the registered owners appearing on the registration books at the close of business on the fifteenth day of the month next preceding the payment date. Final payment of principal shall only be made upon surrender of this Bond to the Paying Agent.

This Bond is one of a series of bonds (the “Bonds”) issued by the City to evidence its obligation under a certain Loan and Disbursement Agreement, dated the date hereof (the “Agreement”) entered into by the City for the purpose of providing funds to pay a portion of the

cost of planning, designing and constructing improvements and extensions (the “Project”) to the Municipal Sanitary Sewer System of the City (the “Utility”).

The Bonds are issued pursuant to and in strict compliance with the provisions of Sections 384.24A and 384.83 of the Code of Iowa, 2021, and all other laws amendatory thereof and supplemental thereto, and in conformity with a resolution of the City Council authorizing and approving the Agreement and providing for the issuance and securing the payment of the Bonds (the “Resolution”), and reference is hereby made to the Resolution and the Agreement for a more complete statement as to the source of payment of the Bonds and the rights of the owners of the Bonds.

The Bonds shall be subject to optional redemption by the City at a price of par plus accrued interest (i) on any date with the prior written consent of the Iowa Finance Authority, or (ii) in the event that all or substantially all of the Project is damaged or destroyed. Any optional redemption of the Bonds by the City may be made from any funds regardless of source, in whole or from time to time in part, in inverse order of maturity upon not less than thirty (30) days’ notice of redemption by e-mail, facsimile, certified or registered mail to the Iowa Finance Authority (or any other registered owner of the Bonds). The Bonds are also subject to mandatory redemption as set forth in Section 5 of the Agreement.

The Bonds are not general obligations of the City but, together with the City’s outstanding Sewer Revenue Bond, SRF Series 2021, dated January 29, 2021; Taxable Sewer Revenue Bond, SRF Series 2021A, dated April 30, 2021; Taxable Sewer Revenue Bond, SRF Series 2022, dated January 28, 2022; and any additional obligations as may be hereafter issued and outstanding from time to time ranking on a parity therewith under the conditions set forth in the Resolution, are payable solely and only out of the future Net Revenues (as defined in the Resolution) of the Utility of the City, a sufficient portion of which has been ordered set aside and pledged for that purpose. This Bond is not payable in any manner by taxation, and under no circumstances shall the City be in any manner liable by reason of the failure of the said Net Revenues to be sufficient for the payment of this Bond and the interest thereon.

This Bond is fully negotiable but shall be fully registered as to both principal and interest in the name of the owner on the books of the City in the office of the Registrar, after which no transfer shall be valid unless made on said books and then only upon presentation of this Bond to the Registrar, together with either a written instrument of transfer satisfactory to the Registrar or the assignment form hereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The City, the Registrar and the Paying Agent may deem and treat the registered owner hereof as the absolute owner for the purpose of receiving payment of or on account of principal hereof, premium, if any, and interest due hereon and for all other purposes, and the City, the Registrar and the Paying Agent shall not be affected by any notice to the contrary.

And It Is Hereby Certified, Recited and Declared that all acts, conditions and things required to exist, happen and be performed precedent to and in the issuance of the Bonds have existed, have happened and have been performed in due time, form and manner, as required by

law, and that the issuance of the Bonds does not exceed or violate any constitutional or statutory limitation or provision.

IN TESTIMONY WHEREOF, the City of Nevada, Iowa, has caused this Bond to be executed by its Mayor and attested by its City Clerk, all as of the Bond Date.

CITY OF NEVADA, IOWA

By (Do Not Sign)
Mayor

Attest:

(Do Not Sign)
City Clerk

(On the back of each Bond the following certificate shall be executed with the duly authorized signature of the City Treasurer)

STATE OF IOWA
STORY COUNTY
CITY OF NEVADA

SS: CITY TREASURER'S CERTIFICATE

The original issuance of the Bonds, of which this Bond is a part, was duly and properly recorded in my office as of the Bond Date.

(Do Not Sign)
City Treasurer

ABBREVIATIONS

The following abbreviations, when used in this Bond, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN COM	-	as tenants in common	UTMA	_____
TEN ENT	-	as tenants by the entireties		(Custodian)
JT TEN	-	as joint tenants with right of survivorship and not as tenants in common	As Custodian for	_____
				(Minor)
			under Uniform Transfers to Minors Act	_____
				(State)

Additional abbreviations may also be used though not in the list above.

ASSIGNMENT

For valuable consideration, receipt of which is hereby acknowledged, the undersigned assigns this Bond to

(Please print or type name and address of Assignee)

PLEASE INSERT SOCIAL SECURITY OR OTHER
IDENTIFYING NUMBER OF ASSIGNEE

and does hereby irrevocably appoint _____, Attorney, to transfer this Bond on the books kept for registration thereof with full power of substitution.

Dated: _____

Signature guaranteed:

NOTICE: The signature to this Assignment must correspond with the name of the registered owner as it appears on this Bond in every particular, without alteration or enlargement or any change whatever.

EXHIBIT A
PRINCIPAL PAYMENT SCHEDULE

<u>Due</u> <u>June 1</u>	<u>Amount</u>	<u>Due</u> <u>June 1</u>	<u>Amount</u>
2023	\$1,000	2038	\$ 1,000
2024	\$1,000	2039	\$ 1,000
2025	\$1,000	2040	\$ 1,000
2026	\$1,000	2041	\$ 1,000
2027	\$1,000	2042	\$ 720,000
2028	\$1,000	2043	\$1,835,000
2029	\$1,000	2044	\$1,872,000
2030	\$1,000	2045	\$1,910,000
2031	\$1,000	2046	\$1,948,000
2032	\$1,000	2047	\$1,987,000
2033	\$1,000	2048	\$2,027,000
2034	\$1,000	2049	\$2,067,000
2035	\$1,000	2050	\$2,108,000
2036	\$1,000	2051	\$2,151,000
2037	\$1,000	2052	\$2,194,000

Section 5. The Loan Proceeds shall be held by the Lender and disbursed for costs of the Project, as referred to in the preamble hereof. The City will keep a detailed segregated accounting of the expenditure of the Loan Proceeds.

Section 6. So long as any of the Bonds, the Outstanding Bonds or any Parity Obligations are outstanding, the City shall continue to maintain the Utility in good condition, and the Utility shall continue to be operated in an efficient manner and at a reasonable cost as a revenue producing undertaking. The City shall establish, impose, adjust and provide for the collection of rates to be charged to customers of the Utility, including the City, to produce gross revenues (hereinafter sometimes referred to as the “Gross Revenues”) at least sufficient to pay the expenses of operation and maintenance of the Utility, which shall include salaries, wages, cost of maintenance and operation, materials, supplies, insurance and all other items normally included under recognized accounting practices (but does not include allowances for depreciation in the valuation of physical property) (which such expenses are hereinafter sometimes referred to as the “Operating Expenses”) and to leave a balance of net revenues (herein referred to as the “Net Revenues”) equal to at least 110% of the principal of and interest on all of the Bonds, the Outstanding Bonds and any other Parity Obligations due in such fiscal year, as the same become due.

Section 7. The provisions, covenants, undertakings and stipulations for the operation of the Utility and for the collection, application and use of the Gross Revenues and income from such operation, as set forth in the Outstanding Bond Resolutions shall inure and appertain to the Bonds to the same extent and with like force and effect as if herein set out in full, except only insofar as the same may be inconsistent with this resolution.

Nothing in this resolution shall be construed to impair the rights vested in the Outstanding Bonds. The amounts herein required to be paid into the various funds hereafter named shall be inclusive of said payments required with respect to the Outstanding Bonds. The provisions of the Outstanding Bond Resolutions and the provisions of this resolution are to be construed whenever possible so that the same will not be in conflict. In the event such construction is not possible, the provisions of the resolution first adopted shall prevail until such time as the obligations authorized by such resolution have been paid or otherwise satisfied as therein provided, at which time the provisions of this resolution shall again prevail.

Section 8. From and after the issuance of the Bonds, the Gross Revenues of the Utility shall continue to be set aside into the City’s Sewer Revenue Fund (“Sewer Revenue Fund”) created under the Outstanding Bond Resolutions. The Sewer Revenue Fund shall be used in maintaining and operating the Utility, and after payment of the Operating Expenses shall, to the extent provided in this resolution and the Outstanding Bond Resolutions, be used to pay the principal of and interest on the Bonds, the Outstanding Bonds and any Parity Obligations, and to create and maintain the several separate funds hereinafter described.

Section 9. The provisions in and by the Outstanding Bond Resolutions, whereby there has been created and is to be maintained a Sewer Revenue Bond Sinking Fund (herein referred to as the “Sinking Fund”), and for the payment into said fund from the Net Revenues of the Utility such portion thereof as will be sufficient to pay the interest on and principal of the Outstanding Bonds, are all hereby ratified and confirmed, and all such provisions shall inure and constitute the

security for the payment of the interest on and principal of the Bonds hereby authorized as may be outstanding from time to time; provided, however that on the first day of each month of each year, the minimum amount to be set aside, in addition to the amounts required to be set aside in the Outstanding Bond Resolutions, and paid into the Sinking Fund shall be not less than as follows:

On October 1, 2022, and November 1, 2022, an amount equal to 1/2 of the installment of interest coming due on December 1, 2022, and thereafter, commencing on December 1, 2022, and continuing to final maturity, an amount equal to 1/6th of the installment of interest coming due on the next succeeding interest payment date on the then outstanding Bonds. In addition, commencing on October 1, 2022, and continuing to and including May 1, 2023, an amount equal to 1/8th of the installment of principal coming due on June 1, 2023, and thereafter, commencing on June 1, 2023, and continuing to final maturity, an amount equal to 1/12th of the installment of principal coming due on such Bonds on the next succeeding principal payment date until the full amount of such installment is on deposit in the Sinking Fund.

Money in the Sinking Fund shall be used solely for the purpose of paying principal of and interest on the Bonds, the Outstanding Bonds and any Parity Obligations as the same shall become due and payable. Whenever Parity Obligations are issued under the conditions and restrictions hereinafter set forth, provision shall be made for additional payments to be made into the Sinking Fund for the purpose of paying the interest on and principal of such Parity Obligations.

If at any time there should be a failure to pay into the Sinking Fund the full amount above stipulated, then an amount equivalent to the deficiency shall be paid into the Sinking Fund from the Net Revenues of the Utility as soon as available, and the same shall be in addition to the amount otherwise required to be so set apart and paid into the Sinking Fund.

No further payments need be made into the Sinking Fund when and so long as the amount therein is sufficient to retire all of the Bonds, the Outstanding Bonds and any Parity Obligations then outstanding which are payable from the Sinking Fund and to pay all interest to become due thereon prior to such retirement, or if provision for such payment has been made.

All of such payments required to be made into the Sinking Fund shall be made in equal monthly installments on the first day of each month, except that when the first day of any month shall be a Sunday or legal holiday, then such payments shall be made on the next succeeding secular day.

Section 10. The provisions in and by the Outstanding Bond Resolutions whereby there has been created and is to be maintained a special fund to be known and designated as the Surplus Fund into which there shall be set apart and paid all of the Net Revenues remaining after first paying the Operating Expenses and making the required payments into the Sinking Fund are all hereby ratified and confirmed. All money credited to the Surplus Fund shall be transferred and credited to the Sinking Fund whenever necessary to prevent or remedy a default in the payment of the principal of or interest on the Bonds, the Outstanding Bonds and any Parity Obligations.

As long as the Sinking Fund has the full amounts required to be deposited therein by the Outstanding Bond Resolutions and this resolution, any balance in the Surplus Fund may be expended by the City in such manner as the Council, or such other duly constituted body as may then be charged with the operation of the Utility, may from time to time direct.

Section 11. All money held in any fund or account created or to be maintained under the terms of this resolution shall be deposited in lawful depositories of the City or invested in accordance with Chapters 12B and 12C of the Code of Iowa and continuously held and secured as provided by the laws of the State of Iowa relating to the depositing, securing, holding and investing of public funds. All interest received by the City as a result of investments under this section shall be considered to constitute Gross Revenues of the Utility and shall be deposited in or transferred to the Sewer Revenue Fund and used solely and only for the purposes specified herein for such funds.

Section 12. The City hereby covenants and agrees with the owner or owners of the Bonds, the Outstanding Bonds and any Parity Obligations, or any of them, that from time to time may be outstanding, that it will faithfully and punctually perform all duties with reference to the Utility required and provided by the Constitution and laws of the State of Iowa, that it will segregate the Gross Revenues of the Utility and make application thereof in accordance with the provisions of this resolution and that it will not sell, lease or in any manner dispose of the Utility or any part thereof, including any and all extensions and additions that may be made thereto, until all of the Bonds, the Outstanding Bonds and any Parity Obligations shall have been paid in full, both principal and interest, or unless and until provision shall have been made for the payment of the Bonds, the Outstanding Bonds and any Parity Obligations and interest thereon in full; provided, however, that the City may dispose of any property which in the judgment of the Council, or such duly constituted body as may then be charged with the operation of the Utility, is no longer useful or profitable in the operation of the Utility nor essential to the continued operation thereof and when the sale thereof will not operate to reduce the revenues to be derived from the operation of the Utility.

Section 13. Upon a breach or default of a term of the Bonds, the Outstanding Bonds or any Parity Obligations, the Outstanding Bond Resolutions and this resolution, a proceeding may be brought in law or in equity by suit, action or mandamus to enforce and compel performance of the duties required under the terms of this resolution and Division V of Chapter 384 of the Code of Iowa or an action may be brought to obtain the appointment of a receiver to take possession of and operate the Utility and to perform the duties required by this resolution and Division V of Chapter 384 of the Code of Iowa.

Section 14. The Bonds, the Outstanding Bonds or any Parity Obligations shall not be entitled to priority or preference one over the other in the application of the Net Revenues of the Utility regardless of the time or times of the issuance of such Bonds, the Outstanding Bonds or Parity Obligations, it being the intention of the City that there shall be no priority among the Bonds, the Outstanding Bonds or any Parity Obligations, regardless of the fact that they may have been actually issued and delivered at different times. The City hereby reserves the right and privilege of issuing additional Parity Obligations.

Section 15. The City agrees that so long as the Bonds, the Outstanding Bonds or any Parity Obligations remain outstanding, it will maintain insurance for the benefit of the owners of the Bonds, the Outstanding Bonds and any Parity Obligations on the insurable portions of the Utility of a kind and in an amount which usually would be carried by private companies or municipalities engaged in a similar type of business. The proceeds of any insurance, except public liability insurance, shall be used to repair or replace the part or parts of the Utility damaged or destroyed. The City will keep proper books of record and account, separate from all other records and accounts, showing the complete and correct entries of all transactions relating to the Utility, and the owners of the Bonds, the Outstanding Bonds or any Parity Obligations shall have the right at all reasonable times to inspect the Utility and all records, accounts and data of the City relating thereto.

Section 16. The provisions of this resolution shall constitute a contract between the City and the owners of the Bonds and any Parity Obligations as may from time to time be outstanding, and after the issuance of the Bonds, no change, variation or alteration of any kind of the provisions of this resolution shall be made which will adversely affect the owners of the Bonds or any Parity Obligations until all of the Bonds, the Outstanding Bonds and any Parity Obligations and the interest thereon shall have been paid in full, except as hereinafter provided.

The owners of a majority in principal amount of the Bonds and any Parity Obligations at any time outstanding (not including in any case any obligations which may then be held or owned by or for the account of the City, but including such obligations as may be issued for the purpose of refunding any of the Bonds, the Outstanding Bonds or Parity Obligations if such obligations shall not then be owned by the City) shall have the right from time to time to consent to and approve the adoption by the City of a resolution or resolutions modifying or amending any of the terms or provisions contained in this resolution; provided, however, that this resolution may not be so modified or amended in such manner as to:

- (a) Make any change in the maturity or redemption terms of the Bonds or Parity Obligations.
- (b) Make any change in the rate of interest borne by any of the Bonds or Parity Obligations.
- (c) Reduce the amount of the principal payable on any Bonds or Parity Obligations.
- (d) Modify the terms of payment of principal of or interest on the Bonds or Parity Obligations, or any of them, or impose any conditions with respect to such payment.
- (e) Affect the rights of the owners of less than all of the Bonds or Parity Obligations then outstanding.
- (f) Reduce the percentage of the principal amount of the Bonds or Parity Obligations, the consent of the owners of which shall be required to effect a further modification.

Whenever the City shall propose to amend or modify this resolution under the provisions of this section, it shall cause notice of the proposed amendment to be (1) filed with the Lender and (2) mailed by certified mail to each registered owner of any Bond or Parity Obligation as shown by the records of the Registrar. Such notice shall set forth the nature of the proposed amendment and shall state that a copy of the proposed amendatory resolution is on file in the office of the City Clerk.

Whenever at any time within one year from the date of the mailing of said notice, there shall be filed with the City Clerk an instrument or instruments executed by the owners of at least a majority in aggregate principal amount of the Bonds and any Parity Obligations outstanding at the time of the adoption of such amendatory resolution specifically consenting to the adoption thereof as herein provided, no owner of any Bonds or Parity Obligations shall have any right or interest to object to the adoption of such amendatory resolution or to object to any of the terms or provisions therein contained or to the operation thereof or to enjoin or restrain the City from taking any action pursuant to the provisions thereof.

Any consent given by the owners of a Bond or Parity Obligation pursuant to the provisions of this section shall be irrevocable for a period of six (6) months from the date of such consent and shall be conclusive and binding upon all future owners of the same Bond or Parity Obligation during such period. Such consent may be revoked at any time after six (6) months from the date of such consent by the owner who gave such consent or by a successor in title, but such revocation shall not be effective if the owners of a majority in aggregate principal amount of the Bonds and Parity Obligations outstanding as in this section defined shall have, prior to the attempted revocation, consented to and approved the amendatory resolution referred to in such revocation.

The fact and date of the execution of any instrument under the provisions of this section may be proved by the certificate of any officer in any jurisdiction, who by the laws thereof is authorized to take acknowledgments of deeds within such jurisdiction, that the persons signing such instrument acknowledged before such officer the execution thereof, or may be proved by an affidavit of a witness to such execution sworn to before such officer.

Section 17. It is the intention of the City that interest on the Bonds be and remain excluded from gross income for federal income tax purposes pursuant to the appropriate provisions of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations in effect with respect thereto (all of the foregoing herein referred to as the "Internal Revenue Code"). In furtherance thereof the City covenants to comply with the provisions of the Internal Revenue Code as they may from time to time be in effect or amended and further covenants to comply with applicable future laws, regulations, published rulings and court decisions as may be necessary to insure that the interest on the Bonds will remain excluded from gross income for federal income tax purposes. Any and all of the officers of the City are hereby authorized and directed to take any and all actions as may be necessary to comply with the covenants herein contained.

Section 18. If any section, paragraph, clause or provision of this resolution shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

Section 19. All resolutions and orders or parts thereof in conflict with the provisions of this resolution are, to the extent of such conflict, hereby repealed.

Section 20. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved September 12, 2022.

Brett Barker, Mayor

Attest:

Kerin Wright, City Clerk

• • • •

On motion and vote, the meeting adjourned.

Brett Barker, Mayor

Attest:

Kerin Wright, City Clerk

September 6, 2022

VIA EMAIL

Kerin Wright
City Clerk/City Hall
Nevada, Iowa

Re: \$20,838,000 SRF Sewer Revenue Loan and Disbursement Agreement
File No. 420131-113

Dear Kerin:

We have prepared and attach proceedings to be used at the September 12, 2022 City Council meeting to enable the City Council (the "Council") to hold the public hearing and adopt the resolution (the "Resolution") approving the SRF Sewer Revenue Loan and Disbursement Agreement (the "Agreement") and providing for the issuance of the Sewer Revenue Bonds, Series 2022A (the "Bonds").

The proceedings attached include the following items:

1. Minutes of the September 12, 2022 meeting reflecting the hearing and providing for the adoption of the Resolution. The Resolution follows the minutes. The form of Bond, Treasurer's Certificate and Assignment are included as part of the Resolution but need not be completed or executed as they are adopted only as to form.
2. Certificate attesting to the transcript.
3. Establishment and non-litigation certificate with respect to the Municipal Sanitary Sewer System.

Also attached, please find the Bond. Please return it to us so that we can deliver it to the lender at the time of closing. Please Note that the Bond has signature blocks for the Mayor, the City Clerk and the City Treasurer.

Additionally, we have attached the Agreement for execution by you and the Mayor. Please print a copy of the Agreement and have it executed as indicated. After the Agreement has been signed, please return it to us so that we can have it signed on behalf of the Iowa Finance Authority, after which we will furnish you with a fully executed copy for the City's records.

Finally, we have attached the Closing Certificate to be executed by you and the Mayor. Please review the Certificate for any inaccuracies and return the executed Certificate to our office.

Please call Emily Hammond, Lauren Baker or me if you have questions.

Best regards,

John P. Danos

Attachments

cc: Jordan Cook
Tracy Scebold
Tony Toigo
Lee Wagner
Michael Maloney

LOAN AND DISBURSEMENT AGREEMENT
\$20,838,000 SEWER REVENUE BONDS

This Loan and Disbursement Agreement (the “Agreement”) is made and entered into as of September 30, 2022, by and between the City of Nevada, Iowa (the “Participant”) and the Iowa Finance Authority, an agency and public instrumentality of the State of Iowa (the “Issuer”).

WHEREAS, the Issuer, in cooperation with the Iowa Department of Natural Resources (the “Department”), is authorized to undertake the creation, administration and financing of the Iowa Water Pollution Control Works Financing Program (the “Program”) established in the Code of Iowa, Sections 16.131 through 16.135 and Sections 455B.291 through 455B.299, including, among other things, the making of loans to Iowa municipalities for purposes of the Program; and

WHEREAS, the Participant desires to participate in the Program as a means of financing all or part of the construction of certain wastewater treatment facilities serving the Participant and its residents; and

WHEREAS, to assist in financing the Project (defined herein), the Issuer desires to make a loan to the Participant in the amount set forth in Section 2 hereof;

NOW, THEREFORE, the parties agree as follows:

Section 1. Definitions. In addition to other definitions set forth herein, the following terms as used in this Agreement shall, unless the context clearly requires otherwise, have the following meanings:

(a) “Bonds” shall mean any State Revolving Fund Revenue Bonds that were or in the future are issued by the Issuer for the purpose of providing moneys to finance the Loan to the Participant.

(b) “Code” shall mean the Internal Revenue Code of 1986, as amended, and all lawfully promulgated regulations thereunder.

(c) “Project” shall mean the particular construction activities approved by the Department and being undertaken by the Participant with respect to its Wastewater Treatment System, as described in the Resolution.

(d) “Regulations” shall mean the administrative rules of the Department relating to the Program, set forth in Title 567, Chapter 92 of the Iowa Administrative Code, and the administrative rules of the Issuer relating to the Program set forth in Title 265, Chapter 26 of the Iowa Administrative Code.

(e) “Resolution” shall mean the resolution of the City Council of the Participant providing for the authorization and issuance of the Revenue Bond, attached hereto as Exhibit B, adopted on September 12, 2022, approving and authorizing the execution of this Agreement and the issuance of the Revenue Bond (as defined herein).

(f) "Wastewater Treatment System" shall mean the wastewater treatment system of the Participant, all facilities being used in conjunction therewith and all appurtenances and extensions thereto, including but not limited to the wastewater treatment system project which the Participant is financing under this Agreement.

Section 2. Loan; Purchase of Revenue Bond. The Issuer agrees to purchase a duly authorized and issued sewer revenue bond ~~or capital loan note of the Participant~~ (the "Revenue Bond") in order to make a loan to the Participant, and will disburse proceeds as set forth herein. The Participant agrees to borrow and accept from the Issuer, a loan in the principal amount of \$20,838,000 (the "Loan").

The Participant shall use the proceeds of the Loan strictly (a) to finance a portion of the costs of construction of the Project and (b), where applicable, to reimburse the Participant for a portion of the costs of the Project, which portion was paid or incurred in anticipation of reimbursement through the Program and which is eligible for such reimbursement under and pursuant to the Regulations and the Code.

Section 3. Disbursements. Proceeds of the Loan shall be made available to the Participant in the form of one or more periodic disbursements as provided in this Section. The Issuer thereafter shall make disbursements of a portion of the Loan for payment of costs of the Project upon receipt of the following:

- (a) a completed payment request on a form acceptable to and available from the Issuer;
 - (b) current construction payment estimates;
 - (c) engineering service statements;
 - (d) purchase orders or invoices for items not included within other contracts;
- and
- (e) evidence that the costs for which the disbursement is requested have been incurred.

Solely with respect to the request for the final disbursement of proceeds of the Loan, the Participant shall submit to the Issuer (via the Department), in addition to items (a) through (e) above, a certification of completion and acceptance of the Project by the Participant or evidence of an acceptable settlement if the Project is subject to a dispute between the Participant and any contractor.

Disbursements shall be made in a timely fashion following the receipt of the information as set forth above. Unless otherwise agreed to in writing by the Issuer, funds shall be payable to the Participant via automated clearinghouse system transfer to the account specified by the Participant.

Section 4. Completion of Project. The Participant covenants and agrees (i) to exercise its best efforts in accordance with prudent wastewater treatment utility practices to complete the Project; and (ii) to provide from its own fiscal resources all monies, in excess of the total amount of Loan proceeds it receives under the Agreement, required to complete the Project.

Section 5. Repayment of Loan; Issuance of Revenue Bonds. The Participant's obligation to repay the Loan and interest thereon shall be evidenced by the Revenue Bond in the principal amount of the Loan, complying in all material respects with the Regulations and being in substantially the form set forth in the Resolution, which Resolution is attached hereto as Exhibit B. The Revenue Bond shall be delivered to the Issuer as the original purchaser and registered holder thereof at the closing of the Loan. The Revenue Bond shall be accompanied by a legal opinion of bond counsel, in form satisfactory to the Issuer, to evidence the legality, security position and tax-exempt status of interest on the Revenue Bond. The parties agree that a payment of principal of or interest on the Revenue Bond shall be deemed to be a payment of the same on the Loan and a payment of principal of or interest on the Loan shall be deemed to be a payment of the same on the Revenue Bond. Unless otherwise agreed to in writing by the Issuer, all payments of principal and interest due under the Loan shall be made via automated clearinghouse transfer, from an account specified by the Participant.

The Revenue Bond shall be dated the date of delivery to the Issuer, with interest and the Servicing Fee (together, the "Interest Rate" as set forth in Section 6 hereof) payable semiannually on June 1 and December 1 of each year (unless the resolution authorizing a previous series of outstanding bonds on a parity with the Revenue Bond requires interest to be paid on other interest payment dates, in which case such other dates shall apply) from the date of each disbursement of a part of the Loan from the Issuer to the Participant (which are initially expected to be on approximately the dates set forth on Exhibit A attached hereto and incorporated herein). The first repayment of principal of the Loan shall be due and payable not later than one year after substantial completion of the Project and payments of principal, interest and the Servicing Fee shall continue thereafter until the Loan is paid in full. Following the final disbursement of Loan proceeds to the Participant, Exhibit A shall be adjusted by the Issuer, with the approval of the Participant, based upon actual disbursements to the Participant under the Agreement. Such revised Exhibit A thereafter shall be deemed to be incorporated herein by reference and made a part hereof and shall supersede and replace that initially attached hereto and to the Revenue Bond.

The Revenue Bond shall be subject to optional redemption by the Participant at a price of par plus accrued interest (i) on any date upon receipt of written consent by the Issuer, or (ii) in the event that all or substantially all of the Project is damaged or destroyed. Any such optional redemption of the Revenue Bond by the Participant may be made from any funds regardless of source, in whole or from time to time in part, upon not less than thirty (30) days' notice of redemption by e-mail, facsimile, certified or registered mail to the Issuer (or any other registered owner of the Revenue Bond). The Revenue Bond is also subject to mandatory redemption in the event the costs of the Project are less than initially projected, in which case the amount of the Loan shall be reduced to an amount equal to the actual Project costs disbursed. The Participant and the Issuer agree that following such adjustment, the principal amount due under the Revenue Bond shall be automatically reduced to equal the principal amount of the adjusted Loan.

The Revenue Bond and the interest thereon and any additional obligations as may be hereafter issued and outstanding from time to time under the conditions set forth in the Resolution shall be payable solely and only from the Net Revenues (as defined in the Resolution) of the Wastewater Treatment System of the Participant, a sufficient portion of which has been and shall be ordered set aside and pledged for such purpose under the provisions of the Resolution. Neither this Agreement nor the Revenue Bond is a general obligation of the Participant, and under no circumstance shall the Participant be in any manner liable by reason of the failure of the aforesaid Net Revenues to be sufficient to pay the Revenue Bond and the interest thereon or to otherwise discharge the Participant's obligation hereunder.

Section 6. Interest Rate, Initiation Fee and Servicing Fees. (a) The Participant agrees to pay to the Issuer, as additional consideration for the Loan, a loan initiation fee (the "Initiation Fee") equal to one-half of one percent (0.50%) of the amount of the Loan (but not to exceed \$100,000.00) (\$100,000), which shall be due and payable on the date of this Agreement. Unless the Issuer shall be otherwise notified by the Participant that the Participant intends to pay such Initiation Fee from other funds, and has received such other funds from the Participant on the date hereof, the Issuer shall be authorized to deduct the full amount of the Initiation Fee from the proceeds of the Loan being made hereunder, and such deduction by the Issuer shall be deemed to be an expenditure by the Participant of the Loan proceeds.

(b) The Participant agrees to pay a Loan servicing fee (the "Servicing Fee") to the Issuer in an amount equal to 0.25% per annum of the principal amount of the Loan outstanding. The Servicing Fee shall be paid as described in Section 5 and Section 6(c) hereof.

(c) The Loan shall bear interest at 1.75% per annum (the "Rate"). As described in Section 5, payments hereunder shall be calculated based on the Rate plus the Servicing Fee (such 2.00%, the "Interest Rate").

Section 7. Compliance with Applicable Laws, Performance Under Loan Agreement: Rates. The Participant covenants and agrees (i) to comply with all applicable State of Iowa and federal laws, rules and regulations (including but not limited to the Regulations), judicial decisions, and executive orders in the performance of the Agreement and in the financing, construction, operation, maintenance and use of the Project and the Wastewater Treatment System; (ii) to maintain its Wastewater Treatment System in good repair, working order and operating condition; (iii) to cooperate with the Issuer in the observance and performance of their respective duties, covenants, obligations and agreements under the Agreement; (iv) to comply with all terms and conditions of the Resolution; and (v) to establish, levy and collect rents, rates and other charges for the products and services provided by its Wastewater Treatment System, which rents, rates and other charges shall be at least sufficient (A) to meet the operation and maintenance expenses of such Wastewater Treatment System, (B) to produce and maintain Net Revenues at a level not less than 110% of the amount of principal and interest on the Revenue Bond and any other obligations secured by a pledge of the Net Revenues falling due in the same year, (C) to comply with all covenants pertaining thereto contained in, and all other provisions of, any bond resolution, trust indenture or other security agreement, if any, relating to any bonds or other evidences of indebtedness issued or to be issued by the Participant, (D) to pay the debt service requirements on any bonds, notes or other evidences of indebtedness, whether now outstanding or incurred in the

future, secured by such revenues or other receipts and issued to finance improvements to the Wastewater Treatment System and to make any other payments required by the laws of the State of Iowa, (E) to generate funds sufficient to fulfill the terms of all other contracts and agreements made by the Participant, including, without limitation, the Agreement and the Revenue Bond and (F) to pay all other amounts payable from or constituting a lien or charge on the operating revenues of its Wastewater Treatment System.

Section 8. Exclusion of Interest from Gross Income. Unless otherwise agreed to by the Issuer in writing, the Participant covenants and agrees as follows:

(a) The Participant shall not take any action or omit to take any action which would result in a loss of the exclusion of the interest on the Bonds from gross income for federal income taxation as that status is governed by Section 103(a) of the Code.

(b) The Participant shall not take any action or omit to take any action, which action or omission would cause its Revenue Bond or the Bonds (assuming solely for this purpose that the proceeds of the Bonds loaned to the Participant represent all of the proceeds of the Bonds) to be "private activity bonds" within the meaning of Section 141(a) of the Code. Accordingly, unless the Participant receives the prior written approval of the Issuer, the Participant shall not (A) permit any of the proceeds of the Bonds loaned to the Participant or the Project financed with such proceeds to be used, either directly or indirectly, in any manner that would constitute "private business use" within the meaning of Section 141(b)(6) of the Code, taking into account for this purpose all such use by persons other than governmental units on an aggregate basis, (B) use, either directly or indirectly, any of the proceeds of the Bonds loaned to the Participant to make or finance loans to persons other than governmental units (as such term is used in Section 141(c) of the Code) or (C) use, either directly or indirectly, any of the proceeds of the Bonds loaned to the Participant to acquire any "non-governmental output property" within the meaning of Section 141(d)(2) of the Code.

(c) The Participant shall not directly or indirectly use or permit the use of any proceeds of the Bonds (or amounts replaced with such proceeds) or any other funds or take any action or omit to take any action, which use or action or omission would (assuming solely for this purpose that the proceeds of the Bonds loaned to the Participant represent all of the proceeds of the Bonds) cause the Bonds to be "arbitrage bonds" within the meaning of Section 148(a) of the Code.

(d) The Participant shall not directly or indirectly use or permit the use of any proceeds of the Bonds to pay the principal of or interest on any issue of State or local governmental obligations ("refinancing of indebtedness") unless the Participant shall establish to the satisfaction of the Issuer that such refinancing of indebtedness will not adversely affect the exclusion from gross income of interest on the Bonds for federal income tax purposes and the Participant delivers an opinion to such effect of bond counsel acceptable to the Issuer.

(e) The Participant shall not directly or indirectly use or permit the use of any proceeds of the Bonds to reimburse the Participant for any portion of the cost of the Project unless such cost was paid or incurred by the Participant in anticipation of reimbursement from the proceeds of the Bonds or other State or local governmental borrowing in accordance with the Code, published rulings of the Internal Revenue Service and the Regulations.

(f) The Participant shall not use the proceeds of the Bonds (assuming solely for this purpose that the proceeds of the Bonds loaned to the Participant represent all of the proceeds of the Bonds) in any manner which would cause the Bonds to be “federally guaranteed” within the meaning of Section 149(b) of the Code or “hedge bonds” within the meaning of Section 149(g) of the Code.

(g) The Participant shall comply with all provisions of the Code relating to the rebate of any profits from arbitrage attributable to the Participant, and shall indemnify and hold the Issuer harmless therefrom.

Section 9. Insurance; Audits; Disposal of Property. The Participant covenants and agrees (a) to maintain insurance on, or to self-insure, the insurable portions of the Wastewater Treatment System of a kind and in an amount which normally would be carried by private companies engaged in a similar type of business, (b) to keep proper books and accounts adapted to the Wastewater Treatment System, showing the complete and correct entry of all transactions relating thereto, and to cause said books and accounts to be audited or examined by an independent auditor or the State Auditor (i) at such times and for such periods as may be required by the federal Single Audit Act of 1984, OMB Circular A-133 or State law, and (ii) at such other times and for such other periods as may be requested at any time and from time to time by the Issuer (which requests may require an audit to be performed for a period that would not otherwise be required to be audited under State law), and (c) unless the Participant has received a waiver and consent from the Issuer, it shall not sell, lease or in any manner dispose of the Wastewater Treatment System, or any capital part thereof, including any and all extensions and additions which may be made thereto, until the Revenue Bond shall have been paid in full or otherwise discharged as provided in the Resolution; provided, however, that the Participant may dispose of any property which in the judgment of its governing body is no longer useful or profitable to use in connection with the operation of the Wastewater Treatment System or essential to the continued operation thereof.

Section 10. Maintenance of Documents; Access. The Participant agrees to maintain its project accounts in accordance with generally accepted accounting principles (“GAAP”) as issued by the Governmental Accounting Standards Board, including GAAP requirements relating to the reporting of infrastructure assets.

The Participant agrees to permit the Issuer or its duly authorized representative access to all files and documents relating to the Project for purposes of conducting audits and reviews in accordance with any of the Regulations.

Section 11. Continuing Disclosure. As a means of enabling the Issuer to comply with the “continuing disclosure” requirements set forth in Rule 15c2-12 (the “Rule”) of the Securities

and Exchange Commission, the Participant agrees, during the term of the Loan, but only upon written notification from the Issuer to the Participant that this Section 11 applies to such Participant for a particular fiscal year, to provide the Issuer with (i) the comprehensive audit report of the Participant, prepared and certified by an independent auditor or the State Auditor, or unaudited financial information if the audit is not available, not later than 180 days after the end of each fiscal year for which this section applies and (ii) such other information and operating data as the Issuer may reasonably request from time to time with respect to the Wastewater Treatment System, the Project or the Participant.

The Participant hereby consents to the inclusion of all or any portion of the foregoing information and materials in a public filing made by the Issuer under the Rule. The Participant agrees to indemnify and hold harmless the Issuer, and its officers, directors, employees and agents from and against any and all claims, damages, losses, liabilities, reasonable costs and expenses whatsoever (including attorney fees) which such indemnified party may incur by reason of or in connection with the disclosure of information permitted under this Section; provided that no such indemnification shall be required for any claims, damages, losses, liabilities, costs or expenses to the extent, but only to the extent, caused by the willful misconduct or gross negligence of the Issuer in the disclosure of such information.

Section 12. Events of Default. If any one or more of the following events occur, it is hereby defined as and declared to constitute an "Event of Default" under this Agreement:

(a) Failure by the Participant to pay, or cause to be paid, any Loan repayment (including the Servicing Fee) required to be paid under this Agreement when due, which failure shall continue for a period of fifteen (15) days.

(b) Failure by the Participant to make, or cause to be made, any required payments of principal, redemption premium, if any, and interest on any bonds, notes or other obligations of the Participant (other than the Loan and the Revenue Bond), the payment of which are secured by operating revenues of the Wastewater Treatment System.

(c) Failure by the Participant to observe and perform any duty, covenant, obligation or agreement on its part to be observed or performed under the Agreement or the Resolution, other than the obligation to make Loan repayments, which failure shall continue for a period of thirty (30) days after written notice, specifying such failure and requesting that it be remedied, is given to the Participant by the Issuer, unless the Issuer shall agree in writing to an extension of such time prior to its expiration or the failure stated in such notice is correctable but cannot be corrected in the applicable period, in which case the Issuer may not unreasonably withhold its consent to an extension of such time up to one hundred twenty (120) days from the delivery of the written notice referred to above if corrective action is commenced by the Participant within the applicable period and diligently pursued until the Event of Default is corrected.

Section 13. Remedies on Default. Whenever an Event of Default shall have occurred and be continuing, the Issuer shall have the right to take any action authorized under the Regulations, the Revenue Bond or this Agreement and to take whatever other action at law or

equity may appear necessary or desirable to collect the amounts then due and thereafter to become due under the Agreement or to enforce the performance and observance of any duty, covenant, obligation or agreement of the Participant under the Agreement or the Resolution.

Section 14. Amendments. This Agreement may not be amended, supplemented or modified except by a writing executed by all of the parties hereto.

Section 15. Termination. The Participant understands and agrees that the Loan may be terminated at the option of the Issuer if construction of the Project has not commenced within one year of the date of execution of this Agreement, all as set forth in the Regulations.

Section 16. Rule of Construction. This Agreement is executed pursuant to the provisions of Section 384.24A of the Code of Iowa and shall be read and construed as conforming to all provisions and requirements of that statute.

In the event of any inconsistency or conflict between the terms and conditions of the Revenue Bond and this Agreement or the Regulations, the parties acknowledge and agree that the terms of this Agreement or the Regulations, as the case may be, shall take precedence over any such terms of the Revenue Bond and shall be controlling, and that the payment of principal and interest on the Loan shall at all times conform to the schedule set forth on Exhibit A, as adjusted, and the Regulations.

Section 17. Federal Requirements. The Participant agrees to comply with all applicable federal requirements including, but not limited to, Davis-Bacon wage requirements and the requirements relating to the use of American iron and steel products.

Section 18. Application of Uniform Electronic Transactions Act.

The Issuer and the Participant agree this Agreement and all documents related thereto and referenced herein may be entered into and provided for pursuant to and in accordance with Chapter 554D of the Code of Iowa.

IN WITNESS WHEREOF, we have hereunto affixed our signatures all as of the date first above written.

CITY OF NEVADA, IOWA

By: _____
Brett Barker, Mayor

Attest:

Kerin Wright, City Clerk

[Participant Signature Page to LDA]

IN WITNESS WHEREOF, I have hereunto affixed my signature all as of the date first above written.

IOWA FINANCE AUTHORITY

By: _____
Its:

[IFA Signature Page to LDA]

EXHIBIT A

**ESTIMATED DISBURSEMENTS AND
DEBT SERVICE REPAYMENT SCHEDULE**

EXHIBIT B
AUTHORIZATION/ISSUANCE RESOLUTION OF PARTICIPANT

NEVADA CITY COUNCIL - MONDAY, AUGUST 22, 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 6:03 p.m. on Monday, August 22, 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, Steve Skaggs, Sandy Ehrig. Absent: Barb Mittman. Dane Neilson arrived at 6:04 p.m.

Staff Present: Erin Clanton, Jordan Cook, Kerin Wright, Larry Stevens, Erin Mousel, Chris Brandes, Ryan Hutton, Shawn Ludwig, Harold See, Erin Coughlin, Tim Hansen

Also in attendance were: Brenda Dryer, Henry Corbin, Rick Baumhover, Paula Feltner, Scott Henry, BJ Stokesbary, Casey Schefbuck, Teresa Albertson, Matt Riese, Lisa Oxley

3. APPROVAL OF AGENDA

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

4. PUBLIC HEARINGS

A. Proposal to Sell Certain Property located within the Amended and Restated Urban Renewal Area, Lot of 2 of Airport Road, Plat 6 Subdivision, except the Public Highway Easement.

1. Public Hearing

At 6:04 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 21, 2022. The public hearing is regarding the Proposal to Sell Certain Property located within the Amended and Restated Urban Renewal Area, Lot of 2 of Airport Road, Plat 6 Subdivision, except the Public Highway Easement.

There were no written or oral objections to the aforementioned recommendation. Public hearing closed at 6:04 p.m.

2. Resolution No. 020 (2022/2023): A Resolution: (1) Setting Requirements for the Sale of Certain Property Located within the Amended and Restated Urban Renewal Area; (2) Determining that the Proposal Submitted by a Potential Purchaser Satisfies the Requirements and Declaring the Intent of the City to Accept the Proposal Proposed, in the Event that no Competing Proposals are Submitted; and (3) Soliciting Competing Proposals

Motion by Steve Skaggs, seconded by Dane Neilson, to adopt Resolution No. 020 (2022/2023). After due consideration and discussion the roll was called. Aye: Skaggs, Neilson, Sampson, Ehrig, Hanson. Nay: None. The Mayor declared the motion carried.

B. August, 2022 Urban Renewal Plan Amendment.
1. Public Hearing

At 6:05 p.m. Mayor Barker announced that this is the time and place set for a public hearing as advertised in the Nevada Journal on August 4, 2022. The public hearing is regarding the proposed Amendment to the Nevada Urban Renewal Area.

Scott Henry presented the housing development to the Council. There were no written or oral objections to the aforementioned recommendation. Public hearing closed at 6:06 p.m.

2. Resolution No. 021 (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 Brian Hanson, seconded by Sandy Ehrig, to adopt Resolution No. 021 (2022/2023). After due consideration and discussion the roll was called. Aye: Hanson, Ehrig, Nealson, Sampson, Skaggs. Nay: None. The Mayor declared the motion carried.

3. Resolution No. 022 (2022/2023): A Resolution authorizing Development Agreement with Nevada Dev, LLC

Motion by Sandy Ehrig, seconded by Dane Nealson, to adopt Resolution No. 022 (2022/2023). After due consideration and discussion the roll was called. Aye: Ehrig, Nealson, Sampson, Skaggs, Hanson. Nay: None. The Mayor declared the motion carried.

C. Rezone Property at 640 S. 19th Street
1. Public Hearing

At 6:29 p.m. Mayor Barker announced that this is the time and place set for a public hearing as advertised in the Nevada Journal on August 11, 2022. The public hearing is regarding the Rezoning of Property at 640 S. 19th Street.

There were no written or oral objections to the aforementioned recommendation. Public hearing closed at 6:30 p.m.

2. Ordinance No. 1029 (2022/2023): An Ordinance Amending the Zoning Map of the City of Nevada, Iowa, by Rezoning the Property at 640 South 19th Street Outlot A from AR (Agricultural-Residential Reserve District) to R-4 (Multiple Family Dwelling District).

Motion by Dane Nealson, seconded by Skaggs, to adopt Ordinance No. 1029 (2022/2023), first reading. After due consideration and discussion the roll was called. Aye: Nealson, Skaggs, Ehrig, Hanson, Sampson. Nay: None. The Mayor declared the motion carried.

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

Motion by Sandy Ehrig, seconded by Jason Sampson, to approve the following consent agenda items:

- A. Approve Minutes of the Regular Meeting held on August 8, 2022
B. Approve Payment of Cash Disbursements, including Check Numbers 78376-78454 and Electronic Numbers 1159-1162 (Inclusive) Totaling \$1947,340.88 (See attached list)

- C. Approve Financial Reports for Month of July, 2022
- D. Resolution No. 023 (2022/2023): A Resolution approving Corrected Year End Transfers For FY2021/2022
- E. Resolution No. 024 (2022/2023): A Resolution setting Public Hearing to consider the Vacation of City Property for September 12, 2022
- F. Resolution No. 025 (2022/2023): A Resolution setting Public Hearing regarding proposed Modified Chapter 77, pertaining to Golf Carts and New Chapter 78, pertaining to ATV/UTV for September 12, 2022
- G. Approve Application for Garbage and Solid Waste Handlers and Haulers License for Walters Sanitary Service, Inc.

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

6. MAYOR'S APPOINTMENTS

- A. Library Board – Lynn Lathrop

Motion by Brian Hanson, seconded by Dane Nealson, to approve Mayor's recommendation for the appointment of Lynn Lathrop to Library Board. After due consideration and discussion the roll was called. Aye: Hanson, Nealson, Sampson, Skaggs, Ehrig. Nay: None. The Mayor declared the motion carried.

7. PUBLIC FORUM:

- A. Mayor Barker proclaimed August 21st – 27th as Water and Wastewater Workers Week and thanked those employees for their dedication to the community.
- B. Teresa Albertson introduced herself with the Ames Tribune.

8. OLD BUSINESS

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

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

- B. Approve Pay Request No. 2 for the Fieldhouse from HPC LLC in the amount of \$130,889.10

Motion by Dane Nealson, seconded by Sandy Ehrig, to approve Pay Request No. 2 for the Fieldhouse from HPC LLC in the amount of \$130,889.10. After due consideration and discussion the roll was called. Aye: Nealson, Ehrig, Hanson, Sampson, Skaggs. Nay: None. The Mayor declared the motion carried.

- C. Resolution No. 026 (2022/2023): A Resolution approving the Iowa DOT Agreement for the Primary Road Project

Motion by Jason Sampson, seconded by Brian Hanson, to **adopt Resolution No. 026 (2022/2023)**. After due consideration and discussion the roll was called. Aye: Sampson, Hanson, Nealson, Skaggs, Ehrig. Nay: None. The Mayor declared the motion carried.

- D. Approve Change Order No. 1 for the 2022 Street Improvements Project from Manatt's in the amount of \$165,403.20

Motion by Steve Skaggs, seconded by Dane Nealson, to **Approve Change Order No. 1 for the 2022 Street Improvements Project from Manatt's in the amount of \$165,403.20**. After due consideration and discussion the roll was called. Aye: Skaggs, Nealson, Sampson, Ehrig, Hanson. Nay: None. The Mayor declared the motion carried.

- E. Ordinance No. 1030 (2022/2023): An Ordinance amending provisions pertaining to Sewer User charges, Chapter 99, first reading

Motion by Brian Hanson, seconded by Jason Sampson, to **approve Ordinance No. 1030 (2022/2023)**. After due consideration and discussion the roll was called. Aye: Hanson, Sampson, Skaggs, Ehrig, Nealson. Nay: None. The Mayor declared the motion carried.

9. NEW BUSINESS

- A. Resolution No. 027 (2022/2023): A Resolution to fix a date for a public hearing on proposal to enter into a Sewer Revenue Loan and Disbursement Agreement and to borrow money thereunder in a principal amount not to exceed \$18,500,000

Motion by Sandy Ehrig, seconded by Jason Sampson, to **adopt Resolution No. 027 (2022/2023)**. After due consideration and discussion the roll was called. Aye: Ehrig, Sampson, Skaggs, Hanson, Nealson. Nay: None. The Mayor declared the motion carried.

- B. Approve Purchase of Sprayer/Spreader for the Parks Department

Motion by Jason Sampson, seconded by Dane Nealson, to **approve Purchase of ExMark Sprayer/Spreader for the Parks Department from Ames Outdoor in the amount of \$10,399.00**. After due consideration and discussion the roll was called. Aye: Sampson, Nealson, Skaggs, Ehrig, Hanson. Nay: None. The Mayor declared the motion carried.

- C. Approve Purchase of Vehicle for the Police Department

Motion by Dane Nealson, seconded by Brian Hanson, to **approve Purchase of 2022 Chevy Tahoe for the Police Department from Karl's Chevrolet in the amount of \$36,816.00**. After due consideration and discussion the roll was called. Aye: Nealson, Hanson, Sampson, Skaggs, Ehrig. Nay: None. The Mayor declared the motion carried.

- D. Resolution No. 028 (2022/2023): A Resolution declaring Intent to provide Economic Development Support to Development Project at 1105 6th Street, Suite 101

Motion by Brian Hanson, seconded by Dane Nealson, to **adopt Resolution No. 028 (2022/2023)**. After due consideration and discussion the roll was called. Aye: Hanson, Nealson, Sampson, Skaggs, Ehrig. Nay: None. The Mayor declared the motion carried.

10. REPORTS:

City Administrator Cook talked about his intercity visit to Marion/Cedar Falls. He also reported on community coffee, strategic planning session options, and presented a City of Nevada sign donated by Mid-States Companies.

Mayor Barker also commented on the intercity visit, saying how pleased he was to see cities who have completed some of the things Nevada is looking at doing.

Council Member Sampson reported on the Lincoln Highway Days Celebration that will take place this weekend.

Water Superintendent Ludwig reported that Charlie Starbuck and Jamie Cleveland are doing very well in the department.

City Clerk Wright is hoping to have the FY21 audit back this week. Auditors for FY22 will be here tomorrow.

Library Director Coughlin has been working on year end reporting, saying that circulation is up 44%. She is also working on a Story County Community Foundation Grant for a story block along the trail.

Parks & Rec Director Hansen reported the pool has closed for the season, the Fieldhouse project is moving forward, and rec programming is shifting to fall/winter.

Sergeant Brandes updated Council on Officer VanderHart. He has graduated and has started field training.

11. 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 7:05 p.m. the meeting adjourned.

Brett Barker, Mayor

ATTEST:

Kerin Wright, City Clerk

Published: _____

Council Approved: _____

CITY OF NEVADA
CLAIMS REPORT FOR SEPTEMBER 12, 2022
8/23/22 THRU 9/12/22

VENDOR	REFERENCE	AMOUNT	CHECK #
WAGeworks	FSA 2021 PMTS	210.79	1167
ALLIANT UTILITIES	CH-UTILITIES	8,174.18	78455
NEVADA COMMUNITY SCHOOL	ALL-FUEL	13,323.02	78456
NEVADA HARDWARE & PLUMBING	CEM-SOIL	632.40	78457
HPC LLC	FH2022-PROJ-PR#2	130,889.10	78458
AMER'N FAMILY LIFE ASSR	AFLAC	1,120.17	78461
IPERS	IPERS	35,460.49	1168
MISSION SQUARE 303097	DEFERRED COMP	887.50	78462
TREASURER STATE OF IOWA	STATE TAX	8,746.00	1169
COLLECTION SERVICES CENTER	CHILD SUPPORT	496.32	78463
EFTPS	FED/FICA TAX	29,534.40	1170
HUTTON, RYAN	HSA	273.33	1171
SYDNES, KELLAN	HSA	30.00	1172
CORNISH, DEVIN	HSA	50.00	1173
ALLIANT UTILITIES	ALL-UTILITIES	37,241.22	78467
NEVADA POSTMASTER	UTILTIY BILLING POSTAGE	880.01	78468
WINDSTREAM CORPORATION	WTR-PHONE	179.59	78469
HYVEE	4PLX-CONCESSIONS	14.88	78470
SHRED-IT, C/O STERICYCLE, INC.	PD-SHREDDING	327.88	78471
WAGeworks	FSA 2021 PMTS	584.22	1174
WELLMARK BLUE CROSS BLUE	HEALTH 9/2022	30,945.13	78464
TREASURER STATE OF IOWA01	SALES TAX 8/2022	7,736.92	1175
TREASURER STATE OF IOWA01	WET 8/2022	12,589.73	1176
DELTA DENTAL OF IOWA	DENTAL 9/2022	3,203.76	78465
FIDELITY SECURITY LIFE	VISION 9/2022	841.74	78466
WAGeworks	FSA 2021 PMT	2,091.41	1181
MISSION SQUARE 303097	DEFERRED COMP	887.50	78474
COLLECTION SERVICES CENTER	CHILD SUPPORT	483.40	78475
EFTPS	FED/FICA TAX	26,394.05	1177
HUTTON, RYAN	HSA	273.34	1178
SYDNES, KELLAN	HSA	30.00	1179
CORNISH, DEVIN	HSA	50.00	1180
BIG 8 TYRE CENTER	FD-#510 TIRES	2,100.00	78476
BROWN SUPPLY COMPANY IN	WTR,METERS-TRAILERS	24,696.00	78477
FAREWAY STORES INC	PKM-SUPPLIES	54.35	78478
ALLIANT UTILITIES	WTR-UTILITIES	4,604.10	78479
MARTIN MARIETTA AGGREGA	STS-GABION	173.78	78480
FAST LANE AUTO CARE	STS-SUPPLIES	268.32	78481
PRATT SANITATION INC	ALL-GARBAGE SVCS	801.79	78482
VAN WALL EQUIPMENT-NEVADA	CEM-JD TRACTOR/LOADER LEASE	9,250.49	78483
SCHENDEL PEST CONTROL I	4PLX-PEST CONTROL	32.70	78484
STATE HYGIENIC LABORATORY	WTR-LAB ANALYSIS	392.50	78485

ARNOLD MOTOR SUPPLY	PD-#88 STRUT/SWAY BAR RPR	1,067.35	78486
IA ONE CALL	WTR/WWT-ONE CALLS	279.50	78487
HACH COMPANY	WTR-CHEMICALS	1,210.61	78488
IA STATE READY MIX	STS-CONCRETE	1,155.00	78489
LOWE'S HOME CENTERS INC	STS-TAPCON/BASE	46.80	78490
STORY CO TREASURER	POOL-INSPECTIONS	568.00	78491
STORY CO TREASURER	STS-220TH ST ROCK VERBIO	10,854.28	78492
NORTHLAND PRODUCTS COMP	STS-OIL	1,645.14	78493
HOKEL MACHINE SUPPLY	STS-HOSE CLAMP/SCREWS	43.48	78494
MAIN STREET NEVADA	LINCOLN HWY DAYS 2022	4,500.00	78495
GOOD AND QUICK	PD-#55 BATTERY	413.09	78496
MIDWEST CYLINDER HEAD	PKM-CYLINDER RENT	45.00	78497
IA STATE UNIVERSITY01	FD,RADIO FEES	13,437.28	78498
MCFARLAND CLINIC PC	PKM-ANDERSON TEST	42.00	78499
DIAMOND VOGEL, INC	STS-PAINT THINNER	5.60	78500
IA POLICE CHIEFS ASSOC	PD-JAGER/PRITCHARD CONF	120.00	78501
IA IRRIGATION, CORP	PKM-IRRIGATION START UP	915.89	78502
AMES CHAMBER OF COMMERCE	CA/MYR-COOK/BARKER INTERCITY	1,250.00	78503
ACCO	POOL-CHLORINE	1,588.00	78504
SCOTT'S SALES CO	STS-COUPERS	27.60	78505
STAPLES ADVANTAGE	CA/WTR/WWT-SUPPLIES	99.12	78506
REESE ELECTRIC MOTOR CO	WWT-CLARIFIER DRIVE	82.00	78507
WINDSTREAM CORPORATION	SC-UTILITIES	57.30	78508
SAMS CLUB	PD/SC-SUPPLIES	162.16	78509
HR GREEN, INC	WWTF-PH 2,CONST	164,121.20	78510
SIRCHIE	PD-EVIDENCE COLLECTION SPPLS	489.30	78511
PLUMB SUPPLY COMPANY	WTR-EXPANSION TANK	68.86	78512
UPS	PD-POSTAGE	13.96	78513
BRICK GENTRY PC	LEGAL,ALL	11,062.50	78514
ZIMCO SUPPLY CO	PKM-FERTILIZER	6,880.86	78515
SIGLER COMPANIES,INC.	NEWSLETTER	1,501.85	78516
MISSISSIPPI LIME	WTR-QUICKLIME	9,241.99	78517
WILLIAMSON ELECTRIC INC	CH-DIMMER SWITCHES	2,134.54	78518
MAX AG	STS-HERBICIDE	327.90	78519
UTILITY SERVICE COMPANY	PLANT TANK	11,853.88	78520
CONVERSE CONDITIONED AIR	4PLX-AC RPR	128.00	78521
D A DAVIDSON & CO	WWTF-SRF#4	53,095.00	78522
NEVADA SENIORS	WTR/WWT-UTILTIY BILLS	225.00	78523
WEX BANK	ALL-GAS CARDS	1,898.16	78524
KRUCK P & H CO., INC	CH-BOILER COLD	1,050.00	78525
ALLIED SYSTEMS, INC	WWT-PUMP RPR	3,945.11	78526
SEYMOUR, SEAN	PD-REIMB	61.25	78527
TURF AND POND TIME	PKM-POND TREATMENT	180.00	78528
CLIA LABORATORY PROGRAM	EMS-FED MED LIC FEE	180.00	78529
MENARDS - AMES	STS-SUPPLIES	9.99	78530
MACQUEEN EQUIPMENT	STS-#9 EQUIP RPR	7,424.69	78531
RMH ARCHITECTS	FIELDHOUSE PROJEC PR#20	7,842.22	78533

O'REILLY	STS-OIL ABSORBENT	83.94	78534
CELLEBRITE, INC	PD-HENDERSON DIGIT FORENSICS	289.00	78535
SALTECH SYSTEMS	WEB HOSTING	59.95	78536
AMERICAN PUBLIC WORKS ASC	STS-MEMBERSHIP	370.00	78537
FIRSTNET	PD-CAR COMPUTERS	354.16	78538
MADISON NATIONAL LIFE INS	ALL-LIFE INS	447.97	78539
PRECISION DYNAMICS CORP	POOL-BANDS	292.20	78540
MID IOWA PETROLEUM EQUIP	WWT-PLANT GEN FUEL TANK TEST	374.20	78541
GUARDIAN ALLIANCE TECH	PD-GUARDIAN SOFTWARE	90.00	78542
JOHNSON , LEAH	LIB-MIDWEST AUTHOR	4,000.00	78543
PHEONIX'S POWDER COATING LLC	CH-PWDR CTG SIGN	180.00	78544
J PETTIECORD	PKM-PLAYGROUND MULCH PARKS	8,960.00	78545
	Accounts Payable Total	735,809.39	
	Payroll Checks	170,288.78	
	***** REPORT TOTAL *****	906,098.17	

GENERAL	279,114.44
HOTEL MOTEL	4,500.00
ROAD USE TAX	61,142.69
RUT CAPITAL	2,039.21
LOCAL OPTION SALES TAX	19,980.94
SC/FIELDHOUSE	138,731.32
2021 STS 11TH/S14	4,577.63
WATER	87,864.88
WATER CAPITAL REVOLVING	13,893.09
SEWER	72,320.50
SEWER CAP IMP PROJECT	201,499.37
LANDFILL/GARBAGE	54.10
STORM WATER	120.11
REVOLVING FUND	17,373.47
FLEX BENEFIT REVOLVING	2,886.42
TOTAL FUNDS	906,098.17

Vendor # 1170

20220907

Electronic Pymt #

XXXX

GREAT WESTERN PURCHASING "P" CARD TRANSACTIONS PRESENTED AT COUNCIL MEETING 09/12/2022 W/CLAIMS

P. 56

<u>Tran Date</u>	<u>Merchant Name</u>	<u>Description</u>	<u>Amount</u>	<u>Invoice #</u>	<u>ACCOUNT</u>
7/26/2022	SP Big Frog Supply	PKM, Irrigation parts	365.00	BFS2074167	001-432-6341
8/1/2022	Go Daddy	ADM, Website-host renewal	16.98	2305457574	121-613-6431
8/2/2022	IA Secretary of State	ADM, Notary Mousel	30.00	3354187	001-620-6210
8/3/2022	IA Secretary of State	ADM, Notary Ellsworth	30.00	3355669	001-620-6210
8/4/2022	IAMU	STS, Training	70.00	200009890	110-210-6240
8/10/2022	IAMU	WTR, Training	270.00	200009912	600-811-6240
8/15/2022	American Waterworks	WTR-Training - Jamie	200.00	1705	600-811-6240
8/15/2022	American Waterworks	WTR-Training - Charlie	200.00	1689	600-811-6240
8/19/2022	Zoom	ADM, Electronic meetings	67.98	INV162756927	121-613-6431
8/23/2022	ISU Event Registration	ADM, Training, E Mousel	256.00	30011	001-620-6240
7/31/2022	Facebook	LIB, Ads	19.80	DTQYGT7Y2	001-410-6486
8/15/2022	Brictown Bakery	LIB, Program supplies	100.00	24	810-410-6595
8/18/2022	GBX - Givebox	LIB, furnishings	20.87	110247	169-411-6721

POSTING & PAYMENT DATE:

September 19, 2022

1,646.63

City Administrator

W:\Office\Finance\AccountsPayable\Vendors\GreatWesternPurchaseCards,All

City of Nevada

American Zurich Insurance Company

Commercial Insurance Renewal

09/01/2022 to 09/01/2023

Builders Risk for Field House

Melissa Johnson, CPCU
Commercial Sales Agent
515-382-3541

mjohnson@midwestins.com

June Nicholson, CIC
Commercial Account Manager
515-382-3541

jnicholson@midwestins.com

mic

MIDWEST INSURANCE CORPORATION

BUILDERS RISK COVERAGE DECLARATIONS

The Declarations, Supplemental Declarations, Common Policy Conditions, Commercial Inland Marine Conditions, Coverage Form(s) And Endorsement(s), if any, issued to and forming a part thereof, complete the Commercial Insurance Policy numbered as follows:

**American Zurich Insurance Company
A Stock Company
Administrative Office: 1299 Zurich Way
Schaumburg, IL 60196 Phone: 800-382-2150**

☒ **New Policy** **ER74054506**

☐ **Renewal of**

☐ **Rewrite of**

THIS IS A COINSURANCE CONTRACT

Please read your policy.

In return for the payment of the premium, and subject to all terms of this policy, we agree with you to provide the insurance as stated in this policy.

1. Named Insured and Mailing Address:

City of Nevada, Iowa
PO Box 530
Nevada, IA 50201

2. Producer Information:

A Name: US ASSURE INSURANCE SERVICES OF FLORIDA, INC.
P.O. BOX 10197
JACKSONVILLE, FL 32247-0197
B Telephone #
C Fax #
D Zurich Producer # A0233225
E Field Office Name
F Field Office Code

3. **Policy Period – From:** 09/01/2022 **To:** 09/01/2023
12:01 a.m. at your mailing address above.

4. **Form of Business:** ☐ Individual ☐ Partnership ☐ Corporation ☐ Joint Venture ☒ Other Municipality
5. **Limits of Insurance (either One-Shot or Reporting Form as indicated below)**

☒ SUPPLEMENTAL DECLARATIONS

(If this box is checked, Supplemental Declarations is attached to and forms a part of this policy)

☐ **Reporting Form (continuous policy)**
☐ **Annual Rate** ☐ **Monthly Rate (HBIS – 4)**

A) Any one building or structure \$
B) All covered property at all locations \$
C) Rate Per Report
D) Premium Per Report
E) Total Taxes and Surcharges Per Report
(per attached endorsement – N/A in NY)
F) **Total Fully Earned Policy Premium** Per Report

☒ **One-Shot (non-reporting form/single structure policy)**
☐ **1-4 Family Dwelling** ☒ **Commercial Structure**

Property Location
1717 Fawcett Parkway
Nevada, IA 50201

New Construction

A) Any one building or structure \$ 7,387,000
B) All covered property at all locations \$ 7,387,000
(same as A unless otherwise noted)

Remodeling

D) Renovations and improvements \$
E) Existing buildings or structures \$
F) Rate \$ 0.129
G) Premium \$ 9,529.00
H) Total Taxes and Surcharges \$ 0.00
(per attached endorsement)

I) **Total Fully Earned Policy Premium** \$ 9,529.00
(minimum premium applicable)

6. **Deductible:** ☐ \$500 ☐ \$1,000 ☐ \$2,500 ☒ \$5,000 ☐ Other

7. Forms Applicable To This Coverage Part:

SEE SCHEDULE OF FORMS AND ENDORSEMENTS

Countersigned: _____

Date

By: _____

Authorized Representative

BUILDERS RISK COVERAGE SUPPLEMENTAL DECLARATIONS

Policy Number: **ER74054506**

Policy Type: ☐ Reporting Form (continuous policy) OR ☒ One Shot (non-reporting form/single structure policy)

ADDITIONAL COVERAGES (COVERAGE FORM)

LIMIT OF INSURANCE

a. Collapse	Included
b. Scaffolding, Construction Forms And Temporary Structures	\$ 100,000
Re-erection Of Scaffolding	\$ 50,000
c. Debris Removal	\$ 100,000
d. Back-Up Or Overflow Of Sewers, Drains Or Sumps	\$ 50,000
e. Fire Department Service Charge	\$ 50,000
f. Valuable Papers And Records	\$ 50,000
g. Pollutant Clean-Up And Removal	\$ 50,000
h. Ordinance Or Law – Direct Damage	
Loss To The Undamaged Portion Of The Building	Included
Demolition Cost	\$ 1,000,000
Increased Cost Of Construction	\$ 1,000,000
Combined Aggregate For Demolition Cost And Increased Cost Of Construction	\$ 1,000,000
i. Preservation Of Property	Included
j. Rewards	\$ 25,000
k. Property At A Temporary Storage Location	\$ 369,350
l. Property In Transit	\$ 369,350
m. Claim Preparation Expense	\$ 10,000
n. Contract Penalties	\$ 25,000

OPTIONAL ADDITIONAL COVERAGES (ENDORSEMENTS)

<input type="checkbox"/> Business Income (HBIS-95)	\$
Anticipated Project Completion Date	
Monthly Limit Of Indemnity	(fraction)
Deductible Period	days
Civil Authority	
<input type="checkbox"/> Business Income And Extra Expense (HBIS-82)	\$
Anticipated Project Completion Date	
Monthly Limit Of Indemnity	(fraction)
Deductible Period	days
Business Income	
Extra Expense	
Civil Authority	
<input type="checkbox"/> Development Or Subdivision Fences, Walls And Signs (HBIS-58)	\$
<input type="checkbox"/> Expediting Expense (HBIS-93)	\$
<input type="checkbox"/> Extra Expense (HBIS-92)	\$
<input type="checkbox"/> Marine Model Home Contents Coverage (<input type="checkbox"/> HBIS-52 – OR -- <input type="checkbox"/> HBIS-77)	\$
<input type="checkbox"/> Soft Costs Coverage (HBIS-88)	\$
Anticipated Project Completion Date	
Deductible Period	days
Expense To Mitigate Loss	
Civil Authority	
<input type="checkbox"/> Builders Risk Green Building (HBIS-96)	
Limit Of Liability	\$
"LEED® Building Rating"	

Policy Number ER74054506

SCHEDULE OF FORMS AND ENDORSEMENTS

Named Insured: City of Nevada, Iowa

Effective Date: 09/01/2022

12:01 A.M., Standard Time

Agent Name: US ASSURE INSURANCE SERVICES OF FLORIDA, INC.

Agent No.: A0233225

FM170001(04/10), HBIS-91(01/20), U-GU-619-A CW(10/02), U-GU-319-F(01/09), 40471(01/20), HBIS-1(04/09), HBIS-83(06/17), HBIS-84(04/09), U-GU-630-E CW(01/20), U-GU-767-B CW(01/15), IL0003(09/08), CM0001(09/04), IL0276(09/08), IL0017(11/98), 1001NR(01/20), U-GU-1191-A CW(03/15)

U-GU-619-A CW (10/02)

RESOLUTION NO. 031 (2022/2023)

A RESOLUTION SETTING THE TIME AND PLACE TO CONDUCT A PUBLIC HEARING
TO CONSIDER THE PROPOSED CHANGE TO THE NEVADA CODE OF ORDINANCES,
CHAPTER 55 (AMENDED WITH NEW SECTION)

WHEREAS, The City Council of Nevada, Iowa is considering an amendment to the Nevada Code of Ordinances; and

WHEREAS, an amendment to Chapter 55, Illegal Animal, is being considered; and

WHEREAS, a new section, 55.22, to be entitled "Apiaries (Beekeeping)", is being considered; and

WHEREAS, the City Council desires to set a public hearing for September 26, 2022 at 6:00 p.m. for comments from the public regarding the proposed changes; and

NOW THEREFORE BE IT RESOLVED by the City Council of Nevada, Iowa that:

1. The Council desires to amend the Nevada Code of Ordinances
2. The Council shall make a final determination on the proposal following a public hearing, which shall be held on September 26, 2022 at 6:00 p.m. or soon thereafter, in the City Council Chambers, 1209 6th Street, Nevada, Iowa 50201.
3. The City Clerk is hereby directed to publish the proper notice of the public hearing

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

PASSED AND APPROVED this 12th day of September, 2022.

Brett Barker, Mayor

Attest:

Kerin Wright, City Clerk

Moved by Council Member __, seconded by Council Member __, that Resolution No. 031 (2022/2023) be adopted.

AYES: —
NAYS: —
ABSENT: —

The Mayor declared Resolution No. 031 (2022/2023) adopted.

I hereby certify that the foregoing is a true copy of a record of the adoption of Resolution No. 031 (2022/2023) at the regular Council Meeting of the City of Nevada, Iowa, held on the 12th ay of September, 2022.

Kerin Wright, City Clerk

EXHIBIT A
NOTICE OF PUBLIC HEARING CONCERNING
AMENDMENTS TO THE NEVADA CODE OF ORDINANCES

YOU ARE HEREBY NOTIFIED that the City of Nevada, Iowa, proposed to amend and add to the Nevada Code of Ordinances by amending and adding a new section to Chapter 55, Animal Protection and Control. The new section pertains to the keeping of bees. A copy of the proposed amendment and new section to the Code of Ordinances of the City of Nevada, Iowa is available on the City's website and in the City Clerk's office.

YOU ARE FURTHER NOTIFIED, that a Public Hearing will be held in the City Council Chambers, 1209 6th Street, Nevada, Iowa 50201, at the City Council Meeting scheduled to begin at 6:00 p.m. on the 12th day of September 2022 at which time the Council will hear comments for and against the proposal from any interested party. You have a right to attend and express your views on this proposal. If you are unable to attend, you may submit your written comments addressed to the City Clerk, 1209 6th Street, Nevada, Iowa 50201. Your written comments must be received no later than 4:00 p.m. on the 12th day of September, 2022. At the conclusion of the Public Hearing, the Council will consider the Proposed Ordinances.

Kerin Wright
City Clerk

ORDINANCE NO: 1034 (2022/2023)

**AN ORDINANCE AMENDING CHAPTER 55 OF THE CITY CODE OF ORDINANCES
OF THE CITY OF NEVADA, IOWA, 2022, TO ALLOW THE KEEPING OF BEES IN
THE CITY**

WHEREAS, the City of Nevada, Iowa currently has an ordinance making it unlawful for any person to keep or maintain an apiary of honeybees within the City; and

WHEREAS, the City finds the responsible keeping of honeybees within the City are an essential asset to the community in their role as pollinators of produce, trees, and flowers, and by sustaining native birds through the process of facilitating the production of natural seeds; and

WHEREAS, the City of Nevada has a tradition of encouraging growth and progress through agriculture.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF NEVADA, IOWA:**

Section 1. Amendment. Section 55.01(8) is amended to remove “bees” from the definition of “illegal animal” as follows:

“Illegal animal” means any animal that is not normally considered domesticated or tame. Illegal animals include, but are not limited to:

- A. Lions, tigers, jaguars, leopards, cougars, lynx, bobcats, or hybrids of these with domestic cats,
- B. Wolves, coyotes, foxes, or hybrids of these with domestic dogs,
- C. Badgers, wolverines, weasels, skunk and mink,
- D. Raccoons,
- E. Bears,
- F. Any non-human primates,
- G. Bats,
- H. Alligators and crocodiles,
- I. Scorpions,
- J. Any venomous or constrictor snake or reptile, and
- K. Gila monsters.
- ~~L. Bees~~
- M L. Livestock

Section 2. Addition of New Section 55.22, to be entitled “Apiaries (Beekeeping)”.

Apiaries (beekeeping) may be allowed in all residential and agricultural zoning districts, subject to the following performance standards:

1. Beekeeping shall be allowed only on property owned by the beekeeper.
2. Hives shall be located in the rear yard and a minimum of 10’ from property line.
3. Honeybee colonies shall be kept in hives with removable frames, with said hives kept in sound and usable condition.

4. A source of water shall be readily available to the bees at all times within the property that the beehives are located during the time of year in which the bees are active.
5. The beekeeper shall establish a flight path barrier consisting of a fence, structure or planting not less than 6' in height located in front of the hive. A building permit shall be obtained as needed for any such structure.
6. The beekeeper shall incorporate best management practices in the beekeeping operation at all times, including practicing proper management and manipulation of colonies to remedy swarming and/or aggressive colonies.

Section 3. Renumbering. Current Section 55.22 "Violations" shall be renumbered to Section 55.23.

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

Section 5. 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 the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 6. This ordinance shall be in full force and effect after passage, approval and publication as provided by law.

Passed and approved this 26th day of September, 2022.

Passed and approved this ___ day of September, 2022.

Passed and approved this ___ day of October, 2022.

Brett Barker, Mayor

Attest:

Kerin Wright, City Clerk

1st Reading – September 26, 2022

Motion by Council Member __, seconded by Council Member __, to adopt the first reading of Ordinance No. 1034.

AYES:

NAYS:

ABSENT:

2nd Reading – October 10, 2022

Motion by Council Member __, seconded by Council Member __, to approve the second reading of Ordinance No. 1034.

AYES: __

NAYS: __

ABSENT: __

3rd Reading – October 24, 2022

Motion by Council Member __ seconded by Council Member __, to approve the third reading of Ordinance No. 1034.

AYES: __

NAYS: __

ABSENT: __

The Mayor declared Ordinance No. 1034 (2022/2023) was passed on the __ day of __, 2022.

I certify that the foregoing was published as Ordinance No. 1034 (2022/2023) on the __ day of
_____ 2022.

Kerin Wright, City Clerk

RESOLUTION NO. 032 (2022/2023)

A RESOLUTION SETTING THE TIME AND PLACE TO CONDUCT
A PUBLIC HEARING TO CONSIDER THE PROPOSED CHANGE
TO THE NEVADA CODE OF ORDINANCES,
CHAPTER 159 (NEW CHAPTER), VACANT PROPERTY CODE

WHEREAS, The City Council of Nevada, Iowa is considering an amendment to the Nevada Code of Ordinances; and

WHEREAS, a New Chapter 159, Vacant Property, is being considered; and

WHEREAS, the City Council desires to set a public hearing for September 26, 2022 at 6:00 p.m. for comments from the public regarding the proposed changes; and

NOW THEREFORE BE IT RESOLVED by the City Council of Nevada, Iowa that:

1. The Council desires to amend the Nevada Code of Ordinances
2. The Council shall make a final determination on the proposal following a public hearing, which shall be held on September 26, 2022 at 6:00 p.m. or soon thereafter, in the City Council Chambers, 1209 6th Street, Nevada, Iowa 50201.
3. The City Clerk is hereby directed to publish the proper notice of the public hearing

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

PASSED AND APPROVED this 12th day of September, 2022.

Brett Barker, Mayor

Attest:

Kerin Wright, City Clerk

Moved by Council Member __, seconded by Council Member __, that Resolution No. 032 (2022/2023) be adopted.

AYES: —
NAYS: —
ABSENT: —

The Mayor declared Resolution No. 032 (2022/2023) adopted.

I hereby certify that the foregoing is a true copy of a record of the adoption of Resolution No. 032 (2022/2023) at the regular Council Meeting of the City of Nevada, Iowa, held on the 12th ay of September, 2022.

Kerin Wright, City Clerk

EXHIBIT A
NOTICE OF PUBLIC HEARING CONCERNING
AMENDMENTS TO THE NEVADA CODE OF ORDINANCES

YOU ARE HEREBY NOTIFIED that the City of Nevada, Iowa, proposed to add to the Nevada Code of Ordinances by adding a new Chapter 159, Vacant Property. The new Chapter establishes a vacant property code registration and maintenance program. A copy of the proposed new Chapter to the Code of Ordinances of the City of Nevada, Iowa is available on the City's website and in the City Clerk's office.

YOU ARE FURTHER NOTIFIED, that a Public Hearing will be held in the City Council Chambers, 1209 6th Street, Nevada, Iowa 50201, at the City Council Meeting scheduled to begin at 6:00 p.m. on the 12th day of September 2022 at which time the Council will hear comments for and against the proposal from any interested party. You have a right to attend and express your views on this proposal. If you are unable to attend, you may submit your written comments addressed to the City Clerk, 1209 6th Street, Nevada, Iowa 50201. Your written comments must be received no later than 4:00 p.m. on the 12th day of September, 2022. At the conclusion of the Public Hearing, the Council will consider the Proposed Ordinances.

Kerin Wright
City Clerk

ORDINANCE NO. 1035

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF NEVADA, IOWA, 2005, BY ADDING CHAPTER 159, VACANT PROPERTY, TO ESTABLISH A VACANT PROPERTY CODE REGISTRATION AND MAINTENANCE PROGRAM

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

SECTION 1. NEW CHAPTER. The Code of Ordinances of the City of Nevada, Iowa, 2005, is amended by adding a new Chapter 159, entitled Vacant Property Code, which is hereby adopted to read as follows:

159.01 PURPOSE. It is the purpose and intent of this ordinance to establish a vacant property code registration and maintenance program as a mechanism of preserving and promoting the public health, safety, prosperity and general welfare, and to abate and prevent public and private nuisances and potential fire hazards and to providing for administration, enforcement and penalties. This ordinance applies to all property types in the City of Nevada.

159.02 DEFINITIONS. For the purpose of this chapter, the following definitions shall apply.

1. "Accessory Building" means a detached building or structure on the same lot, with and of a nature customarily incidental and subordinate to the principle building or structure or use of the land, i.e. greenhouse, garage, carport, retaining wall or shed.
2. "Building" means any structure used or intended for supporting or sheltering any use or occupancy.
3. "Building and Zoning Official" means the official who is charged with the administration and enforcement of this code, or any duly authorized representative. Third party contractors may also represent the City as needed to complete legal actions or specialized inspections or assessments.
4. "Good Repair" means free from blights and hazardous conditions, clean and sanitary, and in safe condition.
5. "Imminent Hazard" means a condition which could cause serious or life-threatening injury or death at any time.
6. "Owner" means any person who, alone or jointly and severally with others shall have legal title to the property.
7. "Structure" means anything constructed or erected, which requires location on the ground or attached to something having location on the ground.
8. "Unoccupied" means a building in which there is a lack of physical presence on a regular basis for the purpose for which it was erected or a building unfit for occupancy due to a failure to meet minimum standards set out by City ordinances. The storage of products and materials does not constitute occupancy unless authorized by the City.
9. "Unsecured" means a building or portion of a building that is open to entry by unauthorized persons without the use of tools.
10. "Vacant Building" means a building or structure that is unoccupied and/or no person or persons currently reside in the building or operate a lawful business open regularly for business, and meets one or more of the following:
 - (a) Unsecured or secured by means other than those used in the design of the building;
 - (b) Declared unfit for occupancy by the Building and Zoning Official or other authorized representative;
 - (c) Has been deemed a dangerous and/or dilapidated building by the City of Nevada;
 - (d) Persistent housing, building, fire, health and safety, nuisance or zoning code violations;
 - (e) Lacks one or more utilities (water, sewer, gas, electric) for a period of six (6) months; or
 - (f) Any unoccupied building that has been the site of unlawful activity within the last six (6) months.

11. "Weeds" means dense growth of all weeds, vines, brush or other vegetation which may constitute a health, safety or fire hazard.

159.03 APPLICABILITY. The provisions of this chapter shall apply to all buildings in the City of Nevada, Iowa vacant for one hundred eighty (180) consecutive days, and all buildings which have been partially vacant for one hundred eighty (180) days, in any zoning district.

Nothing contained herein shall be deemed to authorize the use of a structure or premises contrary to any other provision of the Code of Ordinances. Repairs, additions or alterations to a structure shall be done in accordance with the procedures and provisions of State and local laws. Nothing in this section shall be construed to cancel, modify or set aside any provision of the City Zoning Ordinance or Building Code.

The provisions of this chapter shall apply to structures designated by the Federal Government, State or City as historic buildings. Any work to said structures shall also comply with the current International Building Code as adopted by the City.

159.04 REGISTRATION REQUIRED. The owner of a vacant building to which this chapter applies shall be required to register the property within thirty (30) days of becoming vacant. It is the owner's burden to monitor its property and determine if it is vacant as defined by this chapter. Upon enactment of this chapter, any building vacant must register the property no later than June 30, 2022.

The owner shall submit the following information to the City and shall update the registration form annually and/or as changes occur.

- (a) Contact information for all owners. If the owner does not reside in the State of Iowa, the owner shall provide the name, address, telephone number and email address of an agent who is available for service of process within the State of Iowa. If the owner is other than a natural person, the following shall apply, as appropriate:
 - (i) If the owner is a corporation, limited liability company or general partnership, the registration statement shall provide the name and address of the registered agent.
 - (ii) If an estate, the name and business address of the personal representative of the estate.
 - (iii) If a trust, the names and addresses of the trustee or trustees.
- (b) Contact information for a responsible person who may be contacted at all times for inspections, emergency repairs, or maintenance.
- (c) Names and addresses of all known lienholders and other parties with an ownership interest in the property.
- (d) Proof of insurance coverage for the property and all structures thereon.
- (e) An acknowledgement by the owner that grass and weeds shall not be in violation of Nevada Code Chapter 151.
- (f) An acknowledgement by the owner that snow and ice shall be removed from the sidewalks in accordance with the time set forth in Nevada Code Chapter 136.

159.05 VACANT PROPERTY STANDARDS. All vacant buildings subject to registration shall be adequately protected from intrusion by trespassers and pests, and from deterioration by the weather. The buildings must also comply with the following standards":

- 1. All buildings or structures subject to this chapter must comply with all building, fire, property maintenance, zoning, or other application sections of this Code of Ordinances, and shall apply for all necessary building, fire and zoning permits, if any are required to bring the structure into compliance.
- 2. Doors, windows and other openings shall be weathertight and secured against entry by birds, vermin and trespassers. Missing or broken glass in doors, windows and other such openings shall

- be repaired or replaced with glass within six (6) months or becoming vacant. No building opening shall be boarded for more than twelve (12) months. All first floor or ground level windows, doors and openings shall be free of any posters, paper or fabric coverings.
3. All waste, debris, rubbish, and garbage shall be removed from the exterior of the property and from areas visible from the public right-of-way such as porches, carports, or other open areas.
 4. The roof and flashings shall be sound and tight, not admit moisture, or have defects which might admit moisture, rain, or roof draining and shall allow for sufficient drainage to prevent dampness or deterioration in the interior of the building.
 5. The building shall be maintained in good repair and structurally sound. The building shall be maintained in a sanitary manner and in a manner that does not pose a threat to the public health, safety and welfare.
 6. The foundation walls shall be maintained structurally sound and in a sanitary condition so as not to pose a threat to the public health, safety and welfare, shall be capable of supporting the load which normal use may cause to be placed thereon, and shall be free from open cracks and breaks, free from leaks, and be vermin proof.
 7. The exterior walls shall be free of holes, breaks, and loose or rotting materials. Exposed metal, wood, or other surfaces shall be protected from the elements and against decay or rust by periodic applications of weather coating materials, such as paint or similar surface treatment.
 8. All balconies, canopies, marquees, signs, metal awnings, stairways, fire escapes, standpipes, exhaust ducts and similar features shall be in good repair, anchored, safe and sound. Exposed metal, wood, or other surfaces shall be protected from the elements and against decay or rust by periodic applications of weather-coating materials, such as paint or similar surface treatment.
 9. The cornices, belt courses, corbels, terracotta trim, wall facings and similar decorative features shall be safe, anchored and in good repair. Exposed metal, wood, or other surfaces shall be protected from the elements and against decay or rust by periodic applications of weather-coating materials, such as paint or similar surface treatment.
 10. Chimneys, cooling towers, smokestacks and similar appurtenances shall be structurally safe and in good repair. Exposed metal, wood, or other surfaces shall be protected from the elements and against decay or rust by periodic applications of weather-coating materials, such as paint or similar surface treatment.
 11. Public walkways shall be in good repair, shall be safe for pedestrian travel, and shall be free of snow and ice. Snow and ice removal shall be completed within twenty-four (24) hours of a snowfall.
 12. Accessory buildings and structures such as garages, sheds and fences shall be free from safety, health and fire hazards.

159.06 EXEMPTIONS.

1. **Property Actively Listed for Sale or Lease.** A vacant property that is actively listed and offered for sale or lease shall be exempt from the registration requirements, provided however that if, after twelve (12) months of active listing, the property remains vacant, registration is required.
2. **Temporary Vacancy of Owner-Occupied Dwellings.** A vacant owner-occupied residential property where the owner resides in another state for six (6) months or less per calendar year shall be exempt from the registration requirement.

159.07 INSPECTIONS. The owner shall cooperate with and facilitate inspections of the premises at reasonable times pursuant to reasonable notice to determine compliance with the requirements of this chapter. Obstructing a duly authorized inspection, including refusing entry or access to portions of the building subject to registration, shall be a violation of this chapter. The owner shall notify the Building Inspector within thirty (30) business days of any changes to the contact information of the owner or responsible person.

Upon inspection, an authorized official or his/her designee, shall issue orders to repair for work needed:

- (a) To adequately protect the building from intrusion by trespassers and from deterioration by the weather;
- (b) To comply with the vacant building maintenance standards set forth in this chapter;
- (c) To ensure that allowing the building to remain will not be detrimental to public health, safety and welfare, will not unreasonably interfere with the reasonable and lawful use and enjoyment of other premises within the neighborhood; or
- (d) To eliminate any hazards to police officers or firefighters that may enter the premises in times of emergency.

When issuing Orders to Repair, the authorized official shall specify the deadline for completion of the repair required and shall mail the notice to the owner or responsible person identified in the permit. All work done pursuant to this chapter shall be done in compliance with any applicable Building, Fire, Property Maintenance and Zoning Codes and Ordinances.

159.08 RIGHT OF ENTRY. Right of entry is authorized by the International Building Code and the International Fire Code. All owners subject to registration consent to the entry of duly authorized officials of the City if such official has reason to believe that an emergency situation exists with respect to the building or structure that tends to create an imminent hazard to health, welfare or safety of the general public, in the discretion of such official, then such official may enter the building to inspect the premises, without notifying the responsible party or obtaining a warrant. If such official finds an emergency situation exists in fact, which presents an imminent hazard to the health, welfare or safety of the general public, then such official may cause any reasonable action, including the employment of necessary labor and materials, to perform emergency repairs to alleviate the hazard. City employees will confer with legal counsel prior to entering or causing entry to be made to premises and/ or performing any emergency repairs without prior owner notification and consent. Costs incurred in the performance of emergency repairs may be paid by the City and if so paid, the City may levy a special assessment against the property to recover the costs.

159.09 VIOLATION AND ENFORCEMENT.

1. If the City determines the property is in violation of this chapter, the City may notify the owner of the violation by providing a Notice of Violation sent via regular and certified mail. The Notice of Violation shall identify the sections in violation, a corrective action and a timeframe for compliance.

2. The property shall be subject to complying with other applicable City Codes including nuisance, property maintenance, zoning, building, fire, etc. Violations of other applicable codes will follow the enforcement procedures outlined within the appropriate chapter.

3. Any owner who fails to comply with the provisions of this chapter shall be subject to a fine as set forth in Chapter 4.

SECTION 2. REPEALER. All ordinances or parts of ordinances 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 the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

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

Passed and approved this 12th day of September, 2022.

Passed and approved this ___ day of September, 2022.

Passed and approved this ___ day of October, 2022.

Brett Barker, Mayor

Attest:

Kerin Wright, City Clerk

1st Reading – September 26, 2022

Motion by Council Member __, seconded by Council Member __, to adopt the first reading of Ordinance No. 1035.

AYES:

NAYS:

ABSENT:

2nd Reading – October 10, 2022

Motion by Council Member __, seconded by Council Member __, to approve the second reading of Ordinance No. 1035.

AYES: __

NAYS: __

ABSENT: __

3rd Reading – October 24, 2022

Motion by Council Member __ seconded by Council Member __, to approve the third reading of Ordinance No. 1035.

AYES: __

NAYS: __

ABSENT: __

The Mayor declared Ordinance No. 1035 (2022/2023) was passed on the __ day of __, 2022.

I certify that the foregoing was published as Ordinance No. 1035 (2022/2023) on the __ day of _____ 2022.

Kerin Wright, City Clerk

RESOLUTION NO. 033 (2022/2023)

A RESOLUTION APPROVING FISCAL YEAR 2022/2023 TRANSFERS

WHEREAS, the following transfers were scheduled in the FY2022/2023 budget and need to be completed:

FROM	TO	AMOUNT
Local Option Tax 121-910-6910	General Fund (Officer) 001-910-4830	\$100,000.00
Local Option Tax 121-910-6910	General Fund (Live HealthyIA) 001-910-4830	\$2,000.00
Local Option Tax 121-910-6910	General Fund (Scholarship for P&R) 001-910-4830	\$2,000.00
Local Option Tax 121-910-6910	General Fund (Comm Specialist) 001-910-4830	\$60,000.00
Local Option Tax 121-910-6910	Equipment Revolving-Streets 113-910-4830	\$100,000.00
Local Option Tax 121-910-6910	Trail Maintenance 181-910-4830	\$20,000.00
Local Option Tax 121-910-6910	Sidewalk Program 307-910-4830	\$20,000.00
Road Use Tax 110-910-6910	Equipment Revolving – Streets 113-910-4830	\$100,000.00
Water Utility 600-910-6910	2020B Bond, WT Revenue Bond 605-910-4830	\$463,900.00
Water Utility 600-910-6910	Water Equipment Revolving 607-910-4830	\$125,000.00
Water Utility 600-910-6910	WTR Plant Upgrade Reserve 602-910-4830	\$200,000.00
Wastewater Utility 610-910-6910	WWT Equipment Revolving 617-910-4830	\$60,000.00
Wastewater Utility 610-910-6910	WWT-SE Const (Nutrient Removal Pr) 615-910-4830	\$250,000.00
Wastewater Utility 610-910-6910	WWT SRF Sinking Fund 611-910-4830	\$924,160.00
Local Option Tax 121-910-6910	Equipment Revolving-Police 810-910-4830	\$75,000.00
Local Option Tax 121-910-6910	Equipment Revolving-Fire 810-910-4830	\$75,000.00
Local Option Tax 121-910-6910	Equipment Revolving-Library 810-910-4830	\$10,000.00
Local Option Tax 121-910-6910	Equipment Revolving-Park 810-910-4830	\$75,000.00
Local Option Tax 121-910-6910	Equipment Revolving-Cemetery 810-910-4830	\$70,000.00

Local Option Tax 121-910-6910	Equipment Revolving-Administration 810-910-4830	\$65,000.00
Local Option Tax 121-910-6910	Fieldhouse Equipment Revolving 810-910-4830	\$20,000.00

WHEREAS, it is necessary to complete the budgeted beginning year transfers for FY2022/2023; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council authorized the completion of these budgeted transfers on March 28, 2022 as scheduled for fiscal year 2022/2023 and that this resolution be made a part of the official record providing documentation and an audit trail of the transfers.

Passed and approved this 12th day of September, 2022.

Brett Barker, Mayor

ATTEST:

Erin Mousel, Deputy City Clerk

Moved by Council Member __, seconded by Council Member __, that Resolution No. 033 (2022/2023) be adopted.

AYES: —
NAYS: —
ABSENT: —

The Mayor declared Resolution No. 033 (2022/2023) adopted.

I hereby certify that the foregoing is a true copy of a record of the adoption of Resolution No. 033 (2022/2023) at the regular Council Meeting of the City of Nevada, Iowa, held on the 12th day of September 12, 2022.

Erin Mousel, Deputy City Clerk

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Tax Abatement List

<u>Last Name</u>	<u>First</u>	<u>Permit#</u>	<u>Address</u>
1) Evans	Gary & Jane	BP2022-0051	1860 10 th Street



PROCLAMATION

CROP Hunger Walk

WHEREAS, The Crop project began in 1947 when farmers were asked to donate food and seed crops to our hungry neighbors in post-World War II Europe and Asia. The first CROP Hunger Walks took place in North Dakota and Pennsylvania. Since then, CROP Hunger Walk events have been held across the globe raising millions of dollars to eradicate hunger and poverty; and

WHEREAS, CROP Hunger Walks are community-based walk fundraising events created to support the global mission of Church World Service, a faith-based organization transforming communities around the globe through just and sustainable responses to hunger, poverty, displacement and disaster. Following each CROP Hunger Walk, 25% of the funds raised are returned to the host community to support local hunger fighting efforts; and

WHEREAS, Ames was host to the first Story County Walk 50 years ago in 1972, and organizers were looking to re-invigorate communities and bring back a greater Story County Walk. The Nevada community has been very active in the Walks in years past, thanks to the leadership from the local church community; and

WHEREAS, SCORE Pavilion in Nevada will be the headquarters for Nevada's CROP Hunger Walk. After a nearly four-year hiatus, participants will once again be called upon to help raise funds by collecting donations; seventy-five percent of those funds will go directly toward the worldwide fight of hunger; and

NOW, THEREFORE, BE IT RESOLVED, that I, Brett Barker, Mayor of the City of Nevada, IA, do hereby proclaim

October 2, 2022

as

CROP Walk Day

I, Mayor Brett Barker, urge our citizens to support this CROP Hunger Walk. Hunger is one of the greatest injustices facing our world, but it doesn't have to be. Ending hunger is possible in our lifetime, and you can help make it happen by participating in your local CROP Hunger Walk to raise funds that will take us closer to ending hunger.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the Great Seal of the City of Nevada, Iowa to be affixed this 12th day of September, 2022.



Proclamation

“LIBRARY CARD SIGN-UP MONTH”

WHEREAS, libraries and librarians play a crucial role in the education and development of children; and

WHEREAS, librarians are literacy experts, offering everything from preschool story hours to summer reading clubs that sustain school-year learning; and

WHEREAS, libraries provide a learning environment that fosters joyful exploration, encouraging students to research subjects that they are genuinely curious about; and

WHEREAS, librarians create welcoming and inclusive spaces for people of all backgrounds to learn together and engage with one another; and

WHEREAS, librarians provide a variety of books and resources to serve everyone in the community, making knowledge and ideas available so that people have the freedom to choose what to read; and

WHEREAS, a library card empowers all people to pursue their dreams, explore new passions and interests, and find their voice; and

WHEREAS, libraries are constantly transforming to deliver new services that connect closely with community needs, even during a pandemic; and

NOW, THEREFORE, BE IT RESOLVED, that I, Brett Barker, Mayor of the City of Nevada, IA, do hereby proclaim

September, 2022
as
Library Card Sign-up Month

I, Mayor Brett Barker, encourage everyone to sign up for their own library card today.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the Great Seal of the City of Nevada, Iowa to be affixed this 12th day of September, 2022.

Brett Barker, Mayor



PROCLAMATION

WHEREAS, across Nevada, clean and readily abundant forms of energy power more homes and businesses than ever before; and

WHEREAS, clean energy is part of Iowa's energy future. It includes generation from renewable sources such as wind, solar, hydro, and geothermal sources, but it also includes nuclear, natural gas, and carbon capture technologies as well as energy storage; and

WHEREAS, the clean energy sector is a growing part of the economy and has been a key driver of growth in Iowa in recent years, with over 28,000 Iowans currently employed in the clean energy sector; and

WHEREAS, Iowa is the nation's largest fuel ethanol and biodiesel producer, accounting for one-fourth of U.S. fuel ethanol production capacity and one-fifth of biodiesel manufacturing capacity; and

WHEREAS, Nevada is becoming a national leader in renewable natural gas as local innovative start-ups develop the promising fuel here in Story County; and

WHEREAS, clean energy jobs cannot be outsourced due to the on-site nature of construction, installation, and maintenance. These jobs are inherently local and contribute to the growth of local economies; and

WHEREAS, as our country celebrates National Clean Energy Week, I encourage individuals and organizations in Iowa to support commonsense solutions to address America's economic and energy needs in the 21st century. I also encourage Nevada to continue implementing the cleanest, lowest-emitting energy technologies available; and

NOW, THEREFORE, BE IT RESOLVED, that I, Brett Barker, Mayor of the City of Nevada, Iowa, do hereby proclaim September 26-30, 2022 as

NATIONAL CLEAN ENERGY WEEK

I, Mayor Brett Barker, commend this observance to all of our citizens of Nevada.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the Great Seal of the City of Nevada, Iowa to be affixed this 12th day of September, 2022.

Brett Barker, Mayor

NOTICE OF REQUEST TO AMEND THE ZONING ORDINANCE OF
NEVADA, IOWA

The City Council of the City of Nevada, Iowa, has received a recommendation from the Planning and Zoning Commission to approve a rezoning request from the property owner, Story County Hospital, to amend the zoning ordinance of the City of Nevada, Iowa, by changing the zoning classification on the following described property, south of Story County Hospital at 640 S. 19th Street, Outlot A, owned by them and located within the corporate limits of the City of Nevada, Iowa, from an AR (Agricultural) to an R-4 (Multiple Family Dwelling) District.

The property for which the Rezoning Application is proposed is legally described as:

Story County Hospital Subdivision Outlot A Nevada, Story County, Iowa

The Planning and Zoning Commission of the City of Nevada, Iowa, held a public hearing on this request on the 18th day of July, 2022. It is their recommendation to approve the rezoning request.

The City Council of the City of Nevada, Iowa, will hold a public hearing on this request on the 22nd day of August, 2022 at the City Council Meeting which is set to begin at 6:00 o'clock P.M., in the Nevada City Hall, 1209 Sixth Street, Nevada, Iowa, to consider the recommendation.

It is your right to attend this hearing and express your views concerning the proposed change, or you may submit your comments in writing to the City Clerk no later than 9:00 o'clock A.M. on the 22nd day of August, 2022.

Kerin Wright
City Clerk

Legal Notice

all Member Jacobson this motion. Mayor for a roll call vote as person yes, Lytle yes, is Motion carried. Forum: none. Reports: A. Mayor Muth

Mattingly Informed it Parcel #'s 47 & 77 the city to do some the ditches to make and easier for their mow. Mattingly remail from Story County tal Health on a comreceived from neighel # 57 on getting rats nes coming from this id other animals that home. Mattingly said t an email to the City on this situation. nformed Council that eded a new door and box as the drop box in it every time it rains has been coming door, she also asked t maybe putting in a lass window and so she wouldn't have office door open and e the office space betattingly also reminded e still needs them to e back reconciliations iths of May, June and

Jacobson had some bout city attorney. r reports. Regular Council Meett for August 8th, 2022, in the Council chamHall. (Lytle/Jacobson).

to adjourn. son). MCU (3).

Mayor ttingly, reasurer

of July 2022 but not il after this meeting. d

lication of lms and new \$398.27 il-7 locates - \$1.80 e of Cities- City ces officer handbook-

ley- Phone and Inter-Hall- \$118.47 te Auditor- 6th pay- It bill- \$3,305.29 & Stump-Service- Reses and 2 stumps-

hlights, binder, ad, sharples- \$14.91 x Fund cking- 3' roadstone)

boratories- Collform nple- \$13.75 pply- Annual Soft- .025.00 ft Operator- \$477.00

ral Resources - t- \$210.00 pply- Annual Soft- .025.00 ft Operator- \$477.00 Treasurer- Drainage din- Story # 3-

if Claims - \$11,920.80

d Claims Report for 2

.....\$5,857.07 neft Tax\$60.73 AX\$30.83 x\$287.77\$4.64 Tax\$4,607.24\$2,623.22

Legal Notice

Access Systems	
Printer payment.....	\$59.23
Alliant Energy	
Park & City Hall.....	\$160.61
Ipers.....	\$248.84
Key Cooperative	
Strike three.....	\$50.00
Midwest Insurance Corp	
Insurance for FY22/23	\$29,308.00
Minerva Valley	
Internet and phone.....	\$118.47
Office of Auditor, State	
5th Payment for Audit.....	\$3,305.29
Oxen Technology	
July Bill.....	\$232.50
Pratt Sanitation	
June Bill.....	\$2,036.51
State Bank & Trust	
Ordered more checks	\$237.54
Story County Treasurer	
Q1 Sheriff's payment.....	\$5,751.26
US Postal Service-Mailbox Fee for the Year.....	\$102.00
Zearing Public Library	
FY 23 Payment.....	\$2,500.00
Total General	
Fund Claims	\$44,110.25
Road Use Tax Fund	
Alliant Energy-warming lights, street lights, city shed	\$820.95
Logan Contractors Supply	
Black Top Patches	\$728.00
Total Road Use Claims	\$1,548.95
Water Fund	
la Regional Utilities	
City Water bill	\$1,534.24
la Dept of Natural Resources	
PVYS water supply operation.....	\$38.88
Ipers.....	\$205.89
State Bank & Trust	
ACH Fees.....	\$6.00
Total Water	
Fund Claims	\$1,785.01
Sewer Fund	
Alliant Energy-lagoon pumps, lift station.....	\$316.39
Ipers.....	\$205.89
State Bank & Trust	
ACH Fees.....	\$6.00
Total Sewer	
Fund Claims	\$528.28
Payroll Checks For July	\$2,661.05
Grand Total of	
All Claims	\$50,633.54

Published in the Ames Tribune on August 11, 2022 (17)

#1461181 Story County Board of Supervisors

The Board of Supervisors met on 7/26/22 at 10:00 a.m. in the Story County Administration Building. Linda Murken, and Lisa Heddens, with Murken presiding. Latifah Faisal absent. (all audio of meetings available at storycounty.iowa.gov).

ADOPTION OF AGENDA: Heddens moved, Murken seconded adopting the agenda as presented. Motion carried unanimously (MCU) on a roll call vote.

STORYTIME CHILDCARE CENTER ANNUAL REPORT: submitted written report only.

PROCLAMATION RECOGNIZING AUGUST 2022 AS WATER QUALITY MONTH IN STORY COUNTY: The Board read the proclamation in full. Heddens moved, Murken seconded the approval of the Proclamation Recognizing August 2022 as Water Quality Month in Story County. Roll call vote. (MCU): Murken reported on background information for best practices and upcoming items in Story County.

MINUTES: 7/19/22 Minutes - Heddens moved, Murken seconded approval of the Minutes as presented. Roll call vote. (MCU)

PERSONNEL ACTIONS: 1) new hire, effective 8/8/22, in a) Secondary Roads for Shawn Birdsall @ \$21.24/hr; 2) pay adjustment, effective date 7/31/22, a) Secondary Roads for Alex Golly @ \$28.71/hr; b) Sheriff Office for Nicholas

Legal Notice

Erroneous Taxes for Assessment Years 2019 and 2020 due to Misclassification by the Ames City Assessor

4. Contract between the Sheriff's Office and Maxwell Old Settlers Steering Committee for security, effective 8/5/22-8/6/22, for \$65.00/hour.

5. Quarterly Report: Treasurer

6. Treasurer's Semi-Annual & Annual Report

7. Agreement and Statement of Work between Language Line Services, Inc. and Story County General Assistance for phone interpreting services, effective 8/1/22

8. Contract, using American Rescue Plan Act (ARPA) funding, between Story County and the Boys & Girls Club of Story County for the Re-Building Great Futures project for up to \$275,000.00 with a performance period of 1/25/22-12/31/26

9. Contract, using American Rescue Plan Act (ARPA) funding, between Story County and Project Iowa for the Cultivating Careers Program for up to \$100,000.00 with a performance period of 1/25/22-12/31/26

10. Contract, using American Rescue Plan Act (ARPA) funding, between Story County and the City of Roland for the storm sewer upgrades and water main looping project for up to \$1,000,000.00 with a performance period of 1/25/22-12/31/26

11. Contract, using American Rescue Plan Act (ARPA) funding, between Story County and the City of Story City for the Story City ARPA projects for up to \$302,500.00 with a performance period of 1/25/22-12/31/26

12. Renewal fees between Story County and IP Pathways for VMware renewal, effective 9/23/22-9/22/23, for \$11,888.00

13. Renewal fees between Story County and Solarwinds for performance monitor and log analyzer, effective 8/19/22-8/19/23, for \$2,968.00

14. Road Closure Resolution: #23-01

Roll call vote. (MCU)
PURCHASE ORDER FOR 2022 TOTAL PATCHER VORTEX FROM HAMPTON EQUIPMENT INC. FOR \$94,805.47: Darren Moon, Engineer, reported he budgeted \$75,000.00 but equipment is now 15-20% more. Additionally, the new patcher also comes with an air compressor, allowing Secondary Roads to replace a 21-year-old unit, as well as other additional capabilities. Heddens moved, Murken seconded the approval of purchase order for 2022 Total Patcher Vortex from Hampton Equipment Inc. for \$94,805.47. Roll call vote. (MCU)

RESOLUTION #23-08 FOR PARTICIPATION IN FEDERAL SAFE STREETS AND ROADS FOR ALL (SS4A) GRANT APPLICATION: Darren Moon, Engineer, reported this is one of the new competitive federal grants. The Iowa County Engineers Association (ICEA) will apply for the SS4A grant in one application for all 99 counties in Iowa. The Department of Transportation (DOT) might contribute the 20% match. Moon recommends participation. Heddens moved, Murken seconded the approval of Resolution #23-08, for Participation in SS4A Grant Application. Roll call vote. (MCU)

ADDITIONAL ALTERNATIVE ANALYSIS WITH HOUSTON ENGINEERING INC. FOR HANNUMS MILL DAM FOR \$5,000.00 (UNBUDGETED): Mike Cox, Conservation Director, provided history and stated the request is for an alternate design for Hannums Mill low-head dam to mitigate the dangers posed by the

Legal Notice

and foster care.
LIAISON ASSIGNMENTS, COMMITTEE MEETINGS' UPDATES, AND ANNOUNCEMENTS FROM THE SUPERVISORS: All Board members listed multiple upcoming meetings and commitments.
Heddens moved, Murken seconded to adjourn at 10:30 a.m. Roll call vote. (MCU)

Published in the Ames Tribune, Nevada Journal and Tri-County Times on August 11, 2022 (17)

#1461326 NOTICE OF REQUEST TO AMEND THE ZONING ORDINANCE OF NEVADA, IOWA

The City Council of the City of Nevada, Iowa, has received a recommendation from the Planning and Zoning Commission to approve a rezoning request from the property owner, Story County Hospital, to amend the zoning ordinance of the City of Nevada, Iowa, by changing the zoning classification on the following described property, south of Story County Hospital at 640 S. 19th Street, Outlot A, owned by them and located within the corporate limits of the City of Nevada, Iowa, from an AR (Agricultural) to an R-4 (Multiple Family Dwelling) District. The property for which the Rezoning Application is proposed is legally described as:

Story County Hospital Subdivision Outlot A Nevada, Story County, Iowa.

The Planning and Zoning Commission of the City of Nevada, Iowa, held a public hearing on this request on the 18th day of July, 2022. It is their recommendation to approve the rezoning request.

The City Council of the City of Nevada, Iowa, will hold a public hearing on this request on the 22nd day of August, 2022 at the City Council Meeting which is set to begin at 6:00 o'clock P.M., in the Nevada City Hall, 1209 Sixth Street, Nevada, Iowa, to consider the recommendation.

It is your right to attend this hearing and express your views concerning the proposed change, or you may submit your comments in writing to the City Clerk no later than 9:00 o'clock A.M. on the 22nd day of August, 2022.

Kerin Wright
City Clerk

Published in the Nevada Journal on August 11, 2022 (17)

#1461206 NOTICE OF REVIEW OF A Minor Subdivision IN NEVADA, IOWA

The Planning & Zoning Commission of the City of Nevada, Iowa, has received a request from the property owner, ROSK RENTALS LLC, to review a Minor Subdivision Application at the location of 1031 Shagbark Drive in Nevada, IA. The property for which the Rezoning Application is proposed is legally described as:

Lots Twenty-one (21), except the West 8 feet thereof, all of Lot Twenty-two (22) and Lot Twenty-three (23), except the East 27 feet thereof, all in Wildwood First Addition to the City of Nevada, Story County, Iowa, subject to covenants, conditions, restrictions, restrictions and easements of record.

The Planning & Zoning Commission of the City of Nevada, Iowa, will conduct a public hearing on this request on the 29th day of August, 2022 at the Planning & Zoning Commission Meeting which is

ORDINANCE NO. 1029 (2022/2023)

**AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF NEVADA, IOWA, BY
REZONING THE PROPERTY AT 640 SOUTH 19TH STREET OUTLOT A FROM AR
(AGRICULTURAL-RESIDENTIAL RESERVE DISTRICT) TO R-4 (MULTIPLE FAMILY
DWELLING DISTRICT).**

Be it enacted by the City Council of the City of Nevada, Iowa;

SECTION 1. ZONING AMENDMENT. The Zoning Map of the City of Nevada, Iowa, is hereby amended by rezoning parcel of land owned by Story County Hospital and located within the corporate limits of the City of Nevada, Iowa which is legally described as:

Story County Hospital Subdivision Outlot A Nevada, Story County, Iowa

and shall be rezoned from a "AR" (Agricultural-Residential Reserve) District, to a "R-4" (Multiple Family Dwelling) District.

SECTION 2. NOTATION. The City Zoning Official shall record the ordinance number and date of passage of this Ordinance on the Official Zoning Map as required by Section 165.09(5)(B), Code of Ordinances of the City of Nevada, Iowa, 2006 as amended.

SECTION 3. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. 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 the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 5. WHEN EFFECTIVE. This ordinance shall be in full force and effect from and after its final passage, approval and publication as provided by law.

PASSED AND APPROVED this 22nd day of August, 2022, through the first reading.
PASSED AND APPROVED this ___ day of September, 2022, through the second reading
PASSED AND APPROVED this ___ day of September, 2022, through the third and final reading. Enacted upon publication.

Brett Barker, Mayor

ATTEST:

Kerin Wright, City Clerk

August 2022

TO: Mayor - City Council Members
City Administrator Jordan Cook

From: Ryan Hutton
Building & Zoning Official

With the recommendation from the Planning and Zoning Commission, we are seeking approval from the City Council Members to approve the Rezoning of 640 S 19th Street Outlot A from AR (Agriculture) to R-4 (Multiple Family Dwelling District)

With the recommendation from the Planning and Zoning Commission, we are seeking approval from the City Council Members to approve the Special Use Permit to allow Duplex's to be built on Limited Commercial Zoned Property.

Best Regards,
Ryan Hutton
Building and Zoning Official

ORDINANCE NO. 1030 (2022/2023)

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF NEVADA, IOWA, 2006, BY AMENDING PROVISIONS PERTAINING TO SEWER USER CHARGES (CHAPTER 99)

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

SECTION 1. SECTION MODIFIED. Chapter 99 (Sewer Use Charges), Section 99.06 (User Charges) of the Code of Ordinances of the City of Nevada, Iowa, 2006, is amended to read as follows:

99.06 USER CHARGES.

1. Minimum Charge. The minimum user charge per month shall be:

Meter Reading Date	Monthly Service Fee
July, 2020	\$10.13
June, 2021	\$12.16
March, 2022	\$20.00

2. Additional Quantity Use Charge. In addition to the minimum monthly charge, each contributor shall pay a user charge rate for operation and maintenance (including replacement), debt retirement of any existing or future bonded indebtedness or construction of reasonable and necessary improvements:

Meter Reading Date	Charge per 1000 Gallons or Pro Rata Part Thereof
July, 2020	\$5.22
June, 2021	\$6.26
June, 2022	\$6.26
<u>December, 2022</u>	<u>\$10.00</u>

3. Sewer Construction. In addition to the above two charges, each user shall be assessed an additional charge per month for payment of reasonable and necessary improvements.

Metering Reading Date	Monthly Construction Fee
July, 2020	\$2.03

June, 2021	\$2.44
March, 2022	\$5.00
<u>December, 2022</u>	<u>\$8.00</u>

4. **Sewer Only Customer Deposits.** *The following deposit requirements are for those customers who use city sewer services but not city water:*

(a) Before sewer service is provided to any customer, a deposit is required to the City Clerk equal to three months' average use based on past usage during the most recent period of continuous occupancy, not less than seventy-five dollars (\$75.00). The deposit may be refunded or credited to the customer's account after a period of twenty-four (24) months during which time not more than one late payment penalty has been assessed.

Any customer who does not presently have a deposit on file, or in cases where a deposit is on file with the City, and who has been assessed more than two (2) late penalties within a twelve (12) month period, shall be required to pay a deposit in an amount equal to three months average use based on past usage during the most recent period of continuous occupancy, but not less than \$75.00. In these cases, a "Notice of Required Deposit" shall be mailed by ordinary U.S. mail to the customer. In addition to notifying the customer that they must remit the deposit and the reason for its requirement, the Notice shall also state that if the deposit is not paid within 30 days from the date of the Notice, the sewer service may be discontinued. Any deposit required under this subsection may be refunded or credited to the customer's account after a period of twenty-four (24) months during which time not more than one late payment penalty has been assessed.

The Wastewater Superintendent is authorized to terminate sewer service to any customer who does not timely remit the deposit or additional deposit set forth in this section.

SECTION 2. SECTION MODIFIED. Chapter 99 (Sewer Use Charges), Section 99.07 (Surcharge) of the Code of Ordinances of the City of Nevada, Iowa, 2006, is amended to read as follows:

99.07 SURCHARGE. For those contributors who contribute wastewater the strength of which is greater than the limits set out below, a surcharge in addition to the normal user charge will be collected. The surcharge for operation and maintenance including replacement is:

- Carbonaceous Biological Oxygen Demand (CBOD) per pound over 300mg/l
Current: July 2022 **July 2023** **July 2024** **July 2025**
\$0.223 **\$0.229** **\$0.236** **\$0.243** (Per pound)
***An Additional 3% increase yearly with the July billing**
- Total Suspended Solids (TSS) in excess of 300 mg/l
Current: July 2022 **July 2023** **July 2024** **July 2025**
\$0.543 **\$0.559** **\$0.576** **\$0.593** (Per Pound)
***An Additional 3% increase yearly with the July billing**

3.	Total Kjeldahl Nitrogen (TKN) in excess of 35 mg/l			
Current:	July 2022	<u>July 2023</u>	<u>July 2024</u>	<u>July 2025</u>
	\$0.865	<u>\$0.891</u>	<u>\$0.918</u>	<u>\$0.945</u>
				(Per Pound)
	<u><i>*An Additional 3% increase yearly with the July billing</i></u>			

4. Oil and Grease:
- A. \$0.10 per pound in excess of 300 mg/l and an additional
 - B. \$0.20 per pound in excess of 600 mg/l

SECTION 3. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. 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 the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 5. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law. The rates will begin with the December 2022 meter readings and customers January 2023 billing.

Passed and approved first reading by the Nevada City Council this 22nd day of August, 2022.
Passed and approved second reading by Nevada City Council this ___ day of ___, 2022.
Passed and approved third reading by the Nevada City Council this ___ day of ___, 2022.

Brett Barker, Mayor

ATTEST:

Kerin Wright, City Clerk

1st Reading – August 22, 2022

Motion by Council Member Brian Hanson, seconded by Council Member Jason Sampson, to adopt the first reading of Ordinance No. 1030.

AYES: Hanson, Sampson, Skaggs, Ehrig, Nealson

NAYS: None

ABSENT: Barb Mittman

2nd Reading –

Motion by Council Member ___, seconded Council Member by ___, to approve the second reading of Ordinance No. 1030.

AYES:

NAYS:

ABSENT:

3rd Reading –

Motion by Council Member ___, seconded by Council Member ___, to approve the third reading of Ordinance No. 1030.

CITY OF NEVADA, IOWA

SRF (Clean Water) Sewer Revenue Loan, Series 2022B TAXABLE SRF (Clean Water) Sewer Revenue Loan, Series 2022C

Funding for: Wastewater Treatment Plant and Related Improvements
(Taxable portion related to Burke Agreement Infrastructure)

Updated: August 2, 2022

August 2022						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

September 2022						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

Rate Adjustment Steps	Financing Action Items
-----------------------	------------------------

Monday, August 8th
Council Meeting:

- Council reviews projected rate adjustments

NO LATER THAN August 24th:

- Complete and submit construction loan application (with pro forma) to Iowa Finance Authority for approval at September 7th Board meeting

Monday, August 22nd
Council Meeting:

- Council considers first reading of rate ordinance
- (Potential waiving of second and third readings)

- Council sets public hearing for additional authority on financings

Monday, September 12th
Council Meeting:

- Council considers second reading of rate ordinance
- (Potential waiving of final reading)

- Council holds public hearing for additional authority on financings
- Council authorizes issuance / legal documents relating to financings

Monday, September 26th
Council Meeting:

- Council considers third reading of rate ordinance
- Council adopts sewer rates

Friday, September 30th
(no meeting required)

- Closing / first draw of funds by City



Item # 7C
Date: 9/12/22

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

September 7, 2022

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

Re: Nevada WWTF Improvements – Phase 2: Recommendation on Contractor's Application for Payment No. 15

Dear Jordan:

Attached is an electronic copy of Payment Application No. 15 from Williams Brothers Construction Inc. (WBCI) for the Nevada WWTF Improvements – Phase 2 project. Items included in this application are summarized as follows:

- **General Requirements** Equipment, Mobilization/Trailer, Vehicle/General;
- **Site Work:** Construction Entrance and Check Dams, Topsoil, Excavation, Fire Hydrants, Gate Valves, Return Sludge, Manholes, Site Underground, Lighting, Stored Materials;
- **120-Administration Maintenance Building:** Concrete, SOG, Precast Concrete, Masonry, Weather Barriers, Paint/Coatings, Insulation, Basic Mechanical, Hanger/Supports, Plumbing Piping/Insulation, HVAC Ducts/Casing, Admin Area, Stored Materials;
- **210-Headworks:** Rebar, Concrete, Precast Concrete, Masonry, Basic Mechanical, Plumbing Piping, Stored Materials;
- **320-Oxidation Ditches:** Rebar, Concrete Walls/Slabs, Stored Materials;
- **320-Oxidation Ditches Flow Splitter:** Underslab Drains, Oxidation Ditch Effluent, Stored Materials;
- **350-Secondary Treatment Building:** Structural Precast, Masonry, RAS/WAS Piping, Basic Mechanical, Hangers/Supports, Plumbing Piping, HVAC Ducts/Casings, Stored Materials;
- **360-Secondary Treatment Chemical Storage Building:** Basic Mechanical, Stored Materials;
- **380-Secondary Clarifiers:** Concrete Walls, Secondary Clarifiers Area, Excavation -Secondary Flow Splitter, Stored Materials;
- **390-Return Pump Station:** Floor Hatches, Basic Mechanical, Stored Materials;
- **420-UV Disinfection Building:** Weather Barrier, Basic Mechanical, Plumbing Piping, HVAC Ducts/Casings, Stored Materials;
- **520-Aerobic Digesters:** Concrete, Underslab & Mud Valves, Excavation, Stored Materials;
- **550-Solids Processing Building:** Rebar, Concrete, Basic Mechanical, Plumbing Piping, Excavation, Stored Materials;
- **570-Biosolids Pumping Building:** Rebar, Concrete, Mixing Pump Piping, Basic Mechanical, Excavation, Stored Materials;
- **580-Biosolids Storage Tanks:** Excavation, Stored Materials;
- **Change Orders** – COR-02, COR-04R5;

The total for Pay Application No. 15 is \$2,419,103.84. As of this Pay Application, WBCI has been paid 42.9 % of the current contract price (not including retainage withheld). As of this Pay Application, approximately 52% of the time has been used. WBCI appear to be on schedule based on work completed and time remaining.



We have reviewed Payment Application No. 15. We have verified that most all certified payroll records for the corresponding pay application period are received and conforming; however a few subcontractors are delayed with a few payrolls records for this month. These should be submitted before next month's pay application and can be processed at that time. There have been no issues with certified payroll compliance to date.

Therefore, we recommend full payment of Payment Application No. 15 as submitted by Williams Brothers Construction Inc. 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.
Senior Project Manager

Enclosure

Cc : Kerin Wright, City (via email)
Harold See, City (via email)
Kurtis Knapp, WBCI (via email)
Jacob Lee, WBCI (via email)

J:\2016\160473.02\Construction\Payment\Pay_Estimates\#15\ltr-090722-WWTF_Impr_Phase_2-Pay_Request_15_recommendation.docx

APPLICATION AND CERTIFICATE FOR PAYMENT

PAGE 1 OF PAGES

TO OWNER: City of Nevada
 >> 1209 6th Street
 Nevada, IA 50201
 Telephone:
 Fax:

PROJECT
 Nevada WWTF Improvements Phase 2
 62512 270th Street
 Nevada, IA 50201

Application No. 15
 Period To: August 31, 2022
 PROJECT NOS:

Distribution to:
 OWNER
 ENGINEER

FROM CONTRACTOR: Williams Brothers Construction Inc. VIA ENGINEER HR Green Inc.
 P.O. Box 1366
 Peoria, Illinois 61654
 CONTRACT FOR: General Ph 309/688-0416; Fax 309/688-0891
 email - (Jacob.Lee) (Kurtis) @wvbc.us

Phone: 515-278-2913
 Fax:
 5525 Merle Hay Road, Suite 200
 Johnston, IA 50131
 Attn:

App'l date August 31, 2022
 Contract date:
 Substantial completion date:
 Invoice 8 22 542 15

CONTRACTOR

CONTRACTOR'S APPLICATION FOR PAYMENT

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

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.

1. ORIGINAL CONTRACT SUM 35,850,000.00
 2. Net Change by Change Orders 97,778.27
 3. CONTRACT SUM TO DATE (LINE 1 +2)..... 35,947,778.27
 4. TOTAL COMPLETED AND STORED TO DATE..... 16,175,910.26
 (Column G on G702)

5. RETAINAGE:

a. 5 % of 100% of Contract..... (637,140.50)
 (Columns D + E on G703)
 b. 5 % of Stored Material..... (171,655.01)
 (Columns F on G703)

Total Retainage (Line 5a + 5b or

Total in Column I of G703) 0.00
 (808,795.51)
 6. TOTAL EARNED LESS RETAINAGE 15,367,114.75
 (Line 4 less Line 5 Total)

7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (12,948,010.91)
 (Line 6 from prior Certificate)

8. CURRENT PAYMENT DUE 2,419,103.84

9. BALANCE TO FINISH, INCLUDING RETAINAGE 20,580,663.52
 (Line 3 less Line 6)

AMOUNT CERTIFIED


..... 2,419,103.84
 (Attach explanation if amount certified differs from the amount applied for. Initial all figures on this application and on the Continuation Sheet that changed to conform to the amount certified.)

Engineer: HR Green

By:  Date: 9/7/22

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this contract.

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	97,778.27	
Total approved this Month		
TOTAL	97,778.27	0.00
NET CHANGES by Change Order		97,778.27

Notary Public:  August 31, 2022
 My Commission Expires: My Commission Expires 06-1-2025
 "OFFICIAL SEAL"
 JACOB K. LEE
 Notary Public, State of Illinois

Subscribed and sworn to before me this day of August 31, 2022

Date: August 31, 2022

By: 
 Jacqueline Smith, Treasurer
 State of: Illinois
 County of: Peoria

P.93

p. 94

P. 95

CONTINUATION SHEET															
1		2		3		4		Spec		Build		NO		NO	

CONTINUATION SHEET										Application No. 15		PER TO: August 31, 2022		ENGINEER'S PROJECT NO.: 0.00																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																													
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CONTINUATION SHEET																	
Application No. 15				PER. TO: August 31, 2022				ENGINEER'S PROJECT NO.: 0.00									
APPL. DATE: August 31, 2022		WORK COMPLETED		SCHEDULED		SUBCONTRACTOR		SUPPLIER		THIS PERIOD		MATERIALS STORED		TOTAL COMPLE. & STORED		RETAINAGE	
3	4	Spec	Sec.	Build	NO.	NO.	NO.	NO.	NO.	PREV. APPL.	NO.	NO.	NO.	NO.	NO.	NO.	NO.
267	31	1000	120	Excavation	M	Con-Struct, Inc.	10,000.00	10,000.00	10,000.00	5,000.00				10,000.00	100%	0.00	500.00
268	31	1000	120	Excavation	L	Con-Struct, Inc.	5,000.00	5,000.00	5,000.00					5,000.00	100%	0.00	250.00
269	210	Headworks Building															
270	03	0000	210	Rebar	M/L	Ambassador Steel Fabrications	61,820.00	49,456.00	7,238.22	1,757.00				58,451.22	95%	3,368.78	2,922.56
271	03	0000	210	Concrete Walls	M	Central Iowa Ready Mix	65,656.38	58,945.45	3,282.82					62,228.27	95%	3,428.11	3,111.41
272	03	0000	210	Concrete	L	Williams Brothers Construction	279,297.00	279,297.00						279,297.00	100%	0.00	13,964.85
273	03	0000	210	Grade Beams	L	Williams Brothers Construction	23,473.50		23,473.50					23,473.50	100%	0.00	1,173.68
274	03	0000	210	Base Slab	L	Williams Brothers Construction	24,229.00	24,229.00						24,229.00	100%	0.00	1,211.45
275	03	0000	210	SOG	L	Williams Brothers Construction	39,801.50							0.00	0%	39,801.50	0.00
276	03	0000	210	Concrete Beams & Deck	L	Williams Brothers Construction	54,226.00	54,226.00						54,226.00	100%	0.00	2,711.30
277	03	0000	210	Grouting	L	Williams Brothers Construction	21,988.50	10,994.25						10,994.25	50%	10,994.25	549.71
278	03	4100	210	Structural Precast Concrete	M	Williams Brothers Construction	24,999.00							0.00	0%	24,999.00	0.00
279	03	4100	210	Structural Precast Concrete	L	Williams Brothers Construction	8,000.00							0.00	0%	8,000.00	0.00
280	04	2000	210	Masonry	M	Signature Masonry of Des Moines	62,000.00							50,806.94	82%	11,193.06	2,540.35
281	04	2000	210	Masonry	L	Signature Masonry of Des Moines	100,000.00							0.00	0%	100,000.00	0.00
282	05	5000	210	Metal Fabrications	M	Breuer Metal Craftsmen, Inc.	52,143.51							18,700.83	36%	33,442.68	935.04
283	05	5000	210	Metal Fabrications	L	Williams Brothers Construction	24,732.00	7,419.60						7,419.60	30%	17,312.40	370.98
284	05	5100	210	Metal Stairs	M	Breuer Metal Craftsmen, Inc.	4,305.25							0.00	0%	4,305.25	0.00
285	06	6000	210	Parshall Flume Liners	M	Zimmer and Franconson	4,042.50	4,042.50						4,042.50	100%	0.00	202.13
286	06	6000	210	Parshall Flume Liners	L	Williams Brothers Construction	11,000.00	11,000.00						11,000.00	100%	0.00	550.00
287	07	5100	210	Metal Stairs	L	Williams Brothers Construction	3,256.00							0.00	0%	3,256.00	0.00
288	07	2500	210	Weather Barrier	M	Williams Brothers Construction	4,010.00							0.00	0%	4,010.00	0.00
289	07	2500	210	Weather Barrier	L	Williams Brothers Construction	2,432.00							0.00	0%	2,432.00	0.00
290	07	5400	210	Thermoplastic Membrane Roofing	M	Central States Roofing	15,900.00							0.00	0%	15,900.00	0.00
291	07	5400	210	Thermoplastic Membrane Roofing	L	Central States Roofing	17,000.00							0.00	0%	17,000.00	0.00
292	07	6200	210	Sheet Metal Flashing and Trim	M	Central States Roofing	2,600.00							0.00	0%	2,600.00	0.00
293	07	6200	210	Sheet Metal Flashing and Trim	L	Central States Roofing	5,800.00							0.00	0%	5,800.00	0.00
294	07	7200	210	Roof Hatch	M	Central States Roofing	2,300.00							0.00	0%	2,300.00	0.00
295	07	7200	210	Roof Hatch	L	Central States Roofing	1,300.00							0.00	0%	1,300.00	0.00
296	07	7200	210	Floor Access Door	M	Nystrom	3,872.00							3,872.00	100%	0.00	193.60
297	07	7200	210	Floor Access Door	L	Williams Brothers Construction	3,840.00							0.00	0%	3,840.00	0.00
298	08	1116	210	Aluminum Doors and Frames	M	East Moline Glass	10,806.00							0.00	0%	10,806.00	0.00
299	08	1116	210	Aluminum Doors and Frames	L	East Moline Glass	4,360.00							0.00	0%	4,360.00	0.00
300	08	8000	210	Glazing	M	East Moline Glass	403.00							0.00	0%	403.00	0.00
301	08	8000	210	Glazing	L	East Moline Glass	300.00							0.00	0%	300.00	0.00
302	09	9000	210	Paints and Coatings	M/L	RP Coatings	25,000.00							0.00	0%	25,000.00	0.00
303	13	3419	210	Metal Building System	M	Nucor Building Systems	13,547.00							13,547.00	100%	0.00	677.35
304	22		210	Influent & Effluent Wallpipes	M	Tobin Brothers	20,500.00	20,500.00						20,500.00	100%	0.00	1,025.00
305	22		210	Influent & Effluent Wallpipes	L	Tobin Brothers	7,700.00	7,700.00						7,700.00	100%	0.00	385.00
306	22		210	Grit System Piping	M	Tobin Brothers	19,300.00	317.00						317.00	2%	18,983.00	15.85
307	22		210	Grit System Piping	L	Tobin Brothers	21,000.00							0.00	0%	21,000.00	0.00
308	22	0500	210	Basic Mechanical Requirements	M	MJ O'Connor Mechanical	4,125.00	500.00	200.00					700.00	17%	3,425.00	35.00
309	22	0500	210	Basic Mechanical Requirements	L	MJ O'Connor Mechanical	8,075.00	3,000.00	600.00					3,600.00	45%	4,475.00	180.00
310	22	0529	210	Hanger and Supports	M	MJ O'Connor Mechanical	3,260.00							800.00	25%	2,460.00	40.00
311	22	0529	210	Hanger and Supports	L	MJ O'Connor Mechanical	2,500.00							0.00	0%	2,500.00	0.00
312	22	0553	210	ID for Plumbing Pipe/Equipment	M	MJ O'Connor Mechanical	1,625.00							0.00	0%	1,625.00	0.00
313	22	0553	210	ID for Plumbing Pipe/Equipment	L	MJ O'Connor Mechanical	1,840.00							0.00	0%	1,840.00	0.00
314	22	0719	210	Plumbing Piping Insulation	M	MJ O'Connor Mechanical	1,155.00							0.00	0%	1,155.00	0.00
315	22	0719	210	Plumbing Piping Insulation	L	MJ O'Connor Mechanical	2,075.00							0.00	0%	2,075.00	0.00
316	22	1005	210	Plumbing Piping	M	MJ O'Connor Mechanical	1,170.00	1,000.00	(207.50)					1,377.50	100%	0.00	58.50
317	22	1005	210	Plumbing Piping	L	MJ O'Connor Mechanical	4,480.00	1,000.00	1,600.00					2,600.00	58%	1,880.00	130.00
318	22	1006	210	Plumbing Piping Specialties	M	MJ O'Connor Mechanical	13,860.00							5,743.52	41%	8,116.48	287.18

p. 99

CONTINUATION SHEET										Application No. 15	PER TO: August 31, 2022	ENGINEER'S PROJECT NO.: 0.00
1	2	3	4	5	6	7	8	9	10	11	12	13
		Spec	Sec.	Build	NO.	Subcontractor	SCHEDULED	WORK COMPLETED	THIS PERIOD	MATERIALS STORED	TOTAL COMPLET	RETENANCE
								PREV. APR.			%	
											Complete	
		371	03	0000	320	Williams Brothers Construction	403,456.00	302,592.00	60,518.40		363,110.40	40,345.60
		372	03	0000	320	Williams Brothers Construction	141,626.00				0.00	141,626.00
		373	03	0000	320	Williams Brothers Construction	139,349.00	23,689.33			23,689.33	115,659.67
		374	03	0000	320	Williams Brothers Construction	3,250.00				0.00	3,250.00
		375				Oxidation Splitter					0.00	0.00
		376	03	0000	320	Rebar					0.00	0.00
		377	03	0000	320	Concrete					0.00	0.00
		378	03	0000	320	Walls					0.00	0.00
		379	03	0000	320	Base Slab					0.00	0.00
		380	03	0000	320	GROUTING					0.00	0.00
		381	03	4100	320	Structural Precast Concrete					0.00	0.00
		382	03	4100	320	Structural Precast Concrete					0.00	0.00
		383	05	5000	320	Metal Fabrications					0.00	0.00
		384	05	5000	320	Metal Fabrications					0.00	0.00
		385	05	5100	320	Metal Stairs					0.00	0.00
		386	07	5400	320	Metal Stairs					0.00	0.00
		387	09	9000	320	Paints and Coatings					0.00	0.00
		388	22	320	Underlab Drains						0.00	0.00
		389	22	320	Underlab Drains						0.00	0.00
		390	22	320	Flow Splitter Box						0.00	0.00
		391	22	320	Flow Splitter Box						0.00	0.00
		392	22	320	Ox Ditch Effluent						0.00	0.00
		393	22	320	Ox Ditch Effluent						0.00	0.00
		394	22	0523	Process Valves						0.00	0.00
		395	26	0000	320	Oxidation Ditches Area					0.00	0.00
		396	26	0000	320	Oxidation Ditches Area					0.00	0.00
		397	26	0000	320	Lighting					0.00	0.00
		398	26	0000	320	Lighting					0.00	0.00
		399	26	0000	320	Lighting Protection					0.00	0.00
		400	31	1000	320	Excavation					0.00	0.00
		401	31	1000	320	Excavation					0.00	0.00
		402	46	5362	320	Oxidation Ditch System Equipment					0.00	0.00
		403	46	5362	320	Oxidation Ditch System Equipment					0.00	0.00
		404	46	4123	320	Submersible Mixing Equipment					0.00	0.00
		405	46	4123	320	Submersible Mixing Equipment					0.00	0.00
		406	350	Secondary	Treatment Building						0.00	0.00
		407	03	0000	350	Rebar					0.00	0.00
		408	03	0000	350	Concrete					0.00	0.00
		409	03	0000	350	Walls					0.00	0.00
		410	03	0000	350	Base Slab					0.00	0.00
		411	03	0000	350	Suspended Slab					0.00	0.00
		412	03	0000	350	Columns					0.00	0.00
		413	03	4100	350	Structural Precast Concrete					0.00	0.00
		414	03	4100	350	Structural Precast Concrete					0.00	0.00
		415	04	2000	350	Masonry					0.00	0.00
		416	04	2000	350	Masonry					0.00	0.00
		417	05	5000	350	Metal Fabrications					0.00	0.00
		418	05	5000	350	Metal Fabrications					0.00	0.00
		419	05	5100	350	Metal Stairs					0.00	0.00
		420	05	5100	350	Metal Stairs					0.00	0.00
		421	07	1713	350	Bentonite Panel Water Proofing					0.00	0.00
		422	07	1713	350	Bentonite Panel Water Proofing					0.00	0.00

P. 101

CONTINUATION SHEET															
Application No. 15 PER TO: August 31, 2022															
ENGINEER'S PROJECT NO.: August 31, 2022 0.00															
1		2		3		4		5		6		7		8	
		Spec		Build		Neveda WWTF		SCHEDULED		WORK COMPLETED		MATERIALS STORED		TOTAL COMPLE	
		Sec.		NO.				SUBCONTRACTOR		PREV APPL		THIS PERIOD		% Complete	
475	23	3423	350						M	MJ O'Connor Mechanical				0.00	0%
476	23	3423	350						L	MJ O'Connor Mechanical				0.00	0%
477	23	3700	350						M	MJ O'Connor Mechanical		2,746.50		2,746.50	59%
478	23	3700	350						L	MJ O'Connor Mechanical				0.00	0%
479	23	6213	350						M	MJ O'Connor Mechanical		6,284.00		6,284.00	33%
480	23	6213	350						L	MJ O'Connor Mechanical			250.00	250.00	10%
481	23	7433	350						M	MJ O'Connor Mechanical		14,842.00		14,842.00	77%
482	23	7433	350						L	MJ O'Connor Mechanical			1,415.00	1,415.00	50%
483	23	8101	350						M	MJ O'Connor Mechanical		4,648.00		4,648.00	82%
484	23	8101	350						L	MJ O'Connor Mechanical			1,125.00	1,125.00	50%
485	23	8127	350						M	MJ O'Connor Mechanical				0.00	0%
486	23	8127	350						L	MJ O'Connor Mechanical				0.00	0%
487	22	0523	350						M	Mellen & Associates		76,240.89		76,240.89	92%
488	22		350						M	Tobin Brothers				0.00	0%
489	22		350						L	Tobin Brothers				0.00	0%
490	26	0000	350						M	CEC Electric		6,103.10		6,103.10	69%
491	26	0000	350						L	CEC Electric				0.00	0%
492	26	0000	350						L	CEC Electric				0.00	0%
493	28	1000	350						M	Strauss Security Solutions				0.00	0%
494	31	1000	350						M	Con-Struct, Inc.				0.00	0%
495	31	1000	350						L	Con-Struct, Inc.		10,000.00		10,000.00	40%
496	33	3216	350						M	Iowa Pump Works		7,450.00		7,450.00	100%
497	33	3216	350						L	Williams Brothers Construction				0.00	0%
498	41	2223	350						M/L	Superior Crane Corp				0.00	0%
499	43	2113	350						M	Zimmer and Francetson, Inc.		60,790.00		60,790.00	100%
500	43	2113	350						L	Tobin Brothers		4,000.00		4,000.00	50%
501	360	Secondary Treatment Chemical Storage Building													
502	03	0000	360						M/L	Ambassador Steel Fabrications				0.00	0.00
503	03	0000	360						M	Central Iowa Ready Mix		4,535.00		4,535.00	65%
504	03	0000	360						L	Williams Brothers Construction				0.00	7,833.03
505	03	0000	360						L	Williams Brothers Construction				0.00	28,439.50
506	03	0000	360						L	Williams Brothers Construction				0.00	19,455.00
507	03	0000	360						L	Williams Brothers Construction				0.00	15,719.50
508	04	2000	360						M	Signature Masonry of Des Moines				0.00	5,142.50
509	04	2000	360						L	Signature Masonry of Des Moines		2,600.00		2,600.00	20%
510	05	5000	360						M	Breuer Metal Craftsmen, Inc.				0.00	13,000.00
511	05	5000	360						L	Williams Brothers Construction				0.00	2,924.06
512	06	8006	360						M	Vesco Inc.				0.00	1,448.00
513	06	8006	360						L	Williams Brothers Construction				0.00	26,000.00
514	07	2500	360						M	Williams Brothers Construction				0.00	8,750.00
515	07	2500	360						L	Williams Brothers Construction				0.00	922.00
516	08	1116	360						M	East Moline Glass				0.00	1,006.00
517	08	1116	360						L	East Moline Glass				0.00	7,912.00
518	08	8113	360						M	Holiday Products		651.00		651.00	100%
519	08	8113	360						L	Williams Brothers Construction				0.00	400.00
520	08	8000	360						M	East Moline Glass				0.00	335.00
521	08	8000	360						L	East Moline Glass				0.00	250.00
522	09	9000	360						M/L	RP Coatings				0.00	14,000.00
523	13	3419	360						M	Nucor Building Systems		31,090.00		31,090.00	100%
524	22	0500	360						M	MJ O'Connor Mechanical		200.00		200.00	15%
525	22	0500	360						L	MJ O'Connor Mechanical		450.00		450.00	22%
526	22	0529	360						M	MJ O'Connor Mechanical		500.00		500.00	47%

CONTINUATION SHEET										Application No. 15		PER TO: August 31, 2022		ENGINEER'S PROJECT NO.:		August 31, 2022		0.00	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
		Spec	Sec.	Build	Needs	NO.	WWTF	SUPPLIER	SCHEDULED	WORK COMPLETED	THIS PERIOD	MATERIALS STORED	TOTAL COMPL & STORED	% Complete	BALANCE TO FINISH	RETAINAGE			
								SUBCONTRACTOR		PREV APPL									
527	22	0529	360		Hammer and Supports			L MJ O'Connor Mechanical	1,800.00				0.00	0%	1,800.00	0.00			
528	22	0553	360		ID for Plumbing Pipe/Equipment			M MJ O'Connor Mechanical	825.00				0.00	0%	825.00	0.00			
529	22	0553	360		ID for Plumbing Pipe/Equipment			L MJ O'Connor Mechanical	670.00				0.00	0%	670.00	0.00			
530	22	1005	360		Plumbing Piping			M MJ O'Connor Mechanical	890.00				0.00	0%	890.00	0.00			
531	22	1005	360		Plumbing Piping			L MJ O'Connor Mechanical	1,855.00	250.00		700.00	700.00	79%	190.00	35.00			
532	22	1006	360		Plumbing Piping Specialties			M MJ O'Connor Mechanical	6,930.00				0.00	0%	6,930.00	0.00			
533	22	1006	360		Plumbing Piping Specialties			L MJ O'Connor Mechanical	3,060.00				0.00	0%	3,060.00	0.00			
534	22	3000	360		Plumbing Equipment			M MJ O'Connor Mechanical	9,535.00				0.00	0%	9,535.00	0.00			
535	22	3000	360		Plumbing Equipment			L MJ O'Connor Mechanical	1,475.00				0.00	0%	1,475.00	0.00			
536	22	3000	360		Plumbing Fixtures			M MJ O'Connor Mechanical	2,080.00				0.00	0%	2,080.00	0.00			
537	22	3000	360		Plumbing Fixtures			L MJ O'Connor Mechanical	1,100.00				0.00	0%	1,100.00	0.00			
538	23	0593	360		TAB for HVAC			L MJ O'Connor Mechanical	975.00				0.00	0%	975.00	0.00			
539	23	0993	360		Sequence of Operation for HVAC			M MJ O'Connor Mechanical	840.00				0.00	0%	840.00	0.00			
540	23	0993	360		Sequence of Operation for HVAC			L MJ O'Connor Mechanical	5,865.00				0.00	0%	5,865.00	0.00			
541	23	3100	360		HVAC Ducts and Castings			M MJ O'Connor Mechanical	6,360.00				0.00	0%	6,360.00	0.00			
542	23	3100	360		HVAC Ducts and Castings			L MJ O'Connor Mechanical	390.00				0.00	0%	390.00	0.00			
543	23	3300	360		Air Duct Accessories			M MJ O'Connor Mechanical	335.00				0.00	0%	335.00	0.00			
544	23	3300	360		Air Duct Accessories			L MJ O'Connor Mechanical	4,095.00				0.00	0%	4,095.00	0.00			
545	23	3423	360		HVAC Power Ventilators			M MJ O'Connor Mechanical	685.00				0.00	0%	685.00	0.00			
546	23	3423	360		HVAC Power Ventilators			L MJ O'Connor Mechanical	1,170.00				0.00	0%	1,170.00	0.00			
547	23	3700	360		Air Outlets and Inlets			M MJ O'Connor Mechanical	300.00				0.00	0%	300.00	0.00			
548	23	3700	360		Air Outlets and Inlets			L MJ O'Connor Mechanical	11,375.00				0.00	0%	11,375.00	0.00			
549	23	8101	360		Terminal Heat Transfer Units			M MJ O'Connor Mechanical	505.00	252.50		9,296.00	9,296.00	82%	2,079.00	464.80			
550	23	8101	360		Terminal Heat Transfer Units			L MJ O'Connor Mechanical	22,025.00				0.00	0%	22,025.00	12.63			
551	26	0000	360		Chemical Storage			M CEC Electric	41,450.00				0.00	0%	41,450.00	0.00			
552	26	0000	360		Chemical Storage			L CEC Electric	4,300.00				0.00	0%	4,300.00	0.00			
553	26	0000	360		Lighting			M CEC Electric	1,040.00			3,033.29	3,033.29	71%	1,266.71	151.66			
554	26	0000	360		Lighting			L CEC Electric	5,600.00				0.00	0%	5,600.00	0.00			
555	26	0000	360		Lighting Protection			M CEC Electric	3,000.00				0.00	0%	3,000.00	0.00			
556	31	1000	360		Excavation			L Con-Struct. Inc.	1,000.00				0.00	0%	1,000.00	50.00			
557	31	1000	360		Excavation			M Vesco Inc.	101,700.00				0.00	0%	101,700.00	0.00			
558	43	4116	360		Bulk Chemical Storage Tanks			L Tobin Brothers	3,500.00				0.00	0%	3,500.00	0.00			
559	43	4116	360		Bulk Chemical Storage Tanks			M Engineered Equipment Solution	63,388.00				0.00	0%	63,388.00	0.00			
560	46	3334	360		Peristaltic Metering Pumps			L Tobin Brothers	3,500.00				0.00	0%	3,500.00	0.00			
561	46	3334	360		Peristaltic Metering Pumps			M Engineered Equipment Solution	15,928.00				0.00	0%	15,928.00	0.00			
562	46	3383	360		Chemical Feed Accessories			L Tobin Brothers	2,000.00				0.00	0%	2,000.00	0.00			
563	46	3383	360		Chemical Feed Accessories			M Tobin Brothers	153,830.00				0.00	0%	153,830.00	0.00			
564	380	Secondary Clarifiers																	
565	03	0000	380		Rebar			M/L	165,479.35	96,141.01		21,267.74	117,408.75	76%	36,421.25	5,870.44			
566	03	0000	380		Concrete			M Central Iowa Ready Mix	84,749.46				102,749.46	62%	62,729.89	5,137.47			
567	03	0000	380		Walls			L Williams Brothers Construction	667,523.00	166,880.75			427,214.72	64%	240,308.28	21,360.74			
568	03	0000	380		Base Slab			L Williams Brothers Construction	249,363.00	167,073.21			167,073.21	67%	82,289.79	8,353.66			
569	03	0000	380		Suspended Slab			L Williams Brothers Construction	58,843.00				0.00	0%	58,843.00	0.00			
570	03	0000	380		GROUTING			L Williams Brothers Construction	43,800.00				0.00	0%	43,800.00	0.00			
571	03	0000	380		Concrete			M Central Iowa Ready Mix	9,238.83				0.00	0%	9,238.83	0.00			
572	03	0000	380		Walls			L Williams Brothers Construction	71,709.50				0.00	0%	71,709.50	0.00			
573	03	0000	380		Round Piers			L Williams Brothers Construction	694.00				0.00	0%	694.00	0.00			
574	03	0000	380		Base Slab			L Williams Brothers Construction	6,534.00				0.00	0%	6,534.00	0.00			
575	03	0000	380		GROUTING			L Williams Brothers Construction	3,256.50				0.00	0%	3,256.50	0.00			
576	05	5000	380		Metal Fabrications			M Breuer Metal Craftsmen, Inc	4,748.46				0.00	0%	4,748.46	0.00			
577	05	5000	380		Metal Fabrications			L Williams Brothers Construction	1,648.00				0.00	0%	1,648.00	0.00			
578	05	5100	380		Metal Stairs			M Breuer Metal Craftsmen, Inc	13,620.50				0.00	0%	13,620.50	0.00			

CONTINUATION SHEET														
Application No. 15														
PER TO: August 31, 2022														
ENGINEER'S PROJECT NO.: 0.00														
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Spec	Build	Nevada WWTF	NO	Subcontractor	SCHEDULED	PREV APPL	WORK COMPLETED	THIS PERIOD	MATERIALS STORED	TOTAL COMPI & STORED	% Complete	BALANCE TO FINISH	RETAINAGE	
579 07	5400	380	Metal Stairs	L	Williams Brothers Construction	9,768.00				0.00	0%	9,768.00	0.00	
580 09	9000	380	Paints and Coatings	M/L	RP Coatings	56,000.00				0.00	0%	56,000.00	0.00	
581 22	0000	380	Underslab Influent & RAS	M	Tobin Brothers	7,600.00	4,455.20			4,455.20	59%	3,144.80	222.76	
582 22	0000	380	Underslab Influent & RAS	L	Tobin Brothers	22,800.00	15,200.00			15,200.00	67%	7,600.00	760.00	
583 22	0000	380	Effluent & Scum	M	Tobin Brothers	18,000.00			10,000.00	10,000.00	56%	8,000.00	500.00	
584 22	0000	380	Effluent & Scum	L	Tobin Brothers	8,500.00				0.00	0%	8,500.00	0.00	
585 22	0000	380	Floor PRV's	M	Tobin Brothers	48,000.00	32,000.00			32,000.00	67%	16,000.00	1,600.00	
586 22	0000	380	Floor PRV's	L	Tobin Brothers	16,500.00	11,000.00			11,000.00	67%	5,500.00	550.00	
587 22	0000	380	Clarifier Splitter Box	M	Tobin Brothers	43,900.00			10,000.00	10,000.00	23%	33,900.00	500.00	
588 22	0000	380	Clarifier Splitter Box	L	Tobin Brothers	12,000.00				0.00	0%	12,000.00	0.00	
589 26	0000	380	Secondary Clarifiers Area	M	CEC Electric	43,475.00				0.00	0%	43,475.00	0.00	
590 26	0000	380	Secondary Clarifiers Area	L	CEC Electric	90,850.00				0.00	0%	90,850.00	0.00	
591 31	1000	380	Excavation	M	Con-Struct, Inc.	42,000.00	15,000.00			15,000.00	36%	27,000.00	750.00	
592 31	1000	380	Excavation	L	Con-Struct, Inc.	120,000.00	65,000.00			65,000.00	54%	55,000.00	3,250.00	
593 31	1000	380	Excavation -Secondary Flow Splitter	M	Con-Struct, Inc.	1,000.00				0.00	0%	1,000.00	0.00	
594 31	1000	380	Excavation -Secondary Flow Splitter	L	Con-Struct, Inc.	9,000.00	2,000.00			2,000.00	22%	7,000.00	100.00	
595 46	4323	380	Secondary Clarifier Mechanism	M	Ovivo USA, LLC	377,359.00				0.00	0%	377,359.00	0.00	
596 46	4323	380	Secondary Clarifier Mechanism	L	Williams Brothers Construction	113,600.00				0.00	0%	113,600.00	0.00	
597 390	Return Pump Station													
598 03	0000	390	Rebar	M/L	Ambassador Steel Fabrications	19,840.00	19,840.00			19,840.00	100%	0.00	0.00	
599 03	0000	390	Concrete	M	Central Iowa Ready Mix	17,171.76	17,171.76			17,171.76	100%	0.00	992.00	
600 03	0000	390	Walls	L	Williams Brothers Construction	80,761.50	80,761.50			80,761.50	100%	0.00	858.59	
601 03	0000	390	Base Slab	L	Williams Brothers Construction	10,058.50	10,058.50			10,058.50	100%	0.00	4,038.07	
602 03	0000	390	Suspended Slab	L	Williams Brothers Construction	17,063.00	17,063.00			17,063.00	100%	0.00	502.93	
603 03	0000	390	Housekeeping Pads	L	Williams Brothers Construction	879.50				0.00	0%	879.50	853.15	
604 03	0000	390	GROUTING	L	Williams Brothers Construction	3,594.50	3,594.50			3,594.50	100%	0.00	0.00	
605 05	5000	390	Metal Fabrications	M	Breuer Metal Craftsmen, Inc	5,302.54			1,740.09	1,740.09	33%	3,562.45	87.00	
606 05	5000	390	Metal Fabrications	L	Williams Brothers Construction	3,298.00				0.00	0%	3,298.00	0.00	
607 07	1353	390	Elastomeric Deck Coverings	M/L	Williams Brothers Construction	6,451.29				0.00	0%	6,451.29	0.00	
608 07	2119	390	Foamed in Place Insulation	M/L	Iowa Foam Insulators, LLC	9,982.00				0.00	0%	9,982.00	0.00	
609 07	1713	390	Bentonite Panel Waterproofing	M	Williams Brothers Construction	4,684.00				0.00	0%	4,684.00	0.00	
610 07	1713	390	Bentonite Panel Waterproofing	L	Williams Brothers Construction	4,122.00				0.00	0%	4,122.00	0.00	
611 08	3113	390	Floor Hatches	M	Halfday Products	537.00			537.00	537.00	100%	0.00	26.85	
612 08	3113	390	Floor Hatches	L	Williams Brothers Construction	400.00		400.00		400.00	100%	0.00	20.00	
613 08	3113	390	Access Tube	M	Iowa Pump Works	8,450.00			8,450.00	8,450.00	100%	0.00	422.50	
614 08	8113	390	Access Tube	L	Williams Brothers Construction	6,500.00				0.00	0%	6,500.00	0.00	
615 09	9000	390	Paints and Coatings	M/L	RP Coatings	6,600.00				0.00	0%	6,600.00	0.00	
616 22	0000	390	Return Pump Piping	M	Tobin Brothers	24,800.00	4,500.00			4,500.00	0%	14,758.00	502.10	
617 22	0000	390	Return Pump Piping	L	Tobin Brothers	19,300.00	6,000.00		5,542.00	10,042.00	40%	13,300.00	300.00	
618 22	0500	390	Basic Mechanical Requirements	M	MJ O'Connor Mechanical	1,375.00	200.00	200.00		6,000.00	31%	975.00	20.00	
619 22	0500	390	Basic Mechanical Requirements	L	MJ O'Connor Mechanical	2,660.00	350.00	200.00		400.00	29%	2,110.00	27.50	
620 22	0529	390	Hanger and Supports	M	MJ O'Connor Mechanical	1,050.00			500.00	500.00	48%	550.00	25.00	
621 22	0529	390	Hanger and Supports	L	MJ O'Connor Mechanical	1,200.00				0.00	0%	1,200.00	0.00	
622 22	0553	390	ID for Plumbing Pipe/Equipment	M	MJ O'Connor Mechanical	525.00				0.00	0%	525.00	0.00	
623 22	0553	390	ID for Plumbing Pipe/Equipment	L	MJ O'Connor Mechanical	560.00				0.00	0%	560.00	0.00	
624 22	0719	390	Plumbing Piping Insulation	M	MJ O'Connor Mechanical	1,100.00			300.00	300.00	27%	800.00	15.00	
625 22	0719	390	Plumbing Piping Insulation	L	MJ O'Connor Mechanical	785.00				0.00	0%	785.00	0.00	
626 22	3000	390	Plumbing Equipment	M	MJ O'Connor Mechanical	3,175.00				0.00	0%	3,175.00	0.00	
627 22	3000	390	Plumbing Equipment	L	MJ O'Connor Mechanical	490.00				0.00	0%	490.00	0.00	
628 23	0593	390	TAB for HVAC	M	MJ O'Connor Mechanical	1,320.00				0.00	0%	1,320.00	0.00	
629 23	0993	390	Sequence of Operation for HVAC	M	MJ O'Connor Mechanical	485.00				0.00	0%	485.00	0.00	
630 23	0993	390	Sequence of Operation for HVAC	L	MJ O'Connor Mechanical	420.00				0.00	0%	420.00	0.00	

CONTINUATION SHEET										Application No.	15	PER TO:	August 31, 2022	August 31, 2022	August 31, 2022	August 31, 2022
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
		Spec	Sec.	Build	Nevada WWTF	SUBCONTRACTOR	SCHEDULED	WORK COMPLETED	THIS PERIOD	MATERIALS	TOTAL COMPLE	%	BALANCE	TO FINISH	RETAINAGE	
				NO.				PREV. APRIL		STOCKED	& STORED	Complete				
651	23	3100	390	HVAC Ducts and Casings	M	MJ O'Connor Mechanical	2,930.00				0.00	0%	2,930.00	0.00	0.00	
652	23	3100	390	HVAC Ducts and Casings	L	MJ O'Connor Mechanical	3,180.00				0.00	0%	3,180.00	0.00	0.00	
653	23	3300	390	Air Duct Accessories	M	MJ O'Connor Mechanical	195.00				0.00	0%	195.00	0.00	0.00	
654	23	3300	390	Air Duct Accessories	L	MJ O'Connor Mechanical	170.00				0.00	0%	170.00	0.00	0.00	
655	23	3423	390	HVAC Power Ventilators	M	MJ O'Connor Mechanical	4,095.00				0.00	0%	4,095.00	0.00	0.00	
656	23	3423	390	HVAC Power Ventilators	L	MJ O'Connor Mechanical	685.00				0.00	0%	685.00	0.00	0.00	
657	23	8101	390	Terminal Heat Transfer Units	M	MJ O'Connor Mechanical	17,060.00			4,648.00	4,648.00	27%	12,412.00	232.40	0.00	
658	23	8101	390	Terminal Heat Transfer Units	L	MJ O'Connor Mechanical	755.00	377.50			377.50	50%	377.50	18.88	0.00	
659	22	0523	390	Process Valves	M	Mellen & Associates	1,621.08				0.00	0%	1,621.08	0.00	0.00	
640	26	0000	390	Return Pump Station	M	CEC Electric	12,550.00				0.00	0%	12,550.00	0.00	0.00	
641	26	0000	390	Return Pump Station	L	CEC Electric	28,825.00				0.00	0%	28,825.00	0.00	0.00	
642	26	0000	390	Lighting	M	CEC Electric	2,500.00			1,635.36	1,635.36	65%	864.64	81.77	0.00	
643	26	0000	390	Lighting	L	CEC Electric	460.00				0.00	0%	460.00	0.00	0.00	
644	26	0000	390	Lighting Protection	M	CEC Electric	5,560.00				0.00	0%	5,560.00	0.00	0.00	
645	31	1000	390	Excavation	M	Con-Struct, Inc.	2,000.00				0.00	0%	2,000.00	0.00	0.00	
646	31	1000	390	Excavation	L	Con-Struct, Inc.	13,000.00	2,000.00			2,000.00	15%	11,000.00	100.00	0.00	
647	43	2139	390	Submersible Solids Handling Pump Equipment	M	Zimmer and Granteeson, Inc.	27,240.00			27,240.00	27,240.00	100%	0.00	1,362.00	0.00	
648	43	2139	390	Submersible Solids Handling Pump Equipment	L	Tobin Brothers	5,400.00				0.00	0%	5,400.00	0.00	0.00	
649	420	UV Disinfection Bldg														
650	03	0000	420	Rebar	M/L	Ambassador Steel Fabrications	34,445.00	30,303.05		2,759.92	33,062.97	96%	1,382.03	0.00	0.00	
651	03	0000	420	Concrete	M	Central Iowa Ready Mix	30,384.88	30,384.88			30,384.88	100%	0.00	1,519.24	0.00	
652	03	0000	420	Footings	L	Williams Brothers Construction	3,657.50	3,657.50			3,657.50	100%	0.00	182.88	0.00	
653	03	0000	420	Walls	L	Williams Brothers Construction	116,558.00	116,558.00			116,558.00	100%	0.00	5,827.90	0.00	
654	03	0000	420	Base Slab	L	Williams Brothers Construction	22,820.00	22,820.00			22,820.00	100%	0.00	1,141.00	0.00	
655	03	0000	420	Slabs on Grade	L	Williams Brothers Construction	19,499.00	19,499.00			19,499.00	100%	0.00	974.95	0.00	
656	03	0000	420	Suspended Slab	L	Williams Brothers Construction	9,636.00	9,636.00			9,636.00	100%	0.00	481.80	0.00	
657	03	0000	420	Grouting	L	Williams Brothers Construction	15,915.50	15,915.50			15,915.50	100%	0.00	795.78	0.00	
658	03	4100	420	Structural Precast Concrete	M	Mid-States Concrete Industries	19,215.00	19,215.00			19,215.00	100%	0.00	960.75	0.00	
659	03	4100	420	Structural Precast Concrete	L	Williams Brothers Construction	8,000.00	8,000.00			8,000.00	100%	0.00	400.00	0.00	
660	04	2000	420	Masonry	M	Signature Masonry of Des Moines	62,000.00	24,800.00		24,800.00	49,600.00	80%	12,400.00	2,480.00	0.00	
661	04	2000	420	Masonry	L	Signature Masonry of Des Moines	80,000.00	44,000.00			44,000.00	55%	36,000.00	2,200.00	0.00	
662	05	5000	420	Metal Fabrications	M	Breuer Metal Craftsmen, Inc.	50,510.11			30,744.56	30,744.56	61%	19,765.55	1,537.23	0.00	
663	05	5000	420	Metal Fabrications	L	Williams Brothers Construction	23,083.00	7,617.39		4,030.00	7,617.39	33%	15,465.61	380.87	0.00	
664	06	6000	420	Parshall Flume Liners	M	Zimmer and Granteeson	4,042.50			4,030.00	4,030.00	100%	12.50	201.50	0.00	
665	06	6000	420	Parshall Flume Liners	L	Williams Brothers Construction	9,000.00				0.00	0%	9,000.00	0.00	0.00	
666	07	5400	420	Thermoplastic Membrane Roofing	M	Central States Roofing	11,400.00				0.00	0%	11,400.00	0.00	0.00	
667	07	5400	420	Thermoplastic Membrane Roofing	L	Central States Roofing	12,300.00				0.00	0%	12,300.00	0.00	0.00	
668	07	6200	420	Sheet Metal Flashing and Trim	M	Central States Roofing	1,600.00				0.00	0%	1,600.00	0.00	0.00	
669	07	6200	420	Sheet Metal Flashing and Trim	L	Central States Roofing	4,100.00				0.00	0%	4,100.00	0.00	0.00	
670	07	2500	420	Weather Barrier	M	Williams Brothers Construction	3,313.00		3,513.00		3,513.00	100%	0.00	175.65	0.00	
671	07	2500	420	Weather Barrier	L	Williams Brothers Construction	2,122.00		2,122.00		2,122.00	100%	0.00	106.10	0.00	
672	08	1116	420	Aluminum Doors and Frames	M	East Moline Glass	1,126.00				0.00	0%	1,126.00	0.00	0.00	
673	08	1116	420	Aluminum Doors and Frames	L	East Moline Glass	4,440.00				0.00	0%	4,440.00	0.00	0.00	
674	08	8000	420	Glazing	M	East Moline Glass	285.00				0.00	0%	285.00	0.00	0.00	
675	08	8000	420	Glazing	L	East Moline Glass	220.00				0.00	0%	220.00	0.00	0.00	
676	09	9000	420	Paints and Coatings	M/L	RP Coatings	16,000.00				0.00	0%	16,000.00	0.00	0.00	
677	22	0000	420	Influent & Effluent	M	Tobias Brothers	18,200.00	18,200.00			18,200.00	100%	0.00	910.00	0.00	
678	22	0000	420	Influent & Effluent	L	Tobias Brothers	4,500.00	4,500.00			4,500.00	100%	0.00	225.00	0.00	
679	22	0000	420	Underslab Drains & Mud Valves	M	Tobias Brothers	4,600.00	4,600.00			4,600.00	100%	0.00	230.00	0.00	
680	22	0000	420	Underslab Drains & Mud Valves	L	Tobias Brothers	6,600.00	6,600.00			6,600.00	100%	0.00	330.00	0.00	
681	22	0000	420	Plant Effluent Water Piping	M	Tobias Brothers	51,600.00	821.00		34,000.00	34,821.00	67%	16,779.00	1,741.05	0.00	
682	22	0000	420	Plant Effluent Water Piping	L	Tobias Brothers	38,000.00				0.00	0%	38,000.00	0.00	0.00	

P.106

P. 107

P. 108

P. 109

CONTINUATION SHEET														
1	Application No. 15													
2	PER TO: August 31, 2022													
3	ENGINEER'S PROJECT NO.: 0.00													
4	APPL. DATE: August 31, 2022													
APPL. DATE: August 31, 2022														
PREV. APPL. THIS PERIOD MATERIALS STORED TOTAL COMPL. & STORED % Complete BALANCE TO FINISH RETAINAGE														
SCHEDULED SUPPLIER SUBCONTRACTOR														
891	22	1005	570	Plumbing Piping	L	MJ O'Connor Mechanical	2,555.00				0.00	0%	2,555.00	0.00
892	22	1006	570	Plumbing Piping Specialties	M	MJ O'Connor Mechanical	6,930.00		1,500.00	1,500.00	22%	5,430.00	75.00	
893	22	1006	570	Plumbing Piping Specialties	L	MJ O'Connor Mechanical	3,060.00			0.00	0%	3,060.00	0.00	
894	22	3000	570	Plumbing Equipment	M	MJ O'Connor Mechanical	3,180.00			0.00	0%	3,180.00	0.00	
895	22	3000	570	Plumbing Equipment	L	MJ O'Connor Mechanical	960.00			0.00	0%	960.00	0.00	
896	23	0593	570	TAB for HVAC	L	MJ O'Connor Mechanical	1,310.00			0.00	0%	1,310.00	0.00	
897	23	0993	570	Sequence of Operation for HVAC	M	MJ O'Connor Mechanical	975.00			0.00	0%	975.00	0.00	
898	23	0993	570	Sequence of Operation for HVAC	L	MJ O'Connor Mechanical	840.00			0.00	0%	840.00	0.00	
899	23	3100	570	HVAC Ducts and Casings	M	MJ O'Connor Mechanical	2,935.00			0.00	0%	2,935.00	0.00	
900	23	3100	570	HVAC Ducts and Casings	L	MJ O'Connor Mechanical	840.00			0.00	0%	840.00	0.00	
901	23	3300	570	Air Duct Accessories	M	MJ O'Connor Mechanical	195.00			0.00	0%	195.00	0.00	
902	23	3300	570	Air Duct Accessories	L	MJ O'Connor Mechanical	170.00			0.00	0%	170.00	0.00	
903	23	3423	570	HVAC Power Ventilators	M	MJ O'Connor Mechanical	8,190.00			0.00	0%	8,190.00	0.00	
904	23	3423	570	HVAC Power Ventilators	L	MJ O'Connor Mechanical	1,370.00			0.00	0%	1,370.00	0.00	
905	23	3700	570	Air Outlets and Inlets	M	MJ O'Connor Mechanical	1,170.00			0.00	0%	1,170.00	0.00	
906	23	3700	570	Air Outlets and Inlets	L	MJ O'Connor Mechanical	300.00			0.00	0%	300.00	0.00	
907	23	8101	570	Terminal Heat Transfer Units	M	MJ O'Connor Mechanical	22,750.00		13,944.00	13,944.00	61%	8,806.00	697.20	
908	23	8101	570	Terminal Heat Transfer Units	L	MJ O'Connor Mechanical	1,010.00	550.00	550.00	550.00	54%	460.00	27.50	
909	22	0523	570	Process Valves	M	Mellen & Associates	48,459.08		39,212.00	39,212.00	81%	9,247.08	1,960.60	
910	26	0000	570	Biosolids Pumping Building	M	CEC Electric	17,900.00			0.00	0%	17,900.00	0.00	
911	26	0000	570	Biosolids Pumping Building	L	CEC Electric	31,275.00			0.00	0%	31,275.00	0.00	
912	26	0000	570	Lighting	M	CEC Electric	7,700.00		5,570.36	5,570.36	72%	2,129.64	278.52	
913	26	0000	570	Lighting	L	CEC Electric	1,250.00			0.00	0%	1,250.00	0.00	
914	26	0000	570	Lighting Protection	M	CEC Electric	18,330.00			0.00	0%	18,330.00	0.00	
915	31	1000	570	Excavation	M	Con-Struct, Inc.	3,000.00		1,000.00	1,000.00	33%	2,000.00	50.00	
916	31	1000	570	Excavation	L	Con-Struct, Inc.	15,000.00		3,000.00	3,000.00	20%	12,000.00	150.00	
917	43	2137	570	Chopper Pumps	M	Hayward Gordon	29,700.00			0.00	0%	29,700.00	0.00	
918	43	2137	570	Chopper Pumps	L	Tobin Brothers	8,000.00			0.00	0%	8,000.00	0.00	
919	580	Biosolids Storage Tanks												
920	03	0000	580	Rebar	M/L	Ambassador Steel Fabrications	106,950.00		35,013.13	35,013.13	33%	71,936.87	1,750.66	
921	03	0000	580	Concrete	M	Central Iowa Ready Mix	68,957.85			0.00	0%	68,957.85	0.00	
922	03	0000	580	Footings/Piers	L	Williams Brothers Construction	7,951.50			0.00	0%	7,951.50	0.00	
923	03	0000	580	SOG	L	Williams Brothers Construction	165,919.00			0.00	0%	165,919.00	0.00	
924	03	0000	580	Round Piers	L	Williams Brothers Construction	773.00			0.00	0%	773.00	0.00	
925	09	0000	580	Paints and Coatings	M/L	RP Coatings	6,000.00			0.00	0%	6,000.00	0.00	
926	22	0000	580	Underslab Sludge	M	Tobin Brothers	52,500.00		13,936.00	13,936.00	27%	38,564.00	696.80	
927	22	0000	580	Underslab Sludge	L	Tobin Brothers	23,200.00			0.00	0%	23,200.00	0.00	
928	22	0000	580	Sludge Mixing	M	Tobin Brothers	155,800.00		62,057.00	62,057.00	40%	93,743.00	3,102.85	
929	22	0000	580	Sludge Mixing	L	Tobin Brothers	70,000.00			0.00	0%	70,000.00	0.00	
930	22	0000	580	Overflow & Decant	M	Tobin Brothers	44,200.00		2,816.00	2,816.00	6%	41,384.00	140.80	
931	22	0000	580	Overflow & Decant	L	Tobin Brothers	30,000.00			0.00	0%	30,000.00	0.00	
932	22	0000	580	Pump Suction	M	Tobin Brothers	5,200.00		784.00	784.00	15%	4,416.00	39.20	
933	22	0000	580	Pump Suction	L	Tobin Brothers	8,400.00			0.00	0%	8,400.00	0.00	
934	22	0000	580	Sludge Loadout Station	M	Tobin Brothers	25,000.00		42.00	42.00	0%	24,958.00	2.10	
935	22	0000	580	Sludge Loadout Station	L	Tobin Brothers	4,000.00			0.00	0%	4,000.00	0.00	
936	0000	580		Insulation	M	Tobin Brothers	21,000.00			0.00	0%	21,000.00	0.00	
937	22	0523	580	Process Valves	M	Mellen & Associates	10,494.00		10,494.00	10,494.00	100%	0.00	524.70	
938	31	1000	580	Excavation	M	Con-Struct, Inc.	170,000.00			0.00	0%	170,000.00	0.00	
939	31	1000	580	Excavation	L	Con-Struct, Inc.	150,000.00	17,000.00	17,000.00	17,000.00	11%	133,000.00	850.00	
940	33	3613	580	Bolted Steel Wastewater Storage Tank	M	Great Plains Structures	626,900.00			0.00	0%	626,900.00	0.00	
941	33	3613	580	Bolted Steel Wastewater Storage Tank/Stairways/Platform	M/L	Great Plains Structures	138,500.00			0.00	0%	138,500.00	0.00	
942	33	3613	580	Bolted Steel Wastewater Storage Tank	L	Great Plains Structures	190,600.00			0.00	0%	190,600.00	0.00	

CONTINUATION SHEET													
1													
2													
3	Spec	Build	Nevada WWTF										
4	Sec.	No.											
943	46	4121	580	Jet Mxing Equipment	M	Hayward Gordon	208,880.00						
944	46	4121	580	Jet Mxing Equipment	L	Tobin Brothers	3,500.00						
945													
946													
947													
948													
Original Contract totl							35,850,000.00	11,146,266.36	1,510,597.19	3,433,100.11	16,089,963.66		
											45%	19,760,036.35	804,498.18

CONTINUATION SHEET									
1									
2									
3	Spec	Build	Nevada WWTF						
4	Sec	No.							
949 CHANGE ORDERS									
950		CO-1							
951		CO-1		2,118.27					
952		CO-1		2,201.00					
953		CO-1		4,850.00					
954		CO-2		844.00					
955		CO-2		88,694.00					
956		CO-2		10,727.00					
957		CO-2		18,123.00					
961				(29,779.00)					
962									
963									
964									
TOTAL CHANGE ORDERS				97,778.27	73,250.08	9,296.52	3,400.00	85,946.60	
TOTAL REVISED CONTRACT AMT				35,947,778.27	11,219,516.44	1,519,893.71	3,436,500.11	16,175,910.26	45%
								11,831.67	4,297.33
								19,771,868.02	808,795.51

P. 113

P. 114



Item # 7D
Date: 9/12/22

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

September 7, 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. 7

Dear Jordan:

Attached is an electronic copy of Payment Application No. 7 from Boomerang Corp. for the Nevada WWTF Improvements – Phase 3 project. Items included in this application are summarized as follows:

- **Division 01 General Requirements:** Administration/Project Management;
- **Division 02 Existing Conditions:** Pavement/Gravel Removal;
- **Division 03 Concrete:** No work completed this period;
- **Division 04 Unit Masonry:** No work completed this period;
- **Division 05 Metals:** No work completed this period;
- **Division 06 Rough Carpentry:** No work completed this period;
- **Division 07 Thermal & Moisture:** Bentonite Waterproofing;
- **Division 08 Doors and Hardware:** No work completed this period;
- **Division 09 Finishes:** No work completed this period;
- **Division 10 Specialties:** No work completed this period;
- **Divisions 22, 23, 35 Plumbing/HVAC/Gates:** Process Piping;
- **Divisions 25, 27 Integrated Automation, Comm.:** No work completed this period;
- **Division 26 Electrical:** No work completed this period;
- **Electronic Safety and Security:** No work completed this period;
- **Division 31 Earthwork:** No work completed this period;
- **Division 32 Exterior Improvements:** No work completed this period;
- **Division 33 Utilities:** No work completed this period;
- **Division 41 Materials Processing:** No work completed this period;
- **Division 43 Process Gas, Purification:** No work completed this period;
- **Division 46 Water and Wastewater Equipment:** No work completed this period.



Revisions made to the payment application and corresponding rationale are as follows:

Item #	Description	Comment/Rationale
84	Plumbing/HVAC Materials	Associated work completed (wall pipe installation) submitted under wrong line item. Moved to "Process Piping Balance Materials".
86	Plumbing/HVAC Labor	Associated work completed (wall pipe installation) submitted under wrong line item. Moved to "Process Piping Labor" and amount adjusted to 15% percent completed of line item scheduled value.

The adjusted total for Pay Application No. 7 is \$40,873.75. As of this Pay Application, Boomerang Corp. has been paid 11.3% of the contract. As of this Pay Application, 38.1% of the time has been used. Boomerang Corp. appears to be slightly behind schedule based on work completed, time remaining, and the latest progress schedule.

We have reviewed Payment Application No. 7 and made the above adjustments. We have verified that most all certified payroll records for the corresponding pay application period are received and conforming; however Boomerang and subcontractors are delayed with a few payrolls records for this month. These should be submitted before next month's pay application and can be processed at that time. There have been no issues with certified payroll compliance to date. Therefore, we recommend payment of Payment Application No. 7 as adjusted by HR Green. 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.

Michael Roth, P.E.

Project Manager

Cc : Kerin Wright & Harold See - City (via email)
Katie Helgens, Matt Sattler, Stephanie Farmer - Boomerang Corp. (via email)

J:\2016\160473.03\Construction\Payment\Pay_Estimates\#7\ltr-090722-WWTF Impr_Phase_3-Pay_Request_7_recommendation.docx

APPLICATION AND CERTIFICATION FOR PAYMENT

TO OWNER: City of Nevada

PROJECT:

Nevada Wastewater Improvements

APPLICATION NO: 7

PERIOD TO: 8.23.22

PROJECT NOS:

FROM CONTRACTOR:
Boomerang Corp
12536 Buffalo Road
Anamosa, Iowa 52205

VIA ENGINEER:

HR Green
Michael Roth

CONTRACT DATE:

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	\$ 839,671.74
5. RETAINAGE:		
a. 5% of Work Completed (Not including water main) (Columns D + E on Continuation Sheet)		\$ 41,983.59
b. <u>5</u> % of Stored Material (Column F on Continuation Sheet)		\$ 41,983.59
Total Retainage (Line 5a + 5b) (Total in Column I on Continuation Sheet)		\$ 42,928.59
6. TOTAL EARNED LESS RETAINAGE (Line 4 less Line 5 Total)		\$ 797,688.15
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)		\$ 756,814.40
8. CURRENT PAYMENT DUE		\$ 40,873.75
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6)		\$ 6,279,311.85

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 \$ 40,873.75

(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:

By:



Date: 9/7/22

OWNER'S APPROVAL:

By:

Date:

ALL REVISED FIGURES ON THIS SHEET BY
MICHAEL ROTH, P.E., HR GREEN

CONTINUATION SHEET

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.

APPLICATION NO: 7
PERIOD TO: 8/23/2022
ENGINEER'S PROJECT NO.:

A	B	C	D		E	F		G		H		I
			Work Completed			Materials Presently Stored (not in D or E)	Total Completed & Stored to Date (D + E + F)	% (G/C)	Balance to Finish (C - G)	Retainage (if Variable Retn)		
Item No.	Description of Work	Scheduled Value	From Previous Application (D + E)	This Period								
1	Division 01 General Requirements											
	Bonds / Permits / Insurance	\$ 95,000.53	\$ 95,000.53	\$ -	\$ -	\$ -	\$ 95,000.53	100%	\$ -	\$ 4,750.03		
	Administration/Project Management	\$ 50,000.00	\$ 25,000.00	\$ 5,000.00	\$ -	\$ 30,000.00	\$ 30,000.00	60%	\$ 20,000.00	\$ 1,500.00		
	Mobilization	\$ 78,000.00	\$ 39,000.00	\$ -	\$ -	\$ 39,000.00	\$ 39,000.00	50%	\$ 39,000.00	\$ 1,950.00		
	Toilets/Dumpsters /Etc	\$ 8,000.00	\$ 3,200.00	\$ 800.00	\$ -	\$ 4,000.00	\$ 4,000.00	50%	\$ 4,000.00	\$ 200.00		
	SWPPP/Erosion Control	\$ 5,000.00	\$ 3,500.00	\$ -	\$ -	\$ 3,500.00	\$ 3,500.00	70%	\$ 1,500.00	\$ 175.00		
	Survey	\$ 10,000.00	\$ 6,500.00	\$ -	\$ -	\$ 6,500.00	\$ 6,500.00	65%	\$ 3,500.00	\$ 325.00		
	Bypass Pumping	\$ 30,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 30,000.00	\$ -		
2	Division 02 Existing Conditions											
	Pavement/Gravel Removal	\$ 6,000.00	\$ -	\$ 1,200.00	\$ -	\$ 1,200.00	\$ 1,200.00	20%	\$ 4,800.00	\$ -		
	Manhole/pipe removal	\$ 5,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 5,000.00	\$ 60.00		
	Pipe Abandonment	\$ 5,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 5,000.00	\$ -		
3	Division 3 Concrete											
	Lift Station Reinforcing Materials	\$ 320,486.00	\$ 106,391.21	\$ -	\$ -	\$ -	\$ 106,391.21	33%	\$ 214,094.79	\$ 5,319.56		
	Lift Station Reinforcing Labor	\$ 475,000.00	\$ 71,250.00	\$ -	\$ -	\$ -	\$ 71,250.00	15%	\$ 403,750.00	\$ 3,562.50		
	Lift Station Concrete Materials	\$ 235,000.00	\$ 42,300.00	\$ -	\$ -	\$ -	\$ 42,300.00	18%	\$ 192,700.00	\$ 2,115.00		
	Lift Station Concrete Labor	\$ 687,000.00	\$ 123,700.00	\$ -	\$ -	\$ -	\$ 123,700.00	18%	\$ 563,300.00	\$ 6,185.00		
	Bypass Structure Reinforcing Materials	\$ 6,500.00	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 6,500.00	\$ -		
	Bypass Structure Reinforcing Labor	\$ 9,500.00	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 9,500.00	\$ -		
	Bypass Structure Concrete Materials	\$ 8,500.00	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 8,500.00	\$ -		
	Bypass Concrete Labor	\$ 20,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 20,000.00	\$ -		
	Generator Pad/Bolards/Miscellaneous	\$ 20,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 20,000.00	\$ -		
	Hollow Core Roof Planks/ Precast Slabs Labor and Materials	\$ 105,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 105,000.00	\$ -		
	Hollow Core Planks/ Slabs Submittal Drawings	\$ 10,000.00	\$ 10,000.00	\$ -	\$ -	\$ -	\$ 10,000.00	100%	\$ -	\$ 500.00		
4	Division 4 Unit Masonry											
	Submittals	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ -	\$ -		
	CMU Labor and Materials	\$ 1,500.00	\$ 1,500.00	\$ -	\$ -	\$ -	\$ 1,500.00	100%	\$ -	\$ 75.00		
	Brick Labor and Materials	\$ 125,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 125,000.00	\$ -		
	Brick Labor and Materials	\$ 95,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 95,000.00	\$ -		
5	Division 5 Metals											
	Submittals	\$ 2,000.00	\$ 2,000.00	\$ -	\$ -	\$ -	\$ 2,000.00	100%	\$ -	\$ 100.00		
	Embeds/ Linets Labor and Materials	\$ 45,000.00	\$ 22,500.00	\$ -	\$ -	\$ -	\$ 22,500.00	50%	\$ 22,500.00	\$ 1,125.00		
	Ladder/Gating/Stairs and Handrail Materials	\$ 95,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 95,000.00	\$ -		
	Ladder/Gating/Stairs and Handrail Labor	\$ 15,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 15,000.00	\$ -		
6	Division 6 Rough Carpentry											
	Roof Nailer Labor and Material	\$ 9,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 9,000.00	\$ -		
	Masonry Bucks at openings Labor and Materials	\$ 6,500.00	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 6,500.00	\$ -		
	Mounting Boards, Miscellaneous Nailers Labor and Materials	\$ 2,500.00	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 2,500.00	\$ -		
7	Division 7 Thermal and Moisture											
	Bentonite Waterproofing Materials	\$ 25,000.00	\$ -	\$ 12,000.00	\$ -	\$ 12,000.00	\$ 12,000.00	48%	\$ 13,000.00	\$ 600.00		
	Bentonite Waterproofing Labor	\$ 32,500.00	\$ 4,875.00	\$ 4,425.00	\$ -	\$ 9,300.00	\$ 9,300.00	29%	\$ 23,200.00	\$ 465.00		
	Cavity Wall Insulation at Masonry Labor and Materials	\$ 30,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 30,000.00	\$ -		
	Perimeter Foundation Wall Insulation Labor and Materials	\$ 25,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	0%	\$ 25,000.00	\$ -		

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PERIOD TO: 8/23/2022
ENGINEER'S PROJECT NO.:

A Item No.	B Description of Work	C Scheduled Value	D Work Completed		F Materials Presently 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)
			From Previous Application (D + E)	This Period				
8	Division 8 Doors and Hardware							
	ALL door and Hardware Submittals	\$ 5,000.00	\$ 5,000.00	-	-	\$ 5,000.00	\$ -	\$ 250.00
	Aluminum Doors Frames Materials	\$ 20,000.00	-	-	-	\$ -	\$ 20,000.00	-
	Aluminum Doors Frames Labor	\$ 13,500.00	-	-	-	\$ -	\$ 13,500.00	-
	Hardware Materials	\$ 10,000.00	\$ 300.00	-	-	\$ 300.00	\$ 9,700.00	\$ 15.00
	FRP Doors and Frames Materials	\$ 12,500.00	-	-	-	\$ -	\$ 12,500.00	-
	Floor Hatches Labor and Materials	\$ 8,000.00	-	-	-	\$ -	\$ 8,000.00	-
	Overhead Coiling Doors Materials	\$ 50,000.00	-	-	-	\$ -	\$ 50,000.00	-
	Translucent Roof Assemblies Labor/ Shipping	\$ 11,000.00	-	-	-	\$ -	\$ 11,000.00	-
	Translucent Roof Assemblies Labor	\$ 3,000.00	-	-	-	\$ -	\$ 3,000.00	-
9	Division 9 Finishes							
	Painting Labor and Materials	\$ 43,000.00	-	-	-	\$ -	\$ 43,000.00	-
	Corrosion Protective Liner Materials	\$ 130,000.00	-	-	-	\$ -	\$ 130,000.00	-
10	Division 10 Specialties							
	Signage Labor and Materials	\$ 900.00	-	-	-	\$ -	\$ 900.00	-
	Toilet Accessories Labor and Materials	\$ 800.00	-	-	-	\$ -	\$ 800.00	-
22	Division 22.23.35 Plumbing/HVAC/Gates							
	Hydropneumatic Surge Tanks Materials Down Payment	\$ 32,000.00	-	-	-	\$ -	\$ 32,000.00	-
	Hydropneumatic Surge Tanks Materials - Balance	\$ 288,000.00	-	-	-	\$ -	\$ 288,000.00	-
	Hydropneumatic Surge Tank Labor	\$ 13,500.00	-	-	-	\$ -	\$ 13,500.00	-
	Process Valves/ Gates Materials	\$ 243,000.00	-	-	-	\$ -	\$ 243,000.00	-
	Process Valves/ Gates Labor	\$ 25,500.00	-	-	-	\$ -	\$ 25,500.00	-
	Plumbing/ HVAC Materials	\$ 260,834.00	-	-	-	\$ -	\$ 260,834.00	-
	Electric Mini Split Materials	\$ 25,066.00	-	-	-	\$ -	\$ 25,066.00	-
	Plumbing HVAC Labor	\$ 187,000.00	-	-	-	\$ -	\$ 187,000.00	-
	Process Piping Materials Down Payment	\$ 19,350.00	-	-	-	\$ -	\$ 19,350.00	-
25	Division 25.27 Integrated Automation, Comm.							
	Jetco Submittals	\$ 30,000.00	-	-	-	\$ -	\$ 30,000.00	-
	Jetco Production Labor and Materials	\$ 320,000.00	-	-	-	\$ -	\$ 320,000.00	-
	Final Checks Start up	\$ 30,000.00	-	-	-	\$ -	\$ 30,000.00	-

ALL REVISED FIGURES ON THIS SHEET BY
MICHAEL ROTH, P.E., HR GREEN

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Item No.	Description of Work	Scheduled Value	Work Completed		Materials Presently Stored (not in D or E)	Total Completed & Stored to Date (D + E + F)	% (G/C)	Balance to Finish (C - G)		Retainage (if Variable Rate)		
			From Previous Application (D + E)	This Period								
26	Division 26 Electrical											
	Demo	1,700.00	\$	-	\$	-	0%	\$	1,700.00	\$	-	
	Underground Labor	40,000.00	\$	-	\$	-	0%	\$	40,000.00	\$	-	
	Branch Conduit Materials	41,000.00	\$	-	\$	-	0%	\$	41,000.00	\$	-	
	Branch Conduit Labor	50,000.00	\$	-	\$	-	0%	\$	50,000.00	\$	-	
	Branch Conduit Materials	30,000.00	\$	-	\$	-	0%	\$	30,000.00	\$	-	
	Feeder Conduit Labor	28,000.00	\$	-	\$	-	0%	\$	28,000.00	\$	-	
	Feeder Conduit Materials	35,000.00	\$	-	\$	-	0%	\$	35,000.00	\$	-	
	Branch Wire Labor	13,000.00	\$	-	\$	-	0%	\$	13,000.00	\$	-	
	Branch Wire Materials	13,000.00	\$	-	\$	-	0%	\$	13,000.00	\$	-	
	Feeder Wire Labor	16,000.00	\$	-	\$	-	0%	\$	16,000.00	\$	-	
	Feeder Wire Materials	42,000.00	\$	-	\$	-	0%	\$	42,000.00	\$	-	
	Electrical Gear Labor	11,000.00	\$	-	\$	-	0%	\$	11,000.00	\$	-	
	Electrical Gear Materials	33,500.00	\$	-	\$	-	0%	\$	33,500.00	\$	-	
	Lighting Protection Labor and Materials	8,500.00	\$	-	\$	-	0%	\$	8,500.00	\$	-	
	Lighting Labor	11,000.00	\$	-	\$	-	0%	\$	11,000.00	\$	-	
	Lighting Materials	33,000.00	\$	-	\$	-	0%	\$	33,000.00	\$	-	
	Devices Labor	4,000.00	\$	-	\$	-	0%	\$	4,000.00	\$	-	
	Devices Materials	17,000.00	\$	-	\$	-	0%	\$	17,000.00	\$	-	
	Generator Labor	6,000.00	\$	-	\$	-	0%	\$	6,000.00	\$	-	
	Controls Labor	25,000.00	\$	-	\$	-	0%	\$	25,000.00	\$	-	
	Submittals/CAD Design	36,000.00	\$	30,000.00	\$	-	83%	\$	6,000.00	\$	1,500.00	
	Cummins Generator/Transfer Switch Materials	137,600.00	\$	-	\$	-	0%	\$	137,600.00	\$	-	
	28	Electronic Safety and Security										
		Security Cameras Down Payment	5,595.46	\$	-	\$	-	0%	\$	5,595.46	\$	-
		Security Camera Labor and Materials Balance	5,035.01	\$	-	\$	-	0%	\$	5,035.01	\$	-
	31	Division 31 Earthwork										
		Lay down /storage areas	25,000.00	\$	25,000.00	\$	-	100%	\$	-	\$	1,250.00
Strip/ Respread topsoil		6,000.00	\$	3,000.00	\$	-	50%	\$	3,000.00	\$	150.00	
Mass Excavation		85,000.00	\$	80,950.00	\$	-	95%	\$	4,050.00	\$	4,047.50	
Dewatering		50,000.00	\$	27,500.00	\$	-	55%	\$	22,500.00	\$	1,375.00	
Backfill Structures		20,000.00	\$	-	\$	-	0%	\$	20,000.00	\$	-	
Final Grade		5,000.00	\$	-	\$	-	0%	\$	5,000.00	\$	-	
32	Division 32 Exterior Improvements											
	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	\$	4,500.00	\$	-	100%	\$	-	\$	225.00	
	Granular Surfacing	3,500.00	\$	-	\$	-	0%	\$	3,500.00	\$	-	
	Chain Link Fence and Gates	27,000.00	\$	-	\$	-	0%	\$	27,000.00	\$	-	
	Bolted Covers	1,500.00	\$	-	\$	-	0%	\$	1,500.00	\$	-	
	Seeding	6,000.00	\$	-	\$	-	0%	\$	6,000.00	\$	-	
33	Division 33 Utilities											
	Distraction of Watermain	1,500.00	\$	-	\$	-	0%	\$	1,500.00	\$	-	
	Videotaping of Sanitary Sewer	500.00	\$	-	\$	-	0%	\$	500.00	\$	-	
	Precast Manholes Materials with Liner Materials	65,000.00	\$	-	\$	-	0%	\$	65,000.00	\$	-	
	Precast Manholes Labor	30,000.00	\$	-	\$	-	0%	\$	30,000.00	\$	-	
	Tapping Sleeve Labor and Materials	6,000.00	\$	-	\$	-	0%	\$	6,000.00	\$	-	

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			From Previous Application (D + E)	This Period						
41	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	\$ -	-
	Sanitary Piping Labor	\$ 25,000.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 25,000.00	\$ -	-
	Sanitary Sewer/Manhole Testing	\$ 1,200.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 1,200.00	\$ -	-
	Subdrain Labor and Materials	\$ 4,500.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 4,500.00	\$ -	-
	Storm sewer Materials	\$ 15,000.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 15,000.00	\$ -	-
	Storm sewer Labor	\$ 12,000.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 12,000.00	\$ -	-
	Division 41 Materials Processing									
Monorail Beam	\$ 7,000.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 7,000.00	\$ -	-	
Monorail Host Labor and Materials	\$ 8,000.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 8,000.00	\$ -	-	
43	Division 43 Process Gas , Purification									
	Cornell Pumps Materials	\$ 270,000.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 270,000.00	\$ -	-
	Cornell Pumps Submittals	\$ 5,000.00	\$ 5,000.00	\$ -	\$ -	\$ 5,000.00	100%	\$ -	\$ -	250.00
	Cornell Pumps Install	\$ 7,000.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 7,000.00	\$ -	-
	Submersible Sump Pumps Materials	\$ 10,000.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 10,000.00	\$ -	-
46	Submersible Sump Pumps Labor	\$ 2,500.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 2,500.00	\$ -	-
	Division 46 Water and Wastewater Equipment									
	Vulcan Bar Screens Materials	\$ 412,083.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 412,083.00	\$ -	-
	Vulcan Labor to Install	\$ 12,000.00	\$ -	\$ -	\$ -	\$ -	0%	\$ 12,000.00	\$ -	-
		\$7,077,000.00	\$786,646.74	-	\$ -	\$856,971.74				
				-307,920.00	30,000	356,971.74		307,920.00	342,920.59	
				43,025.00		839,671.74		6,237,328.26	41,983.59	

ALL REVISED FIGURES ON THIS SHEET BY
MICHAEL ROTH, P.E., HR GREEN



Item # 7E
Date: 9/12/22

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

September 6, 2022

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

Re: Nevada WWTF Improvements – Phase 4: Recommendation on Contractor's Application for Payment No. 1

Dear Jordan:

Attached is an electronic copy of Payment Application No. 1 from OnTrack Construction, LLC for the Nevada WWTF Improvements – Phase 4 project. Items included in this application are summarized as follows:

- **Division 01 – General requirements:** Payment requested for mobilization (including bonds and insurance) and for construction survey.
- **Division 02 – Earthwork:** Payment requested for Topsoil stripping
- **Division 04 – Sewers and Drains:** Payment requested for materials stored on-site. Note: HRG found a typo in the quantity of 30" casing pipe listed under invoice P0094470 in the stored materials summary tab. HRG has corrected the quantity and initialed the correction. The requested payment was correct.
- **Division 09 – Sitework and Landscaping:** Payment requested for SWPPP management and silt fence installation.

The total for Pay Application No. 1 is \$998,897.20. As of this Pay Application, OnTrack Construction, LLC has been paid 13.5% of the contract. The total work completed and stored to date is 14.2% of the total contract which breaks down to work completed of 1.1% with the remainder in stored materials. As of this Pay Application, 23.4% of the time has been used. OnTrack Construction, LLC. appears to be on schedule based on work completed and time remaining according to their pre-construction meeting schedule.

Note: HRG found a typo in the balance to finish cost listed in the pay application resulting in an incorrect balance shown. This typo has been revised and initialed.

We have reviewed Payment Application No. 1 and find the requested items acceptable. We have verified that most all certified payroll records for the corresponding pay application period are received and conforming; however OnTrack's subcontractors are delayed with a few payrolls records for this month. These should be submitted before next month's pay application and can be processed at that time. Therefore, we recommend full payment of Payment Application No. 1 as submitted by OnTrack Construction, LLC. Please execute the pay application and distribute copies to all parties.



► Mr. Jordan Cook
Page 2 of 2
September 6, 2022

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)
Harold See, WWTF Superintendant (via email)
Matt Runge, OnTrack Construction, LLC (via email)

J:\2016\160473.04\Construction\Payment\Pay_Estimates\#1\ltr-082522-WWTF Impr_Phase_4-Pay_Request_1_recommendation.docx

Contractor's Application for Payment

Owner: <u>City of Nevada</u> Engineer: <u>HR Green</u> Contractor: <u>On Track Construction</u> Project: <u>Nevada WWTF Improvements - Phase 4</u> Contract: <u>Forcemain, Gravity Sewer & Fiber Installation</u>	Owner's Project No.: _____ Engineer's Project No.: <u>160473</u> Contractor's Project No.: <u>2217NV</u>																								
Application No.: <u>1</u> Application Date: <u>8/25/2022</u> Application Period: From <u>8/1/2022</u> to <u>8/25/2022</u>																									
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">1. Original Contract Price</td> <td style="width: 30%; text-align: right;">\$ 7,414,414.00</td> </tr> <tr> <td>2. Net change by Change Orders</td> <td style="text-align: right;">\$ -</td> </tr> <tr> <td>3. Current Contract Price (Line 1 + Line 2)</td> <td style="text-align: right;">\$ 7,414,414.00</td> </tr> <tr> <td>4. Total Work completed and materials stored to date (Sum of Column G Lump Sum Total and Column J Unit Price Total)</td> <td style="text-align: right;">\$ 1,051,470.74</td> </tr> <tr> <td>5. Retainage</td> <td></td> </tr> <tr> <td> a. 5% X \$ 82,282.50 Work Completed - Stored</td> <td style="text-align: right;">\$ 4,114.13</td> </tr> <tr> <td> b. 5% X \$ 969,188.24 Stored Materials</td> <td style="text-align: right;">\$ 48,459.41</td> </tr> <tr> <td> c. Total Retainage (Line 5.a + Line 5.b)</td> <td style="text-align: right;">\$ 52,573.54</td> </tr> <tr> <td>6. Amount eligible to date (Line 4 - Line 5.c)</td> <td style="text-align: right;">\$ 998,897.20</td> </tr> <tr> <td>7. Less previous payments (Line 6 from prior application)</td> <td></td> </tr> <tr> <td>8. Amount due this application Line 6 WHR</td> <td style="text-align: right;">\$ 998,897.20</td> </tr> <tr> <td>9. Balance to finish, including retainage (Line 3 - Line 4)</td> <td style="text-align: right;">\$ 6,362,943.26 6,415,516.80</td> </tr> </table>		1. Original Contract Price	\$ 7,414,414.00	2. Net change by Change Orders	\$ -	3. Current Contract Price (Line 1 + Line 2)	\$ 7,414,414.00	4. Total Work completed and materials stored to date (Sum of Column G Lump Sum Total and Column J Unit Price Total)	\$ 1,051,470.74	5. Retainage		a. 5% X \$ 82,282.50 Work Completed - Stored	\$ 4,114.13	b. 5% X \$ 969,188.24 Stored Materials	\$ 48,459.41	c. Total Retainage (Line 5.a + Line 5.b)	\$ 52,573.54	6. Amount eligible to date (Line 4 - Line 5.c)	\$ 998,897.20	7. Less previous payments (Line 6 from prior application)		8. Amount due this application Line 6 WHR	\$ 998,897.20	9. Balance to finish, including retainage (Line 3 - Line 4)	\$ 6,362,943.26 6,415,516.80
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c. Total Retainage (Line 5.a + Line 5.b)	\$ 52,573.54																								
6. Amount eligible to date (Line 4 - Line 5.c)	\$ 998,897.20																								
7. Less previous payments (Line 6 from prior application)																									
8. Amount due this application Line 6 WHR	\$ 998,897.20																								
9. Balance to finish, including retainage (Line 3 - Line 4)	\$ 6,362,943.26 6,415,516.80																								
Contractor's Certification The undersigned Contractor certifies, to the best of its knowledge, the following: (1) All previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment; (2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment free and clear of all liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner indemnifying Owner against any such liens, security interest, or encumbrances); and (3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.																									
Contractor: <u>On Track Construction</u> Signature: <u>[Signature]</u> Date: <u>8-31-22</u>																									
Recommended by Engineer By: <u>[Signature]</u> Title: <u>Project Manager</u> Date: <u>9/6/22</u>	Approved by Owner By: _____ Title: _____ Date: _____																								
Approved by Funding Agency By: _____ Title: _____ Date: _____																									

Progress Estimate - Unit Price Work

Owner:	City of Nevada	Contractor's Application for Payment
Engineer:	HR Green	Owner's Project No.:
Contractor:	On Track Construction	Engineer's Project No.: 160473
Project:	Nevada WWTF Improvements - Phase 4	Contractor's Project No.: 2217NV
Contract:	Forcemain, Gravity Sewer & Fiber Installation	

Application No.:		1		Application Period:		From		08/01/22		to		08/25/22		Application Date:		08/25/22				
A		B		C		D		E		F		G		H		I				
Contract Information		Item Quantity		Units		Unit Price (\$)		Value of Bid Item (C X E) (\$)		Estimated Quantity Incorporated in the Work		Value of Work Completed to Date (E X G) (\$)		Materials Currently Stored (not in G) (\$)		Work Completed and Materials Stored to Date (H + I) (\$)				
Bid Item No.		Description														Balance to Finish (F - J) (\$)				
1	MOBILIZATION	1	LS	Original Contract														63,750.00	25%	191,250.00
2	CONSTRUCTION SURVEY	1	LS															1,775.00	10%	15,975.00
3	CLEARING AND GRUBBING	10	AC															-	0%	15,150.00
4	TOP SOIL, ONSITE	54000	CY															8,800.00	4%	207,200.00
5	SUBGRADE PREPARATION	187	SY															-	0%	1,683.00
6	SUBBASE, MODIFIED, 6"	227	TN															-	0%	10,442.00
7	ROCK REMOVAL	10	CY															-	0%	4,350.00
8	TRENCH FOUNDATION	10	TN															-	0%	690.00
9	CONCRETE ENCASEMENT	10	LF															-	0%	5,500.00
10	SAN SEWER, GRAVITY MAIN, PVC, TRENCHED, 6"	10	LF															-	0%	3,000.00
11	SAN SEWER, GRAVITY MAIN, PVC, TRENCHED, 8"	10	LF															-	0%	3,000.00
12	SAN SEWER, GRAVITY MAIN, PVC, TRENCHED, 15", NORM BRY	381	LF															-	0%	49,530.00
13	SAN SEWER, GRAVITY MAIN, PVC, TRENCHED, 15" DEEP BRY	1092	LF															8,393.00	17%	41,137.00
14	TRUNK SEWER, GRAVITY MAIN, TRNCHED, 30"	14824	LF															23,015.24	9%	239,064.76
15	TRUNK SEWER, GRAVITY MAIN, PVC, TRNCHED, 30"	30	LF															-	0%	2,505,256.00
16	SAN OUTFALL SEWER, DIP, TRENCHED, 24"	20	LF															-	0%	14,100.00
17	SAN SEWER, FRC MN, AND GRAVITY SWR, RJ, PVC, 14"	1906	LF															-	0%	10,900.00
18	SAN SEWER, FRC MN, TRENCHLESS, RJ, PVC, 14"	6670	LF															165,330.00	59%	114,852.00
19	SAN SEWER, FRC MN, TRENCHLESS, RJ, PVC, 14", CAS	1770	LF															470,940.00	41%	676,300.00
20	REMOVAL OF SAN SEWER, DIP, 6"	10	LF															301,510.00	30%	707,390.00
21	REMOVAL OF SAN SEWER, VCP, 8"	60	LF															-	0%	1,150.00
22	REMOVAL OF SAN SEWER, VCP, 10"	10	LF															-	0%	2,400.00
23	REMOVAL OF SAN SEWER, VCP, 15"	303	LF															-	0%	400.00
24	REMOVAL OF SAN SEWER OUTFALL, 24" DIP	20	LF															-	0%	12,120.00
25	SAN SEWER ABANDON, FILL, 8" VCP	2075	LF															-	0%	3,500.00
26	STORM SEWER TRENCHED, 12" RCP	20	LF															-	0%	31,125.00
27	REMOVAL OF STORM SEWER, RCP, 12"	20	LF															-	0%	3,100.00
28	14" DI 11.25 BEND, RJ, MI, BEND	4	EA															-	0%	1,200.00
29	14" DI 22 BEND, RJ, MI, BEND	4	EA															-	0%	17,100.00
30	14" DI 45 BEND, RJ, MI, BEND	12	EA															-	0%	17,100.00
31	SAN SEWER MANHOLE, SW-301, 48"	2	EA															-	0%	51,300.00
32	SAN SEWER MANHOLE, SW-301, 48" > 20' HEIGHT	4	EA															-	0%	29,000.00
33	SAN SEWER MANHOLE, SW-303, 48" MODIFIED	1	EA															-	0%	66,000.00
34	SAN SEWER MANHOLE, SW-301, 60" MODIFIED	21	EA															-	0%	28,500.00
35	SAN SEWER MANHOLE, SW-301, 72" MODIFIED	2	EA															-	0%	304,500.00
36	STILLING STRUCTURE	1	EA															-	0%	36,500.00
37	REMOVE MANHOLE	1	EA															247,769.00	0%	247,769.00
38	REMOVE MANHOLE, PARTIAL	2	EA															1,200.00	0%	2,400.00
39	EXTERNAL DROP CONNECTION	6	EA															39,000.00	0%	39,000.00
40	CLASS A ROAD SURFACING	2	EA															45,000.00	0%	45,000.00
		113	TN															63.00	0%	7,119.00

Unit Price

Progress Estimate - Unit Price Work

Owner:	City of Nevada	Contractor's Application for Payment
Engineer:	HR Green	Owner's Project No.:
Contractor:	On Track Construction	Engineer's Project No.: 160473
Project:	Nevada WWTF Improvements - Phase 4	Contractor's Project No.: 2217NV
Contract:	Forcemain, Gravity Sewer & Fiber Installation	

Application No.: 1													Application Period:			08/25/22			08/25/22			Application Date:			08/25/22		
A		B		C		D		E		F		G		H		I		J		K		L					
Bid Item No.		Description		Contract Information		Contract Information		Contract Information		Contract Information		Contract Information		Contract Information		Contract Information		Contract Information		Contract Information		Contract Information					
				Item Quantity	Units	Unit Price (\$)	Value of Bid Item (C X E) (\$)	Work Completed		Materials Currently Stored (not in G) (\$)	Work Completed and Materials Stored to Date (H + I) (\$)	% of Value of Item (J / F) (%)	Balance to Finish (F - J) (\$)														
								Estimated Quantity Incorporated in the Work	Value of Work Completed to Date (E X G) (\$)																		
41		2	EA	9,550.00	19,100.00	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-				
42		1	AC	5,800.00	5,800.00	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-				
43		10	AC	5,555.00	55,550.00	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-				
44		2	AC	4,050.00	8,100.00	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-				
45		1	LS	7,575.00	7,575.00	0.10	757.50	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-				
46		15000	LF	2.80	42,000.00	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-				
47		15000	LF	1.80	27,000.00	4,000.00	7,200.00	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-				
48		8	EA	3,900.00	31,200.00	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-				
49		645	LF	35.00	22,575.00	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-				
50		500	LF	56.00	28,000.00	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-				
51		800	LF	7.00	5,600.00	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-				
52		1	EA	2,525.00	2,525.00	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-				
53		7	EA	3,750.00	26,250.00	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-				
54		300	LF	65.00	19,500.00	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-				
55		1	EA	41,500.00	41,500.00	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-				
56		1	EA	49,000.00	49,000.00	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-				
57		1	EA	44,500.00	44,500.00	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-				
58		1	LS	500.00	500.00	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-				
59		14	EA	1,850.00	25,900.00	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-				
60		4673	LF	14.00	65,422.00	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-				
61		7202	LF	3.50	25,207.00	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-				
62		17668	LF	5.50	97,174.00	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-				
63		8	EA	550.00	4,400.00	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-				
64		2	EA	500.00	1,000.00	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-				
65		1	EA	2,000.00	2,000.00	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-				
Original Contract Totals					\$	7,414,414.00	\$	82,282.50	\$	969,188.24	\$	1,051,470.74	\$	14%	\$	6,362,943.26											

Contractor's Application for Payment

Application No.: 1 Application Period: From 08/01/22 to 08/25/22 Application Date: 08/25/22

Original Contract and Change Orders				
Project Totals	\$	7,414,414.00	\$	82,282.50
			\$	969,188.24
			\$	1,051,470.74
			10%	\$ 6,367,943.26

Contractor's Application for Payment

Application No.:		1		Application Period: From 08/01/22 to 08/25/22		Application Date: 08/25/22
A	B	C	D	E	F	G

Stored Materials

Kerin Wright

Item # 7F
Date: 9/12/22

From: Jeff Harris <jharris@rmharchitects.com>
Sent: Tuesday, September 6, 2022 4:19 PM
To: Kerin Wright; Tim Hansen; Jordan Cook
Cc: Julie Fitzgerald
Subject: Fieldhouse Pay App #3
Attachments: Application 3 RMH APPROVED.pdf

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

All,

Attached is Payment Application #3 from the Fieldhouse project from HPC. I have reviewed the application and the work in place and recommend payment.

The majority of the application is for stored mechanical materials.

The last page of the document includes the partial lien waiver for application #2.

Let me know if you have any questions.

Thanks,

Jeff Harris AIA

RMH Architects
1615 Golden Aspen Drive, Suite 110
Ames, IA 50010



515 292 6075 Office
515 292 6370 Fax
515 290 9629 Mobile
www.rmharchitects.com

APPLICATION AND CERTIFICATE FOR PAYMENT

PAGE ONE OF 8 PAGES

TO OWNER:
City of Nevada
1209 6th Street
Nevada, IA 50201

FROM CONTRACTOR:
HPC LLC
Box 429
Ames, IA 50010

PROJECT:
NEVADA FIELD HOUSE 2022

VIA ARCHITECT:
Roseland, Mackey, Harris Architects, PC
1615 Golden Aspen Drive, Suite 110
Ames, IA 50010

APPLICATION #: 3
PERIOD TO: 08/31/22
PROJECT NOS:

Distribution to:
Owner ☐
Const. Mgr ☐
Architect ☒
Contractor ☐

CONTRACT DATE: 04/01/22

CONTRACT FOR: General Contractor - Prime

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-----	\$	7,387,000.00
2. Net change by Change Orders-----	\$	
3. CONTRACT SUM TO DATE (Line 1 +/- 2)	\$	7,387,000.00
4. TOTAL COMPLETED & STORED TO DATE-\$ (Column G on Continuation Sheet)	\$	414,896.00
5. RETAINAGE:		
a. 5.0% of Completed Work (Columns D+E on Continuation Sheet)	\$	13,530.25
b. 5.0% of Stored Material (Column F on Continuation Sheet)	\$	7,214.55
Total Retainage (Line 5a + 5b or Total in Column 1 of Continuation Sheet)	\$	20,744.80
6. TOTAL EARNED LESS RETAINAGE----- (Line 4 less Line 5 Total)	\$	394,151.20
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)	\$	261,155.00
8. CURRENT PAYMENT DUE-----	\$	132,996.20
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6)	\$	6,992,848.80

CONTRACTOR:

By:  Date: Sept. 2, 2022

State of: Iowa

County of: Story

Subscribed and sworn to before
me this 2nd day of September, 2022

Notary Public:  My Commission expires: 07/02/23

JULIE A FITZGERALD

Commission Number 784873

My Commission Expires 7/2/23

CERTIFICATE FOR PAYMENT

In accordance with Contract Documents, based on on-site observations and the data comprising application, the Architect certifies to the Owner that to the best of the Architect'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 \$ 132,996.20

(Attach 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.)

ARCHITECT: RMH Architects

By:  Date: 9/6/22

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner of Contractor under this Contract.

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner		
Total approved this Month		
TOTALS		
NET CHANGES by Change Order		

CONTINUATION SHEET

ATTACHMENT TO PAY APPLICATION

PROJECT:

NEVADA FIELD HOUSE 2022

Page 2 of 8 Pages

APPLICATION NUMBER: 3

APPLICATION DATE: 08/31/22

PERIOD TO: 31-Aug-22

OWNER'S PROJECT NO:

A Item No.	B Description of Work	CAT	C Scheduled Value	D Work Completed		F Materials Presently Stored (Not In D or E)	G		H Balance To Finish (C - G)	I Retainage
				From Previous Application (D + E)	This Period		Total Completed And Stored To Date (D + E + F)	% (G/C)		
1	001100 - BONDS AND INSURANCE	LM	\$ 90,800	\$ 90,800			\$ 90,800	100%	\$ -	\$ 4,540
2	011000 - GENERAL REQUIREMENTS	LM	\$ 107,300	\$ 12,865	\$ 3,500		\$ 16,365	15%	\$ 90,935	\$ 818
3	015200 - CONSTRUCTION FACILITIES	L	\$ 144,800	\$ 7,240	\$ 5,600		\$ 12,840	9%	\$ 131,960	\$ 642
4	030516 - UNDERSLAB VAPOR BARRIER	L	\$ 3,700						\$ 3,700	\$ -
5	030516 - UNDERSLAB VAPOR BARRIER	M	\$ 12,300						\$ 12,300	\$ -
6	033000 - CAST-IN-PLACE - FOUNDATIONS	L	\$ 103,300						\$ 103,300	\$ -
7	033000 - CAST-IN-PLACE - FOUNDATIONS	M	\$ 139,800						\$ 139,800	\$ -
8	033000 - CAST-IN-PLACE - SLAB ON GRADE	L	\$ 64,700						\$ 64,700	\$ -
9	033000 - CAST-IN-PLACE - SLAB ON GRADE	M	\$ 229,100						\$ 188,143	\$ 2,048
10	034113 - PRECAST CONCRETE HOLLOW CORE	L	\$ 65,100			\$ 40,957	\$ 40,957	18%	\$ 65,100	\$ -
11	034113 - PRECAST CONCRETE HOLLOW CORE	M	\$ 99,500						\$ 99,500	\$ -
12	042000 - UNIT MASONRY	L	\$ 108,000						\$ 108,000	\$ -
13	042000 - UNIT MASONRY	M	\$ 28,700						\$ 28,700	\$ -
14	042613 - MASONRY VENEER	L	\$ 22,300						\$ 22,300	\$ -
15	042613 - MASONRY VENEER	M	\$ 9,700						\$ 9,700	\$ -
16	051200 - STRUCT STEEL, METAL FAB & STAIR	L	\$ 177,700						\$ 177,700	\$ -
17	051200 - STRUCT STEEL, METAL FAB & STAIR	M	\$ 351,100						\$ 351,100	\$ -
18	053100 - STEEL DECKING	L	\$ 13,500						\$ 13,500	\$ -
19	053100 - STEEL DECKING	M	\$ 50,500						\$ 50,500	\$ -
20	054000 - COLD-FORMED METAL FRAMING	L	\$ 101,700						\$ 101,700	\$ -
21	054000 - COLD-FORMED METAL FRAMING	M	\$ 80,000						\$ 80,000	\$ -
22	061000 - ROUGH CARPENTRY	L	\$ 9,600						\$ 9,600	\$ -
23	061000 - ROUGH CARPENTRY	M	\$ 8,200						\$ 8,200	\$ -
24	062000 - FINISH CARPENTRY	L	\$ 18,900						\$ 18,900	\$ -
25	062000 - FINISH CARPENTRY	M	\$ 6,400						\$ 6,400	\$ -
SUBTOTALS PAGE 2			\$ 2,046,700	\$ 110,905	\$ 9,100	\$ 40,957	\$ 160,962	8%	\$ 1,885,738	\$ 8,048

CONTINUATION SHEET

ATTACHMENT TO PAY APPLICATION

PROJECT:

NEVADA FIELD HOUSE 2022

Page 3 of 8 Pages

APPLICATION NUMBER: 3

APPLICATION DATE: 08/31/22

PERIOD TO: 31-Aug-22

ARCHITECT'S PROJECT NO:

A Item No.	B Description of Work	CAT	C Scheduled Value	D		F Materials Presently Stored (Not In D or E)	G Total Completed And Stored To Date (D + E + F)	H Balance To Finish (C - G)	I Retainage
				Work Completed From Previous Application (D + E)	Work Completed This Period				
26	064100 - ARCHITECTURAL WOOD CASEWORK	L	\$ 9,500				\$ -	\$ 9,500	\$ -
27	064100 - ARCHITECTURAL WOOD CASEWORK	M	\$ 29,300				\$ -	\$ 29,300	\$ -
28	072100 - THERMAL INSULATION	L	\$ 3,700				\$ -	\$ 3,700	\$ -
29	072100 - THERMAL INSULATION	M	\$ 2,000				\$ -	\$ 2,000	\$ -
30	072119 - FOAMED-IN-PLACE INSULATION	LM	\$ 6,200				\$ -	\$ 6,200	\$ -
31	074213 - METAL WALL PANELS	L	\$ 228,400				\$ -	\$ 228,400	\$ -
32	074213 - METAL WALL PANELS	M	\$ 395,100				\$ -	\$ 395,100	\$ -
33	075323 - EPDM THERMOSET SINGLE-PLY ROOF	L	\$ 3,100				\$ -	\$ 3,100	\$ -
34	075323 - EPDM THERMOSET SINGLE-PLY ROOF	M	\$ 2,500				\$ -	\$ 2,500	\$ -
35	076200 - SHEET METAL FLASHING AND TRIM	L	\$ 8,200				\$ -	\$ 8,200	\$ -
36	076200 - SHEET METAL FLASHING AND TRIM	M	\$ 10,000				\$ -	\$ 10,000	\$ -
37	079200 - JOINT SEALANTS	L	\$ 5,100				\$ -	\$ 5,100	\$ -
38	079200 - JOINT SEALANTS	M	\$ 3,300				\$ -	\$ 3,300	\$ -
39	079513 - EXPANSION JOINT COVER	L	\$ 600				\$ -	\$ 600	\$ -
40	079513 - EXPANSION JOINT COVER	M	\$ 2,000				\$ -	\$ 2,000	\$ -
41	081113 - HOLLOW METAL DOORS AND FRAMES	L	\$ 5,700				\$ -	\$ 5,700	\$ -
42	081113 - HOLLOW METAL DOORS AND FRAMES	M	\$ 25,200				\$ -	\$ 25,200	\$ -
43	081416 - FLUSH WOOD DOORS	L	\$ 300				\$ -	\$ 300	\$ -
44	081416 - FLUSH WOOD DOORS	M	\$ 3,500				\$ -	\$ 3,500	\$ -
45	083323 - OVERHEAD COILING DOORS & GRILLE	L	\$ 2,400				\$ -	\$ 2,400	\$ -
46	083323 - OVERHEAD COILING DOORS & GRILLE	M	\$ 22,100				\$ -	\$ 22,100	\$ -
47	084313 - ALUMINUM STOREFRONTS & ENTRANCE	L	\$ 63,000				\$ -	\$ 63,000	\$ -
48	084313 - ALUMINUM STOREFRONTS & ENTRANCE	M	\$ 48,600				\$ -	\$ 48,600	\$ -
49	087100 - DOOR HARDWARE	L	\$ 12,300				\$ -	\$ 12,300	\$ -
50	087100 - DOOR HARDWARE	M	\$ 8,100				\$ -	\$ 8,100	\$ -
SUBTOTALS PAGE 3			\$ 2,946,900	\$ 110,905	\$ 9,100	\$ 40,957	\$ 160,962	\$ 2,785,938	\$ 8,048

CONTINUATION SHEET

ATTACHMENT TO PAY APPLICATION

PROJECT:

NEVADA FIELD HOUSE 2022

Page 4 of 8 Pages

APPLICATION NUMBER: 3

APPLICATION DATE: 08/31/22

PERIOD TO: 31-Aug-22

ARCHITECT'S PROJECT NO:

A		B		C		D		E		F		G		H		I	
Item No.	Description of Work	CAT	Scheduled Value	Work Completed		Materials Presently Stored (Not In D or E)	Total Completed And Stored To Date (D + E + F)	% (GIC)	Balance To Finish (C - G)	Retainage							
				From Previous Application (D + E)	This Period												
51	088000 - GLAZING	L	\$ 10,400				\$ -		\$ 10,400	-							
52	088000 - GLAZING	M	\$ 35,100				\$ -		\$ 35,100	-							
53	092116 - GYPSUM BOARD ASSEMBLIES	L	\$ 62,400				\$ -		\$ 62,400	-							
54	092116 - GYPSUM BOARD ASSEMBLIES	M	\$ 40,000				\$ -		\$ 40,000	-							
55	095100 - ACOUSTICAL CEILINGS	L	\$ 1,900				\$ -		\$ 1,900	-							
56	095100 - ACOUSTICAL CEILINGS	M	\$ 1,500				\$ -		\$ 1,500	-							
57	096253 - SYNTHETIC TURF FLOORING	L	\$ 36,200				\$ -		\$ 36,200	-							
58	096253 - SYNTHETIC TURF FLOORING	M	\$ 109,800				\$ -		\$ 109,800	-							
59	096500 - RESILIENT FLOORING	L	\$ 4,400				\$ -		\$ 4,400	-							
60	096500 - RESILIENT FLOORING	M	\$ 5,400				\$ -		\$ 5,400	-							
61	096566 - RESILIENT ATHLETIC FLOORING	L	\$ 124,100				\$ -		\$ 124,100	-							
62	096566 - RESILIENT ATHLETIC FLOORING	M	\$ 412,900				\$ -		\$ 412,900	-							
63	096813 - TILE CARPETING	L	\$ 2,800				\$ -		\$ 2,800	-							
64	096813 - TILE CARPETING	M	\$ 11,100				\$ -		\$ 11,100	-							
65	099113 - EXTERIOR PAINTING	L	\$ 600				\$ -		\$ 600	-							
66	099113 - EXTERIOR PAINTING	M	\$ 100				\$ -		\$ 100	-							
67	099123 - INTERIOR PAINTING	L	\$ 71,000				\$ -		\$ 71,000	-							
68	099123 - INTERIOR PAINTING	M	\$ 12,500				\$ -		\$ 12,500	-							
69	101400 - SIGNAGE	L	\$ 15,400				\$ -		\$ 15,400	-							
70	101400 - SIGNAGE	M	\$ 20,700				\$ -		\$ 20,700	-							
71	102113.17 - PHENOLIC TOILET COMPARTMENTS	L	\$ 17,400				\$ -		\$ 17,400	-							
72	102113.17 - PHENOLIC TOILET COMPARTMENTS	M	\$ 11,600				\$ -		\$ 11,600	-							
73	102600 - WALL AND DOOR PROTECTION	L	\$ 2,400				\$ -		\$ 2,400	-							
74	102600 - WALL AND DOOR PROTECTION	M	\$ 1,600				\$ -		\$ 1,600	-							
75	102800 - TOILET ACCESSORIES	L	\$ 3,300				\$ -		\$ 3,300	-							
SUBTOTALS PAGE 4			\$ 3,961,500	\$ 110,905	\$ 9,100	\$ 40,957	\$ 160,962	4%	\$ 3,800,538	\$ 8,048							

CONTINUATION SHEET

ATTACHMENT TO PAY APPLICATION

PROJECT:

Page 5 of 8 Pages

APPLICATION NUMBER: 3

APPLICATION DATE: 31-Aug-22

PERIOD TO: 31-Aug-22

ARCHITECT'S PROJECT NO:

A Item No.	B Description of Work	CAT	C Scheduled Value	D		F Materials Presently Stored (Not in D or E)	G Total Completed And Stored To Date (D + E + F)	H Balance To Finish (C - G)	I Retainage
				Work Completed From Previous Application (D + E)	Completed This Period				
76	102800 - TOILET ACCESSORIES	M	\$ 1,200				\$ -	\$ 1,200	\$ -
77	104400 - FIRE PROTECTION SPECIALTIES	L	\$ 700				\$ -	\$ 700	\$ -
78	104400 - FIRE PROTECTION SPECIALTIES	M	\$ 5,000				\$ -	\$ 5,000	\$ -
79	133419 - METAL BUILDING SYSTEMS	L	\$ 356,500				\$ -	\$ 356,500	\$ -
80	133419 - METAL BUILDING SYSTEMS	M	\$ 1,480,500				\$ -	\$ 1,480,500	\$ -
81	142400 - HYDRAULIC ELEVATORS	L	\$ 48,700				\$ -	\$ 48,700	\$ -
82	142400 - HYDRAULIC ELEVATORS	M	\$ 35,600				\$ -	\$ 35,600	\$ -
83	211300 - FIRE-SUPPRESSION SPRINKLER	L	\$ 98,600				\$ -	\$ 98,600	\$ -
84	211300 - FIRE-SUPPRESSION SPRINKLER	M	\$ 40,000				\$ -	\$ 40,000	\$ -
85	220500 - COMMON PLUMBING REQUIREMENTS	L	\$ 4,100				\$ -	\$ 4,100	\$ -
86	220500 - COMMON PLUMBING REQUIREMENTS	M	\$ 1,000				\$ -	\$ 1,000	\$ -
87	220553 - MECHANICAL IDENTIFICATION	L	\$ 1,000				\$ -	\$ 1,000	\$ -
88	220553 - MECHANICAL IDENTIFICATION	M	\$ 400				\$ -	\$ 400	\$ -
89	220719 - PLUMBING PIPING INSULATION	L	\$ 7,600				\$ -	\$ 7,600	\$ -
90	220719 - PLUMBING PIPING INSULATION	M	\$ 2,600				\$ -	\$ 2,600	\$ -
91	221005 - PLUMBING PIPING & PIPING	L	\$ 118,500				\$ -	\$ 118,500	\$ -
92	221005 - PLUMBING PIPING & PIPING	M	\$ 69,900			\$ 55,920	\$ 55,920	\$ 13,980	\$ 2,796
93	221006 - PLUMBING PIPING SPECIALTIES	L	\$ 4,500				\$ -	\$ 4,500	\$ -
94	221006 - PLUMBING PIPING SPECIALTIES	M	\$ 2,800				\$ -	\$ 2,800	\$ -
95	223000 - PLUMBING EQUIPMENT	L	\$ 1,400				\$ -	\$ 1,400	\$ -
96	223000 - PLUMBING EQUIPMENT	M	\$ 3,300				\$ -	\$ 3,300	\$ -
97	224000 - PLUMBING FIXTURES	L	\$ 3,200				\$ -	\$ 3,200	\$ -
98	224000 - PLUMBING FIXTURES	M	\$ 9,700				\$ -	\$ 9,700	\$ -
99	230500 - COMMON HVAC REQUIREMENTS	L	\$ 11,200		\$ 2,300		\$ -	\$ 8,900	\$ 115
100	230500 - COMMON HVAC REQUIREMENTS	M	\$ 700				\$ -	\$ 700	\$ -
	SUBTOTALS PAGE 5		\$ 6,270,200	\$ 110,905	\$ 11,400	\$ 96,877	\$ 219,182	\$ 6,051,018	\$ 10,959

CONTINUATION SHEET

ATTACHMENT TO PAY APPLICATION

PROJECT:

Page 6 of 8 Pages

APPLICATION NUMBER: 3

APPLICATION DATE: 31-Aug-22

PERIOD TO: 31-Aug-22

ARCHITECT'S PROJECT NO:

A Item No.	B Description of Work	CAT	C Scheduled Value	D		F Materials Presently Stored (Not In D or E)	G Total Completed And Stored To Date (D + E + F)	% (G/C)	H Balance To Finish (C - G)	I Retainage
				From Previous Application (D + E)	E Work Completed This Period					
101	230553 - IDENTIFICATION FOR HVAC PIPING	L	\$ 300				\$ -		\$ 300	\$ -
102	230553 - IDENTIFICATION FOR HVAC PIPING	M	\$ 200				\$ -		\$ 200	\$ -
103	230593 - TESTING, ADJUSTING, AND BALANCING	LM	\$ 7,300				\$ -		\$ 7,300	\$ -
104	230713 - DUCT AND PIPE INSULATION	L	\$ 23,100				\$ -		\$ 23,100	\$ -
105	230713 - DUCT AND PIPE INSULATION	M	\$ 12,400				\$ -		\$ 12,400	\$ -
106	230913 - CONTROL DEVICES FOR HVAC	L	\$ 2,900				\$ -		\$ 2,900	\$ -
107	230913 - CONTROL DEVICES FOR HVAC	M	\$ 900				\$ -		\$ 900	\$ -
108	233100 - HVAC DUCTS AND CASINGS	L	\$ 92,300				\$ -		\$ 92,300	\$ -
109	233100 - HVAC DUCTS AND CASINGS	M	\$ 44,300				\$ -		\$ 44,300	\$ -
110	233300 - AIR DUCT ACCESSORIES	L	\$ 2,500				\$ 35,414	80%	\$ 8,886	\$ 1,771
111	233300 - AIR DUCT ACCESSORIES	M	\$ 6,100				\$ -		\$ 2,500	\$ -
112	233416 - CENTRIFUGAL HVAC FANS	L	\$ 6,600				\$ -		\$ 6,100	\$ -
113	233416 - CENTRIFUGAL HVAC FANS	M	\$ 700				\$ -		\$ 6,600	\$ -
114	233700 - AIR OUTLETS AND INLETS	L	\$ 8,100				\$ -		\$ 700	\$ -
115	233700 - AIR OUTLETS AND INLETS	M	\$ 3,300				\$ -		\$ 8,100	\$ -
116	237223 - AIR-TO-AIR ENERGY RECOVERY UNITS	L	\$ 600				\$ -		\$ 3,300	\$ -
117	237223 - AIR-TO-AIR ENERGY RECOVERY UNITS	M	\$ 4,900				\$ -		\$ 600	\$ -
118	237413 - ROOFTOP AIR-HANDLING UNITS	L	\$ 3,600				\$ -		\$ 4,900	\$ -
119	237413 - ROOFTOP AIR-HANDLING UNITS	M	\$ 158,000				\$ -		\$ 3,600	\$ -
120	238126.13 - SPLIT-SYSTEM AIR CONDITIONERS	L	\$ 4,800				\$ 12,000	8%	\$ 146,000	\$ 600
121	238126.13 - SPLIT-SYSTEM AIR CONDITIONERS	M	\$ 18,300				\$ -		\$ 4,800	\$ -
122	260500 - BASIC ELECTRICAL REQUIREMENTS	L	\$ 11,200				\$ -		\$ 18,300	\$ -
123	260500 - BASIC ELECTRICAL REQUIREMENTS	M	\$ 6,400				\$ -		\$ 11,200	\$ -
124	260519 - LOW-VOLTAGE CONDUCTORS & CABLE	L	\$ 44,900				\$ -		\$ 6,400	\$ -
125	260519 - LOW-VOLTAGE CONDUCTORS & CABLE	M	\$ 33,800				\$ -		\$ 44,900	\$ -
SUBTOTALS PAGE 6			\$ 6,767,700	\$ 110,905	\$ 11,400	\$ 144,291	\$ 266,596	4%	\$ 6,501,104	\$ 13,330

CONTINUATION SHEET

ATTACHMENT TO PAY APPLICATION

PROJECT:

Page 7 of 8 Pages

APPLICATION NUMBER: 3

APPLICATION DATE: 31-Aug-22

PERIOD TO: 31-Aug-22

ARCHITECT'S PROJECT NO:

A Item No.	B Description of Work	CAT	C Scheduled Value	D		E	F	G		H Balance To Finish (C - G)	I Retainage
				From Previous Application (D + E)	Work Completed This Period			Total Completed And Stored To Date (D + E + F)	% (G/C)		
126	260526 - GROUNDING AND BONDING	L	\$ 2,000					\$ -		\$ 2,000	\$ -
127	260526 - GROUNDING AND BONDING	M	\$ 700					\$ -		\$ 700	\$ -
128	260529 - HANGERS AND SUPPORTS FOR ELECT	L	\$ 5,000					\$ -		\$ 5,000	\$ -
129	260529 - HANGERS AND SUPPORTS FOR ELECT	M	\$ 1,000					\$ -		\$ 1,000	\$ -
130	260533.13 - CONDUIT FOR ELECTRICAL SYSTE	L	\$ 74,900					\$ -		\$ 74,900	\$ -
131	260533.13 - CONDUIT FOR ELECTRICAL SYSTE	M	\$ 21,500					\$ -		\$ 21,500	\$ -
132	260533.16 - BOXES FOR ELECTRICAL	L	\$ 2,700					\$ -		\$ 2,700	\$ -
133	260533.16 - BOXES FOR ELECTRICAL	M	\$ 1,000					\$ -		\$ 1,000	\$ -
134	260553 - IDENTIFICATION FOR ELECTRICAL	L	\$ 3,000					\$ -		\$ 3,000	\$ -
135	260553 - IDENTIFICATION FOR ELECTRICAL	M	\$ 700					\$ -		\$ 700	\$ -
136	260583 - WIRING CONNECTIONS	L	\$ 6,000					\$ -		\$ 6,000	\$ -
137	260583 - WIRING CONNECTIONS	M	\$ 700					\$ -		\$ 700	\$ -
138	260923 - LIGHTING CONTROL DEVICES	L	\$ 4,000					\$ -		\$ 4,000	\$ -
139	260923 - LIGHTING CONTROL DEVICES	M	\$ 8,600					\$ -		\$ 8,600	\$ -
140	262100 - LOW-VOLTAGE ELECTRICAL SERVICE	LM	\$ 1,000					\$ -		\$ 1,000	\$ -
141	262416 - PANELBOARDS	L	\$ 4,500					\$ -		\$ 4,500	\$ -
142	262416 - PANELBOARDS	M	\$ 31,100					\$ -		\$ 31,100	\$ -
143	262701 - ELECTRICAL UTILITY SERVICES	L	\$ 1,500					\$ -		\$ 1,500	\$ -
144	262701 - ELECTRICAL UTILITY SERVICES	M	\$ 2,500					\$ -		\$ 2,500	\$ -
145	262726 - WIRING DEVICES	L	\$ 15,200					\$ -		\$ 15,200	\$ -
146	262726 - WIRING DEVICES	M	\$ 2,400					\$ -		\$ 2,400	\$ -
147	262816.13 - ENCLOSED CIRCUIT BREAKERS	LM	\$ 700					\$ -		\$ 700	\$ -
148	262816.16 - ENCLOSED SWITCHES	LM	\$ 1,000					\$ -		\$ 1,000	\$ -
149	265100 - INTERIOR LIGHTING	L	\$ 37,400					\$ -		\$ 37,400	\$ -
150	265100 - INTERIOR LIGHTING	M	\$ 74,800					\$ -		\$ 74,800	\$ -
	SUBTOTALS PAGE 7		\$ 7,071,600	\$ 110,905	\$ 11,400	\$ 144,291	\$ 266,596	4%		\$ 6,805,004	\$ 13,330

CONTINUATION SHEET

Page 8 of 8 Pages

ATTACHMENT TO PAY APPLICATION

APPLICATION NUMBER: 3

APPLICATION DATE: 31-Aug-22

PERIOD TO: 31-Aug-22

ARCHITECT'S PROJECT NO:

A		B		C		D		E		F	G		H	I
Item No.	Description of Work	CAT	Scheduled Value	Work Completed		Materials Presently Stored (Not In D or E)	Total Completed And Stored To Date (D + E + F)	% (G/C)	Balance To Finish (C - G)	Retainage				
				From Previous Application (D + E)	This Period									
151	265600 - EXTERIOR LIGHTING	L	\$ 2,500				\$ -		\$ 2,500	-				
152	265600 - EXTERIOR LIGHTING	M	\$ 6,200				\$ -		\$ 6,200	-				
153	271000 - STRUCTURED CABLING	LM	\$ 11,200				\$ -		\$ 11,200	-				
154	283100 - FIRE ALARM SYSTEM	L	\$ 7,200				\$ -		\$ 7,200	-				
155	283100 - FIRE ALARM SYSTEM	M	\$ 8,300				\$ -		\$ 8,300	-				
156	311000 - SITE CLEARING	LM	\$ 10,700	\$ 4,700	\$ 4,000		\$ 8,700	81%	\$ 2,000	435				
157	312200 - GRADING	LM	\$ 55,900	\$ 25,900	\$ 8,500		\$ 34,400	62%	\$ 21,500	1,720				
158	312316 - EXCAVATION	LM	\$ 12,900	\$ 5,676	\$ 7,224		\$ 12,900	100%	\$ -	645				
159	312323 - FILL	LM	\$ 92,300	\$ 86,762	\$ 5,538		\$ 92,300	100%	\$ -	4,615				
160	321313 - CONCRETE PAVING	L	\$ 15,800				\$ -		\$ 15,800	-				
161	321313 - CONCRETE PAVING	M	\$ 29,500				\$ -		\$ 29,500	-				
162	321723.13 - PAINTED PAVEMENT MARKINGS	LM	\$ 600				\$ -		\$ 600	-				
163	331000 - WATER LINE SERVICE	L	\$ 16,800				\$ -		\$ 16,800	-				
164	331000 - WATER LINE SERVICE	M	\$ 4,500				\$ -		\$ 4,500	-				
165	333100 - SANITARY SEWER SERVICE	L	\$ 4,700				\$ -		\$ 4,700	-				
166	333100 - SANITARY SEWER SERVICE	M	\$ 1,300				\$ -		\$ 1,300	-				
167	334100 - STORM SEWER	L	\$ 20,000				\$ -		\$ 20,000	-				
168	334100 - STORM SEWER	M	\$ 15,000				\$ -		\$ 15,000	-				
169							\$ -		\$ -	-				
170							\$ -		\$ -	-				
171							\$ -		\$ -	-				
172							\$ -		\$ -	-				
173							\$ -		\$ -	-				
174							\$ -		\$ -	-				
175							\$ -		\$ -	-				
SUBTOTALS PAGE 8			\$ 7,387,000	\$ 233,943	\$ 36,662	\$ 144,291	\$ 414,896	6%	\$ 6,972,104	\$ 20,745				

RESOLUTION NO. 034 (2022/2023)

**A RESOLUTION APPROVING CDBG-CV SUBRECIPIENT
FORGIVABLE LOAN AGREEMENT BETWEEN FELTNER PROPERTIES, L.C.
AND CITY OF NEVADA FOR BUILDING RENOVATIONS**

WHEREAS, the City of Nevada, Iowa, ("City"), at the request of Feltner Properties, L.C. ("Subrecipient"), has applied to the Iowa Economic Development Authority ("IEDA") for a grant of federal funds to assist Subrecipient with building renovations to include exterior repoint and painting, additional building access, electrical system upgrades, and removal of exterior stairs and replace with interior stairwell, at Subrecipient's location; and

WHEREAS, the City has been awarded a CDBG-CV Microenterprise grant for a forgivable loan to Subrecipient in the amount of \$50,000, subject to the condition that the Subrecipient provide a local matching contribution in the minimum amount of \$16,345.00; and

WHEREAS, the City is entering into a CDBG-CV Subrecipient Forgivable Loan Agreement with Subrecipient. Subrecipient acknowledges it has reviewed the CDBG-CV Program Microenterprise Assistance Guidelines; and

WHEREAS, the City intended to provide, and Subrecipient intends to receive, a forgivable loan subject to all terms and conditions set forth in Exhibit A; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Nevada, Iowa, does hereby approve the CDBG-CV Subrecipient Forgivable Loan Agreement between the City and Feltner Properties, L.C., for building renovations. The Mayor and Clerk are hereby authorized to execute the agreement and execute such other documents that are necessary on the City of Nevada's behalf.

Passed and approved this 12th day of September, 2022.

Brett Barker, Mayor

ATTEST:

Kerin Wright, City Clerk

RESOLUTION NO. 035 (2022/2023)

**A RESOLUTION APPROVING CDBG-CV SUBRECIPIENT
FORGIVABLE LOAN AGREEMENT BETWEEN GREAT PLAINS MILLWORK
AND CITY OF NEVADA FOR OPEN-FACE PAINT BOOTH**

WHEREAS, the City of Nevada, Iowa, ("City"), at the request of Great Plains Millwork ("Subrecipient"), has applied to the Iowa Economic Development Authority ("IEDA") for a grant of federal funds to cover Subrecipient with the purchase of open-face paint booth; and

WHEREAS, the City has been awarded a CDBG-CV Microenterprise grant for a forgivable loan to Subrecipient in the amount of \$11,932.00; and

WHEREAS, the City is entering into a CDBG-CV Subrecipient Forgivable Loan Agreement with Subrecipient. Subrecipient acknowledges it has reviewed the CDBG-CV Program Microenterprise Assistance Guidelines; and

WHEREAS, the City intended to provide, and Subrecipient intends to receive, a forgivable loan subject to all terms and conditions set forth in Exhibit A; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Nevada, Iowa, does hereby approve the CDBG-CV Subrecipient Forgivable Loan Agreement between the City and Great Plains Millwork, for open-face paint booth. The Mayor and Clerk are hereby authorized to execute the agreement and execute such other documents that are necessary on the City of Nevada's behalf.

Passed and approved this 12th day of September, 2022.

Brett Barker, Mayor

ATTEST:

Kerin Wright, City Clerk

RESOLUTION NO. 036 (2022/2023)

**A RESOLUTION APPROVING CDBG-CV SUBRECIPIENT
FORGIVABLE LOAN AGREEMENT BETWEEN SWEET DREAMS MATTRESS
AND CITY OF NEVADA FOR STEEL WAREHOUSE BUILDING**

WHEREAS, the City of Nevada, Iowa, ("City"), at the request of Sweet Dreams Mattress ("Subrecipient"), has applied to the Iowa Economic Development Authority ("IEDA") for a grant of federal funds to assist Subrecipient with building a steel warehouse, including a custom building, concrete, electrical, HVAC, and dirt and ground preparations; and

WHEREAS, the City has been awarded a CDBG-CV Microenterprise grant for a forgivable loan to Subrecipient in the amount of \$50,000.00, subject to the condition that the Subrecipient provide a local matching contribution in the amount of \$50,000.00; and

WHEREAS, the City is entering into a CDBG-CV Subrecipient Forgivable Loan Agreement with Subrecipient. Subrecipient acknowledges it has reviewed the CDBG-CV Program Microenterprise Assistance Guidelines; and

WHEREAS, the City intended to provide, and Subrecipient intends to receive, a forgivable loan subject to all terms and conditions set forth in Exhibit A; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Nevada, Iowa, does hereby approve the CDBG-CV Subrecipient Forgivable Loan Agreement between the City and Sweet Dreams Mattress, for steel warehouse building. The Mayor and Clerk are hereby authorized to execute the agreement and execute such other documents that are necessary on the City of Nevada's behalf.

Passed and approved this 12th day of September, 2022.

Brett Barker, Mayor

ATTEST:

Kerin Wright, City Clerk

RESOLUTION NO. 037 (2022/2023)

**A RESOLUTION APPROVING CDBG-CV SUBRECIPIENT
FORGIVABLE LOAN AGREEMENT BETWEEN WILD ROOT SALON
AND CITY OF NEVADA FOR INVENTORY, FURNISHINGS AND ADDITION**

WHEREAS, the City of Nevada, Iowa, ("City"), at the request of Wild Root Salon ("Subrecipient"), has applied to the Iowa Economic Development Authority ("IEDA") for a grant of federal funds to assist Subrecipient with inventory of hair color, skin care, styling, backbar, and extension; in addition to, tools, furnishings, boutique addition and shut down expense; and

WHEREAS, the City has been awarded a CDBG-CV Microenterprise grant for a forgivable loan to Subrecipient in the amount of \$24,229.84, subject to the condition that the Subrecipient provide a local matching contribution in the minimum amount of \$6,600.00; and

WHEREAS, the City is entering into a CDBG-CV Subrecipient Forgivable Loan Agreement with Subrecipient. Subrecipient acknowledges it has reviewed the CDBG-CV Program Microenterprise Assistance Guidelines; and

WHEREAS, the City intended to provide, and Subrecipient intends to receive, a forgivable loan subject to all terms and conditions set forth in Exhibit A; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Nevada, Iowa, does hereby approve the CDBG-CV Subrecipient Forgivable Loan Agreement between the City and Wild Root Salon, for inventory of hair color, skin care, styling, backbar, and extension; in addition to tools, furnishings, boutique addition and shut down expense. The Mayor and Clerk are hereby authorized to execute the agreement and execute such other documents that are necessary on the City of Nevada's behalf.

Passed and approved this 12th day of September, 2022.

Brett Barker, Mayor

ATTEST:

Kerin Wright, City Clerk

RESOLUTION NO. 038 (2022/2023)

**A RESOLUTION APPROVING CDBG-CV SUBRECIPIENT
FORGIVABLE LOAN AGREEMENT BETWEEN MEYER CHIROPRACTIC
AND CITY OF NEVADA FOR CHIROSIGHT CHIROPRACTIC SYSTEM**

WHEREAS, the City of Nevada, Iowa, ("City"), at the request of Meyer Chiropractic ("Subrecipient"), has applied to the Iowa Economic Development Authority ("IEDA") for a grant of federal funds to cover Subrecipient with ChiroSight Chiropractic System including six (6) year sensor hardware parts warranty; six (6) year basic training and support; one (1) year premium tools & off-sight back-up; and

WHEREAS, the City has been awarded a CDBG-CV Microenterprise grant for a forgivable loan to Subrecipient in the amount of \$15,322.00; and

WHEREAS, the City is entering into a CDBG-CV Subrecipient Forgivable Loan Agreement with Subrecipient. Subrecipient acknowledges it has reviewed the CDBG-CV Program Microenterprise Assistance Guidelines; and

WHEREAS, the City intended to provide, and Subrecipient intends to receive, a forgivable loan subject to all terms and conditions set forth in Exhibit A; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Nevada, Iowa, does hereby approve the CDBG-CV Subrecipient Forgivable Loan Agreement between the City and Meyer Chiropractic, for ChiroSight Chiropractic System including six (6) year sensor hardware parts warranty; six (6) year basic training and support; one (1) year premium tools & off-sight back-up. The Mayor and Clerk are hereby authorized to execute the agreement and execute such other documents that are necessary on the City of Nevada's behalf.

Passed and approved this 12th day of September, 2022.

Brett Barker, Mayor

ATTEST:

Kerin Wright, City Clerk

RESOLUTION NO. 039 (2022/2023)

**A RESOLUTION APPROVING CDBG-CV SUBRECIPIENT
FORGIVABLE LOAN AGREEMENT BETWEEN THISDAY PHOTOGRAPHY
AND CITY OF NEVADA FOR BUILDING RENOVATIONS**

WHEREAS, the City of Nevada, Iowa, ("City"), at the request of Thisday Photography ("Subrecipient"), has applied to the Iowa Economic Development Authority ("IEDA") for a grant of federal funds to cover Subrecipient with building renovations to include outdoor bistro set, computer, replace furnace, update wiring, update electrical panel, replace flooring, interior paint and labor, and additional supply items; and

WHEREAS, the City has been awarded a CDBG-CV Microenterprise grant for a forgivable loan to Subrecipient in the amount of \$36,671.83; and

WHEREAS, the City is entering into a CDBG-CV Subrecipient Forgivable Loan Agreement with Subrecipient. Subrecipient acknowledges it has reviewed the CDBG-CV Program Microenterprise Assistance Guidelines; and

WHEREAS, the City intended to provide, and Subrecipient intends to receive, a forgivable loan subject to all terms and conditions set forth in Exhibit A; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Nevada, Iowa, does hereby approve the CDBG-CV Subrecipient Forgivable Loan Agreement between the City and Thisday Photography, for building renovations to include outdoor bistro set, computer, replace furnace, update wiring, update electrical panel, replace flooring, interior paint and labor, and additional supply items. The Mayor and Clerk are hereby authorized to execute the agreement and execute such other documents that are necessary on the City of Nevada's behalf.

Passed and approved this 12th day of September, 2022.

Brett Barker, Mayor

ATTEST:

Kerin Wright, City Clerk



City Hall | 1209 6th Street | Nevada, IA 50201-0530
p. (515) 382-5466 | f. (515) 382-4502

August 2022

TO: Mayor - City Council Members
City Administrator Jordan Cook

From: Ryan Hutton
Building & Zoning Official

With the recommendation from the Planning and Zoning Commission, we are seeking approval from the City Council Members to approve the Minor Subdivision, ROSK Subdivision.

Best Regards,
Ryan Hutton
Building and Zoning Official



AGENDA

Planning & Zoning Commission
August 29th, 2022 6:15pm
Council Chambers, City Hall 1209 6th Street

1. Call the meeting to order – Roll Call
2. Approval of the Agenda
3. Approve and place on file the minutes of the August 15th, 2022
4. Public Forum: Time for comments from the public on P&Z business other than those listed on this agenda
5. Approve or Deny Minor Subdivision- ROSK Subdivision
6. City Administrator/ Commission Members/ Staff Reports
7. Adjourn

This agenda was posted on the official bulletin board Thursday August 25th, 2022 in compliance with the requirements of the open-meeting law.

Memo

To: Planning & Zoning Commission
From: Ryan Hutton, Zoning Supervisor
CC: Jordan Cook, City Administrator
Date: 8/29/2022

RE: General Information

- 1. Minor Subdivision ROSK Subdivision:** The City of Nevada's Subdivision Ordinance allows a Minor Subdivision if the proposed subdivision does not include any street or utility improvements. The purposed subdivision turns one lot into two lots. The Minor Subdivision requires a final plat and approval of The Planning & Zoning Commission and The City Council. The property owners have requested the proposed subdivision of ROSK Subdivision. Staff recommends approval of the ROSK Subdivision to the Planning and Zoning Commission and send onto The City Council. Included in your packet is a copy of the plat and application form.

If you have any questions please contact me at work, 515-382-5466, or at home, 515-720-3545, and prior to Monday night's meeting



Minor Subdivision Application Form

(This form must be filled out completely before your application will be accepted.)

1. Property Location of this Minor Subdivision (Street Address and
or Boundary Description: 1031 Shagbark Dr, Nevada IA 50201

2. Existing Use and Proposed Use of the Property:

Existing structure is currently used as a single family home. Proposing splitting off an additional lot to the East of the asphalt driveway. Approximately 100 ft wide by 120 ft deep

3. Subdivision Name: ROSK Subdivision

4. Property Owner: ROSK Rentals, LLC

Address: 1124 6th ST Nevada Iowa 50201
(Street) (City) (State) (Zip)

Telephone: 515-382-8620 515-291-7900
(Home) (Business) (Fax)

5. Attorney: Ryan Haaland

Address: 111 East Grand Avenue, Suite 301 | Des Moines, Iowa 50309-1884
(Street) (City) (State) (Zip)

Telephone: Main: 515.242.8900 | Direct: 515.242.8969 | Cell: 515.441.0223 | rhaaland@fredlaw.com
(Home) (Business) (Fax)

6. Land Surveyor: Ross Land Surveying Inc

Address: Address: 2917 Martin Luther King Jr Pkwy, Des Moines, IA 50310
(Street) (State) (Zip)

Telephone: Phone: (515) 254-2567
(Home) (Business) (Fax)



7. Contact Person: Marc Olson

Address: 1124 6th Nevada, IA 50201
(Street) (City) (State) (Zip)

Telephone: 515-382-8620 515-291-7900
(Home) (Business) (Fax)

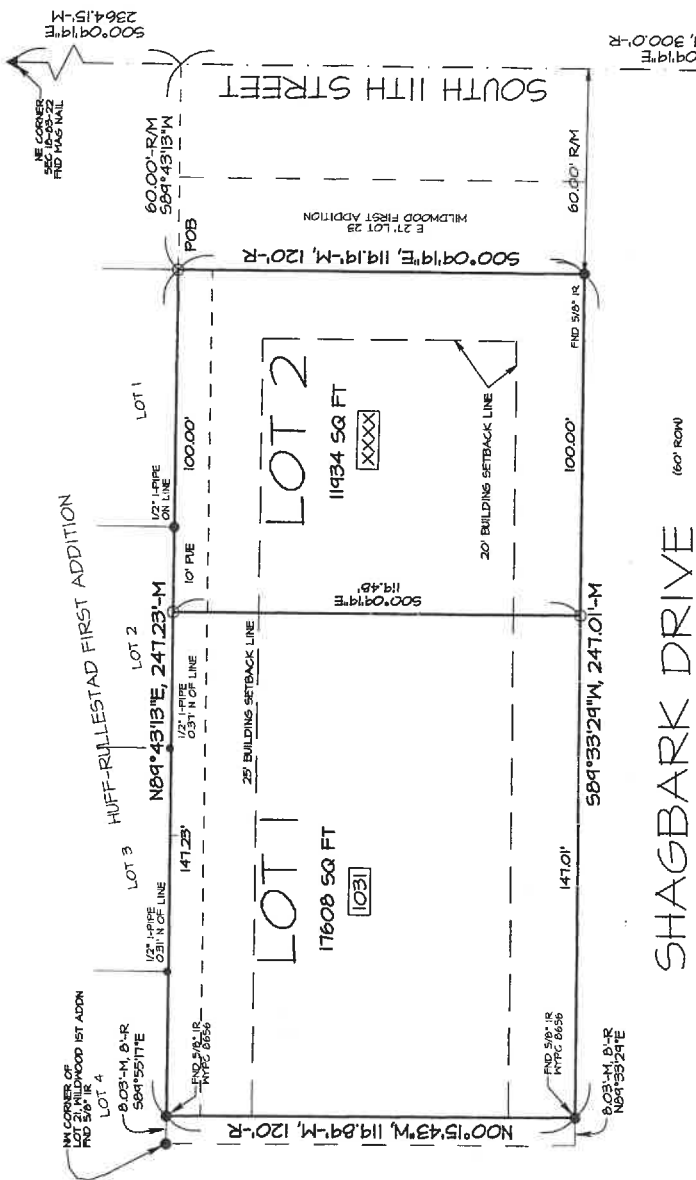
I (We) certify that I (we) am (are) familiar with applicable state and local codes and ordinances, the procedural requirements of the City of Nevada, and have submitted all the required information which is true and accurate.

Signed by: Marc Olson dotloop verified
08/02/22 10:44 AM CDT
QKCI-CFLR-V9MN-5B7M Date: 8/2/2022
(Applicant)

(Note: No other signature may be substituted for the Property Owner's Signatures)

and: Marc Olson Date: 8/2/2022
(Property Owner)

and: Marc Olson Date: 8/2/2022
(Contact Person)



AREA ABOVE FOR RECORDATION ONLY

ROSK SUBDIVISION

LEGAL DESCRIPTION:

ALL THAT PART OF LOTS 21 (EXCEPT THE WEST 8 FEET THEREOF) AND ALL OF LOT 22, AND LOT 23 (EXCEPT THE EAST 21 FEET THEREOF) IN THE OFFICIAL PLAT OF WILDWOOD FIRST ADDITION IN THE CITY OF NEVADA, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS, COMMENCING AT THE EAST QUARTER CORNER OF SECTION 18, TOWNSHIP 23 NORTH RANGE 21 EAST OF THE 5TH PM; THENCE NORTH 00°09'14" WEST ALONG THE WEST LINE OF THE EAST QUARTER OF SAID 18, A DISTANCE OF 247.01 FEET; THENCE SOUTH 89°43'13" WEST, A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 04°13'13" EAST ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SOUTH ELEVANTH STREET, AS IT IS PRESENTLY ESTABLISHED, A DISTANCE OF 119.14 FEET; THENCE SOUTH 84°53'24" WEST, A DISTANCE OF 247.01 FEET; THENCE NORTH 04°13'13" EAST, A DISTANCE OF 119.14 FEET; THENCE NORTH 84°43'13" EAST, A DISTANCE OF 247.01 FEET TO THE POINT OF BEGINNING, ALL CONTAINING 0.68 ACRES, MORE OR LESS, AND SUBJECT TO ANY EASEMENTS OR RESTRICTIONS OF RECORD.

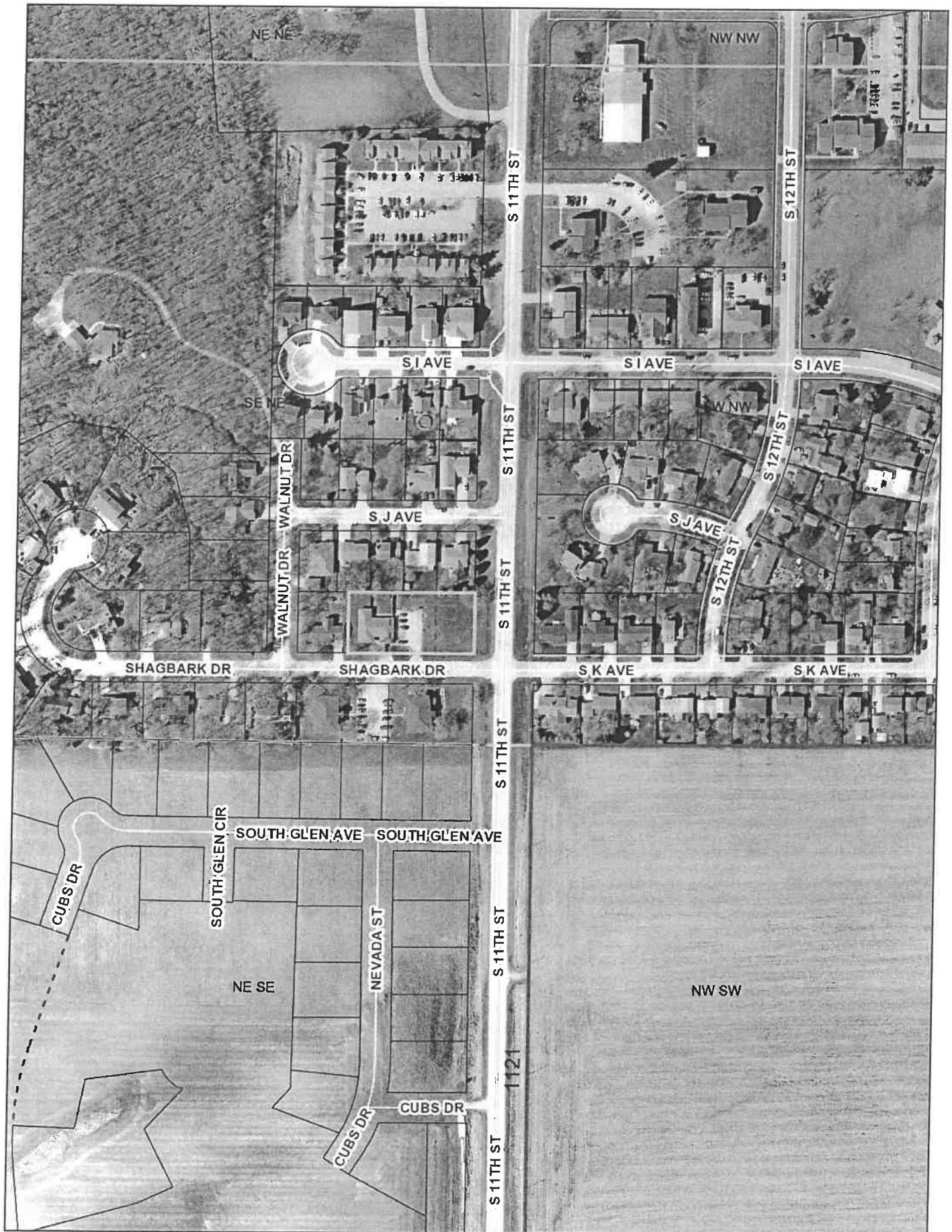
ZONING: RESIDENTIAL

OWNERS: ROSK RENTALS LLC
1124 6TH ST
NEVADA IA 50201-1828
PH: 515-291-7900

FLOOD ZONE:

ACCORDING TO FEMA; MAP PANEL NUMBER 19169201B4F, EFFECTIVE DATE OF PANEL IS 1/15/2021, THIS AREA FALLS IN ZONE X (AREA OF MINIMAL FLOODING).

INDEX LEGEND STORY COUNTY, NEVADA, IOWA WILDWOOD 1ST ADDN. LOTS 21-23 REQUESTOR: MARC OLSON-REMAX CONCEPTS 515-291-7900 PROPRIETOR: ROSK RENTALS LLC NEVADA IA 50201-1828 SURVEYOR: GREGORY L. ROSS, PLS. NO. 13286 COMPANY: ROSS LAND SURVEYING, INC. PO BOX 336, JOHNSTON, IA 50131 RETURN TO: ROSS LAND SURVEYING, INC. PO BOX 336, JOHNSTON, IA 50131		INDEX LEGEND STORY COUNTY, NEVADA, IOWA WILDWOOD 1ST ADDN. LOTS 21-23 REQUESTOR: MARC OLSON-REMAX CONCEPTS 515-291-7900 PROPRIETOR: ROSK RENTALS LLC NEVADA IA 50201-1828 SURVEYOR: GREGORY L. ROSS, PLS. NO. 13286 COMPANY: ROSS LAND SURVEYING, INC. PO BOX 336, JOHNSTON, IA 50131 RETURN TO: ROSS LAND SURVEYING, INC. PO BOX 336, JOHNSTON, IA 50131	
FIELD WORK DONE: AUGUST 2022 REVISIONS:		I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED IN ACCORDANCE WITH THE STANDARDS AND PRACTICES OF THE PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.	
ROSK LAND SURVEYING, INC. PO Box 336 Johnston, Iowa 50131 PH 515 254 2967 rosslandsurveying.com		GREGORY L. ROSS, PLS. Iowa License No. 13286 My license renewal date is December 31, 2022 PAGES COVERED: 1	
ROSK SUBDIVISION PT. LOTS 21-22-23 WILDWOOD 1ST ADDN TO NEVADA, IOWA		JOB NO. 8068-SUBDV 22 ---FOUND CORNER ---SET 1/2" IR with orange plastic cap #13286 ---CALCULATED CORNER ONLY ---CUT "X" ---SECTION CORNER ---IRON PIPE/GAS PIPE ---IRON ROD ---MEASURED DISTANCE ---RECORDED DISTANCE ---WITH [COLOR ABBREVIATION] PLASTIC CAP [SURVEYOR LICENSE NUMBER]	
GRAPHIC SCALE 1"=35' 0 35'		NORTH ARROW	



**RESOLUTION NO. 040 (2022/2023)
A RESOLUTION ACCEPTING MINOR SUBDIVISION FOR
ROSK SUBDIVISION, NEVADA, STORY COUNTY, IOWA**

WHEREAS, there has been submitted to the City Council of the City of Nevada, Iowa, the Final Plat of the ROSK Subdivision, within the Jurisdiction of the City of Nevada, Iowa; and

WHEREAS, the Final Plat and Minor Subdivision was submitted to the Planning and Zoning Commission of the City of Nevada, Iowa, on August 29, 2022, and they recommended approval of the Final Plat of ROSK Subdivision, at 1031 Shagbark Dr., formerly PT. Lots 21-22-23 Wildwood 1st Addn, Nevada, Iowa, on the 22nd day of September, 2022.

WHEREAS, the City Council of Nevada, Iowa is required to review the Final Plat of said subdivision pursuant to Iowa Code §354.8.

WHEREAS, the City Council of the City of Nevada, Iowa has considered the recommendations of the Planning and Zoning Commission and finds that it is advisable and in the best interests of the City of Nevada, Iowa, and of the citizens thereof that the Final Plat and Minor Subdivision be accepted and approved.

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

1. That the Final Plat of ROSK Subdivision, Story County, Iowa of Nevada, Iowa, is hereby accepted and approved for and on behalf of the City of Nevada, Iowa.

PASSED AND APPROVED THIS 12th day of September, 2022.

Brett Barker, Mayor

Attest:

Erin Mousel, Deputy City Clerk

ORDINANCE NO. 1033 (2022/2023)

**AN ORDINANCE AMENDING CHAPTER 69 (PARKING REGULATIONS) OF THE
CITY CODE TO ESTABLISH NO PARKING**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEVADA, IOWA:

SECTION 1. Chapter 69.08 (No Parking Zones) of the Code of Ordinances, which provides that "No one shall stop, stand or park a vehicle in any of the following specifically designated no parking zones except when necessary to avoid conflict with other traffic or in compliance with the direction of a peace officer or traffic control signal", is amended with the following language:

67. The north side of G Avenue from Fourth (4th) Street to Fifth (5th) Street ~~(except funerals)~~.

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

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

SECTION 4. EFFECTIVE DATE. This Ordinance shall be in effect after its passage and publication as provided by law.

Passed and approved this 12th day of September, 2022.

Passed and approved this __ day of September, 2022.

Passed and approved this __ day of October, 2022.

Brett Barker, Mayor

Attest:

Kerin Wright, City Clerk

Request for Information

Name

Michael Fulker

Phone**Email****Address/Location of Concern**

708 5th St

What would you like to know more about? Do you have a concern? What specific information are you requesting? Please explain below:

I'm the owner of the former Ryan Funeral Home building (708 5th St) since June 2020, using it as my residence. There's a "no parking" sign on the south side (adjacent to G Ave), that states "no parking except funerals".

If possible, I'd appreciate if the city could replace it with a normal "no parking" sign that makes no mention of funerals.

The reason being that occasionally some confused mourners try to knock/ring at my door, and I have to tell them they probably want the new Rasmusson-Ryan funeral home over by the Fareway. I think the current no-parking sign slightly contributes to the confusion.

(Also note: As part of the earlier merger of the two funeral businesses, a deed covenant was placed on my property dictating that it shall never be used for a funeral home business ever again; so even if I re-sell the property, the "except funerals" wording of the current sign will never be applicable again.)

Or: If it turns out that particular sign is in fact *not* city-managed, please let me know so I can take it down myself. (Although I think there's a worn-down sticker on the sign's rear face that probably indicates it's indeed city property.)

-Thanks,

-Michael Fulker

What follow-up action would you like to see done? Your call returned? Please explain below:

Replace or remove the no parking sign at your leisure. If you need to contact me, email is preferable to phone.

June 2022

TO: City Council

I have added a Neighborhood Improvement Incentive Program Application from Flummerfelt Homes for their work at Sunridge Estates. The cleaning and removal of dilapidated mobile homes has made a dramatic impact on the property. The condition of living for the residence continues to move in a positive direction. I have received the proper paperwork for eight (8) of the mobile home that were demolished. It is my recommendation we award Flummerfelt Homes \$25,355.

Respectfully,

Ryan Hutton
Building and Zoning Official

City of Nevada

Neighborhood Improvement Incentive Program 2022 – 2023 Application

Overview

Purpose:

The purpose of this grant program is to assist organizations, residents, and business owners within the City of Nevada to strengthen their neighborhood's appearance, to promote the area to visitors, and to improve the quality of life.

Eligible Applicants:

- ◆ Eligible applicants are property owners of residential or commercial property in the city limits of Nevada who are committed to improve neighborhoods, promote the area, and improve the quality of life.

Eligible Projects to be Considered for Funding:

- ◆ Projects that demolish a residential or commercial structure, including capping utilities, grading and seeding the area, and for the City to acquire property.

Options:

- A. **Maintain ownership** – demolish structure, including capping utilities, grading and seeding the area. Grants will be awarded on a minimum 50/50 cash match basis. Also, grants are set up on a reimbursement basis and payable upon completion of the project. Maximum request is \$10,000, minimum request is \$500.00.
- B. **Transfer property to City** – costs to the City cover title opinion, transfer of deed, and any other legal costs for the City to acquire the property. The property owner makes an offer of a gift of property to the City.
- ◆ Projects must be completed within the one fiscal year of which the project is approved for.
- ◆ Before and after pictures are required for funding.
- ◆ Work is done by a licensed professional who is permitted and inspected to do such work.

Grant Application Process:

- ◆ Written bid(s) for each expense must be attached to your application.
- ◆ The City Administrator and the Building and Zoning Official will make final recommendations to the City Council regarding which projects should be funded.

For More Information/Questions:

Contact the City Administrator, City Clerk or Building and Zoning Official at 515-382-5466.

Applicant Information

Organization Name: Flummerfelt Homes Project Name: Sunridge Estates

Contact Person: Matt Flummerfelt Mailing Address: 837 W Maple Ave

City, State, Zip: Nevada IA 50201 Daytime Phone Number: 515-382-2020

Fax: _____ E-mail: mattflummhomes1@gmail.com

Total Project Cost: \$ 50,710 Amount requesting from this grant program: \$ 25,355

Project Address: 1603 10th Street Nevada

Project Description: Removing trailers at 1603 10th St Lots 604, 616, 618, 401, 206,
* See Spreadsheet 205, 203

Flummerfelt Manufactured Homes, Sunridge Estates

9/12/2022

Neighborhood Improvement Incentive Program (NIIP) Application

<u>Demo Date</u>	<u>Lot #</u>	<u>Cost</u>	<u>Asbestos</u>	<u>Total Cost</u>	<u>NIIP Reimb (1/2)</u>
7/13/2022	604	5000	2760	7760	3880
7/19/2022	616	4500	3320	7820	3910
7/21/2022	618	4750	3760	8510	4255
7/22/2022	401	4000	2720	6720	3360
7/27/2022	206	5500	3500	9000	4500
7/28/2022	205	5500	710	6210	3105
8/3/2022	203	4500	190	4690	2345

Reimbursement Request:	\$ 25,355.00
------------------------	--------------

Keith Cooper & Sons, Inc.
 909 Brookridge
 Ames, IA 50010
 515-232-3456
 billing@cooperdigs.com

INVOICE

DATE	NO.
7/13/2022	81014

LOCATION AND/OR WORK DESCRIPTION	
Homeacres Trailer Park Demo	
P.O. #	TERMS
	Due on receipt

Flummerfelt Manufactured Homes
 837 West Maple Ave.
 Nevada, IA 50201

DATE	DESCRIPTION	MACHINE	QTY	U/M	RATE	AMOUNT
7/13/2022	Demo 604		1		5,000.00	5,000.00
Total						\$5,000.00

INVOICE

Keith Cooper & Sons, Inc.
909 Brookridge
Ames, IA 50010
515-232-3456
billing@cooperdigs.com

DATE	NO.
7/28/2022	81090

LOCATION AND/OR WORK DESCRIPTION	
Homeacres Trailer Park Demo	
P.O. #	TERMS
	Due on receipt

Flummerfelt Manufactured Homes
837 West Maple Ave.
Nevada, IA 50201

DATE	DESCRIPTION	MACHINE	QTY	RATE	AMOUNT
7/19/2022	Demo 616		1	4,500.00	4,500.00
7/21/2022	Demo 618		1	4,750.00	4,750.00
7/22/2022	Demo 401		1	4,000.00	4,000.00
Total					\$13,250.00

Keith Cooper & Sons, Inc.
 909 Brookridge
 Ames, IA 50010
 515-232-3456
 billing@cooperdigs.com

INVOICE

DATE	NO.
8/5/2022	81135

Flummerfelt Manufactured Homes
 837 West Maple Ave.
 Nevada, IA 50201

LOCATION AND/OR WORK DESCRIPTION	
Homeacres Trailer Park Demo	
P.O. #	TERMS
	Due on receipt

DATE	DESCRIPTION	MACHINE	QTY	RATE	AMOUNT
7/25/2022	Demo 209		1	4,000.00	4,000.00
7/27/2022	Demo 206		1	5,500.00	5,500.00
7/28/2022	Demo 205		1	5,500.00	5,500.00
				Total	\$15,000.00
Finance charge will be applied to any late invoices at a rate of 1.5% per month with a minimum charge of \$50.00					

INVOICE

Keith Cooper & Sons, Inc.
909 Brookridge
Ames, IA 50010
515-232-3456
billing@cooperdigs.com

DATE	NO.
8/11/2022	81168

Flummerfelt Manufactured Homes
837 West Maple Ave.
Nevada, IA 50201

LOCATION AND/OR WORK DESCRIPTION	
Homeacres Trailer Park Demo	
P.O. #	TERMS
	Net 30

DATE	DESCRIPTION	MACHINE	QTY	RATE	AMOUNT
8/2/2022	Demo 310		1	5,000.00	5,000.00
8/3/2022	Demo 203		1	4,500.00	4,500.00
Finance charge will be applied to any late invoices at a rate of 1.5% per month with a minimum charge of \$50.00				Total	\$9,500.00

Environmental Property Solutions, Inc.
10582 Justin Drive
Urbandale, IA 50322

Invoice

Date	Invoice #
8/12/2022	22110

Bill To
Flummerfelt Homes Jeff Clendenen 837 West Maple Avenue Nevada, IA 50201

Quantity	Description	Rate	Terms
			Due on receipt
			Amount
35	Asbestos sampling Project location: 1603 10th Street, #206, Nevada, IA	10.00	350.00
	Asbestos removal as per bid #206	3,150.00	3,150.00
	Project location: 1603 10th Street, #206, Nevada, IA		
21	Asbestos sampling Project location: 1603 10th Street, #604, Nevada, IA	10.00	210.00
	Asbestos removal as per bid	2,550.00	2,550.00
	Project location: 1603 10th Street, #604, Nevada, IA		
21	Asbestos sampling Project location: 1603 10th Street, #618, Nevada, IA	10.00	210.00
	Asbestos removal as per bid	3,550.00	3,550.00
	Project location: 1603 10th Street, #618, Nevada, IA		
21	Asbestos sampling Project location: 1603 10th Street, #205, Nevada, IA	10.00	210.00
	Asbestos removal as per bid	500.00	500.00
	Project location: 1603 10th Street, #205, Nevada, IA		
17	Asbestos sampling Project location: 1603 10th Street, #401, Nevada, IA	10.00	170.00
	Asbestos removal as per bid	2,550.00	2,550.00
	Project location: 1603 10th Street, #401, Nevada, IA		
27	Asbestos sampling Project location: 1603 10th Street, #616, Nevada, IA	10.00	270.00
	Asbestos removal as per bid	3,050.00	3,050.00
	Project location: 1603 10th Street, #616, Nevada, IA		
Thank you for your business.		Total	

Environmental Property Solutions, Inc.

10582 Justin Drive
Urbandale, IA 50322

Invoice

Date	Invoice #
8/12/2022	22110

Bill To
Flummerfelt Homes Jeff Clendenen 837 West Maple Avenue Nevada, IA 50201

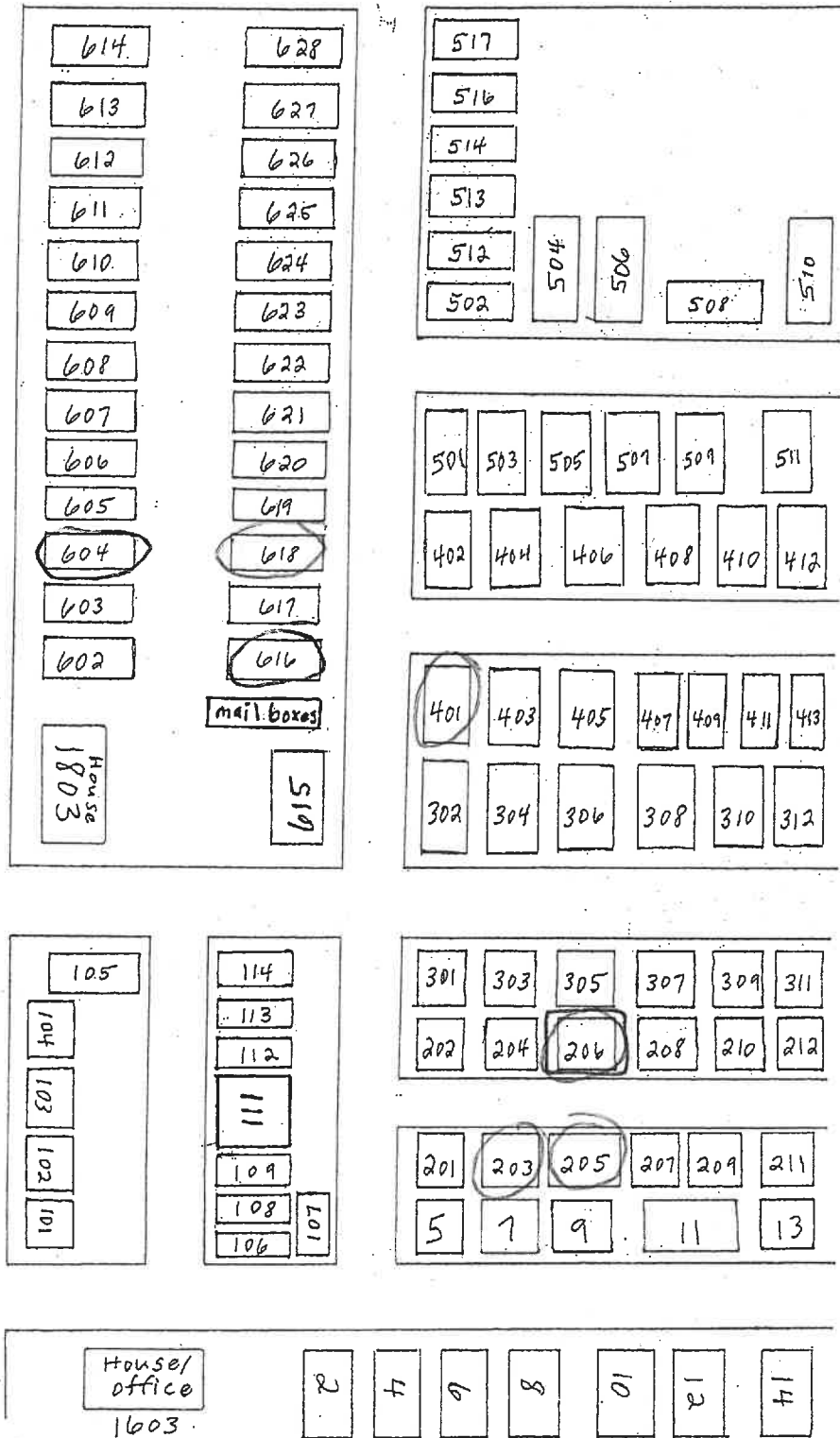
			Terms
			Due on receipt
Quantity	Description	Rate	Amount
25	Asbestos sampling Project location: 1603 10th Street, #107, Nevada, IA	10.00	250.00
	Asbestos removal as per bid Project location: 1603 10th Street, #107, Nevada, IA	800.00	800.00
19	Asbestos sampling Project location: 1603 10th Street, #203, Nevada, IA	10.00	190.00
16	Asbestos sampling Project location: 1603 10th Street, #627, Nevada, IA	10.00	160.00
25	Asbestos sampling Project location: 1603 10th Street, #108, Nevada, IA	10.00	250.00
Thank you for your business.		Total	\$18,420.00

Sunridge
Estates

1603
10th St.

10th Street

T Avenue



Lot 604



Lot 616



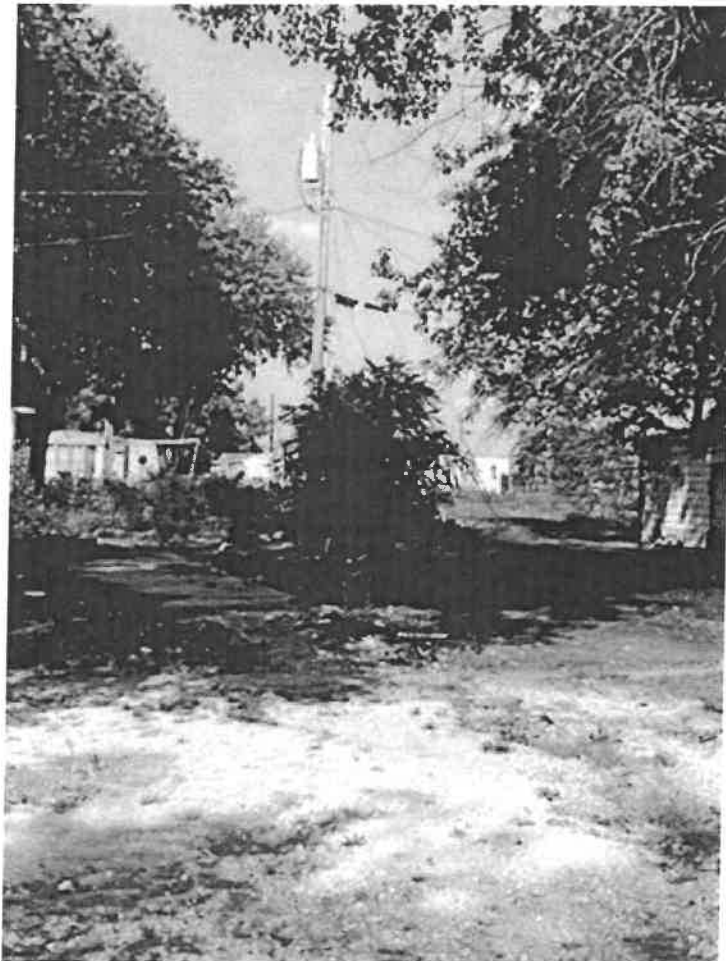
Lot 618



Lot 401



Lot 206



Lot 205



Lot 203



City Administrators Report

August 17-September 8, 2022

Marco Copiers/printers:

Marco dropped off a printer/copier for us to use and see if we notice any changes from this machine from the old. We have been having issue with multiple printers. We use the printers and copiers for day-to-day operations as well as printing water bills, checks, agendas and council packets. Because we use them on some of these big jobs, it is necessary to have reliable machines. Our last machine broke down on the day we were printing water bills, luckily, we were able to move it over to the other printer with out adjusting many settings but with that little hiccup, we could have been late on sending water bills out.

Engineer:

The numbers are attached. I have the numbers broken down at the end on average amount per year. I struggled a little bit with this because I believe we will always have projects needing engineer expertise. As I have been doing more research, I have realized the importance of having an in-house engineer to at least combat some of the fees and charges to help prevent being taken advantage of. You will notice we average over ¼ of a million on a regular basis. This is without our past two major projects including Wastewater and Central Business district. I still believe it would be a wise decision for an in-house engineer but I think the gear has switched a little from trying to do it all to help keep cost minimal with some design work in the works. Let me know your thoughts.

Current WWTP:

As we continue to think through different ideas for the current site, there have been many thoughts but I still feel the need for a feasibility study. Talking with NEDC, I would like to see if they would be willing to partake in this with the city since it would benefit them as well. Although, we are still a year and a half out, it would be nice to have a plan in place so we can start acting on it. The intercity visit was great for many reasons but a big reason was seeing all the cool innovative projects. Feasibility studies can range from 10k all the way up depending on who we hire and how deep the study will go. I will continue discussions with Brenda on this and will start drafting an RFP so we have it if we pull the trigger.

Oak Park Estates

If you haven't noticed, drive by the site and check it out. It looks completely different now that the dilapidated buildings are down. He is working on finishing up the plans with engineering, they plan on having lots available next fall and sizes will range from 1/4 -1 acre lots.

Henry Development

Hoping to have everything in from their engineer for the subdivision in order to get the plat approved from planning and zoning. I know they are in a hurry to get started. Would like to see dirt start moving after harvest but we will see. May commence in early spring.

B.R.I.C Grant

Went to a seminar regarding the Building Resilient Infrastructure for Communities (BRIC) grant. With the grant opportunities available I want to make sure we are getting as much bang for our

buck as we can. There are several opportunities with more opening up every 4 months for this specific grant. We have several projects; the key is finding the right project for the right grant as well as tying it in for the main purpose.

IaCMA Professional Development Committee

I am one of the newest members on the professional development committee for the Iowa league of Cities. In our last meeting, we discussed several speakers and topics for the next conference. Equity, Inclusion and Diversity training has been a big topic as of late and it is something we have been focusing more on. There is always a lot of interest on new legislature being introduced so this is something that is typical to include as well as new or different economic development practices. I am excited to now be a part of the group as I always enjoy the conference but wanted something more to take home.

Volunteer Hours-Evergreen Lane

Last week I had the opportunity to volunteer at Evergreen Lane to help re-build the retaining wall that was destroyed during Derecho. We were able to complete the main part that was laying down and crumbly. We are hoping to get to the rest of it in the coming years. The wall looks great, need to do a few touch ups though.

West K Lot

Thought NEDC had a lot sold but it's looking more and more like it won't happen. I am hopeful they will still want to build on it but recently, Ryan and I found out about a few gas pipelines in the area that consume over a third of the lot. Because they were wanting to build contractor condos, the area may not allow for that to happen because of the easements in place. The lot I am referring to is the most western lot, west of M & R Properties.

UPDATES:

UTV/ATV/Golf Carts:

First Reading- Council has option to waive 2nd and 3rd reading.

Strategic Planning:

First meeting will take place October 14th

Community Coffee

Saturday, September 10-Farmgrounds

MONTHLY/WEEKLY STANDING MEETINGS

AEDC

NEDC (Executive)

NEDC (Main)

NEDC (Workforce)

Lincoln HWY Days Recap

United Way

Fieldhouse



MEMO

To: Nevada Mayor and City Council

From: Larry Stevens, PE

Subject: Monthly Project Update from HR Green, July and August 2022

Date: September 7, 2022

On-Call Engineering Services – 40100100

HR Green provided the following on-call services:

- Attended City Council and CIRTPA meetings.
- Burke/City of Nevada Wastewater Treatment Agreement:
 - Finishing user rate model for surcharge costs for TA
- Review of Alliant Energy gas line easement.
- Attended meeting with Summit Carbon Solutions to discuss proposed route in and near Nevada.
- Researched funding opportunities for street projects near the US 30 Interchange.
- Provided input on use of excess soil from the WWTP site.
- Provided a description and exhibit of the portion of Lot 2, Airport Road Plat 6 proposed to be sold to Van Howeling.
- Reviewed and provided comments on the revised Oak Park Estates Subdivision to the City and Strand/Fox; recommended PUD to waive many strict requirements of the City's subdivision ordinance.
- Reviewed and provided comments on the Story Medical Center Expansion and Renovation, Phase 1 site plan.
- Provided review of Verbio's proposed wastewater flow metering
- Provided costs for WWTP project costs for SRF loan.
- Continued work on sewer rate model for Burke.
- Provided soil investigation information for Airport Road Plat 6 from the subdivision development stage.
- Received site plan for the Story County Medical Center Long Term Care Facility. Will provide review.
- Received the conceptual layout of the proposed 32-acre SCMC campus extension south of the existing facility. This subdivision will include the proposed Long Term Care Facility and potential hospital expansion and other residential development.

S-14/US 30 Bridge Project Water Main Relocations - 220758

- Preliminary plans have been completed and submitted to Iowa DOT
- Final plans are required by November 1 for a January 2023 letting.

Sponsored Projects - 191900

Nevada Sponsored Project Concept Design – 191900.02

- This phase is now complete

- HRG staff held a coordination meeting on April 22 with City staff, Darren Moon (Story County Engineer) representatives of Drainage District #17, and IDNR staff to discuss Project C Harrington Park project.

Nevada Sponsored Project Final Design – 191900.03

- These 3 projects are moving ahead to final design and construction:
 - Project A – West Indian Creek (Lincoln Way to E Ave)
 - Project B – Tributaries to West Indian Creek
 - Project C – Harrington Park
- Professional Services Agreement approved and executed on June 13, 2022.
- Design kickoff meeting held July 1, 2022
- Survey (for Harrington Park) now complete, with some enhanced data obtained on County drainage tile. There are still some unknowns about this County asset but we believe we can work with what we have at this point.
- 30% design deliverables to client and SRF anticipated in next two weeks, in separate packets for each of the 3 projects. The SRF technical reviewer will take up to 30 days to review and provide comments.
- Next steps
 - Hold a 30% design meeting with the City/SRF reviewers in late September.
 - Start preparing for public outreach efforts

GIS Services – 181696

- Cemetery Project
 - Work is continuing on transferring information from the headstones photos to individual plots. Work is still ongoing on plot updates and creation based on headstone locations.

2021 Streets Project - 201191

- This project consists of the following:
 - Division 1
 - 11th Street from U to W Avenues – full depth asphalt roadway with open ditches.
 - Lincoln Highway mill and overlay from the bridge over the UPRR Connector Track to approximately 1900'.
 - All work has been completed, except final seeding on 11th Street.
 - Division 2
 - S-14 (W 4th Street) from M Avenue to North of Railroad underpass – Full-depth asphalt reconstruction.
 - City Council approved a change order to include the sanitary sewer extension from N Avenue to the UPRR Overpass and to delay the completion of the project until next summer.

Wastewater Treatment Facility - 160473

- Phase 1, Site Preparation:
 - Work was completed as of 5/14/21.
- Phase 2, WWTF Plant:
 - Held construction progress meeting with WBCI on 8/17.
 - Current work items underway includes: Concrete work for Headworks Building, Oxidation Ditch, Secondary Clarifiers, Aerobic Digester, Biosolids Pump Station, and Return Pump Station; Masonry for UV Building, Secondary Treatment Building, Administration Building; PEMB erection at Administration Building, sitework, site electrical work, mechanical/plumbing work.
 - HRG is working on shop drawing submittal reviews and responding to contractor questions.

- Progress schedule shows project is on schedule to meet updated contract completion dates.
- HRG's is coordinating with the well driller regarding private test well exploration for on-site potable water service needs.
- Phase 3, Lift Station:
 - Held construction progress meeting with Boomerang on 8/17.
 - Held concrete wall pour planning meeting with Boomerang on 9/2.
 - HRG is working on shop drawing submittal reviews and responding to contractor questions.
 - HRG has issued a Work Change Directive to decrease lift station pump cost by \$50,000. Will include formally in Change Order #1.
 - HRG has requested a proposal on changes to floor hatches that will decrease the Contract Price.
 - Boomerang has been working base foundation slab concrete pours and forming foundation walls. Major wall pour is upcoming in the next couple of weeks.
 - Based on August progress meeting progress schedule, Boomerang has indicated that the work is on schedule to meet the contract completion date.
- Phase 4, Force Main and Trunk Sewer:
 - OnTrack has received force main and 15" gravity sewer pipe materials and is storing on-site.
 - Partial excavation west of 6th Street and north of US Hwy 30 was completed 2 weeks ago in preparation for installation of force main and 15" gravity sewer once 6th Street borings are completed
 - Auger boring subcontractor is expected to mobilize to the site the week of Sept 12th to begin auger borings; will start at 6th Street then move to US Hwy 30 crossings.
 - Trunk sewer work not allowed to begin until crops are removed
 - Trunk sewer easements:
 - Awaiting next steps from Brick-Gentry for property owners that did not sign offer letters; status of condemnation is unknown.
 - Iowa DOT Right-of-Way permits received
 - Story County utility permit applications approved and received on 5/10/22

Jordan Well No. 4 Abandonment - 191227

- Northway has mobilized to the site and begun cleaning of the well for filling and abandonment.
- Well abandonment anticipated to begin 9/12.



NEVADA PUBLIC SAFETY DEPARTMENT

1209 6th Street - P.O. Box 530 Nevada, Iowa 50201 Tele: 515-382-4593



Ricardo Martinez II
Public Safety Director
Chief of Police

To: Mayor and City Council

From: Ricardo Martinez II, Public Safety Director/Chief of Police

Date: Thursday, September 8th, 2022

Ref: Report for City Council Meeting for Monday, September 12th, 2022

Staffing

Officer Lane VanderHart is in his 2nd week of our Field Training Program; he is progressing well.

Detective Sergeant Andrew Henderson will be attending Staff & Command School starting Monday, September 12th. As a reminder, this is a much sought-after premier school. This training is hosted by the Des Moines Police Department and takes place at their training facility. It is a ten-week school, two weeks there, two weeks back, and so forth until completed.

New Equipment

The new Message Board/Speed Trailer has a new solar panel. The new unit will be put to use once graphics are installed.

Respectfully submitted,

Ricardo Martinez II
Public Safety Director
Chief of Police



NEVADA PUBLIC SAFETY DEPARTMENT

1209 6th Street - P.O. Box 530 Nevada, Iowa 50201 Tele: 515-382-4593

Ricardo Martinez II
Public Safety Director
Chief of Police



MEMORANDUM

TO: Ricardo Martinez, Public Safety Director

FROM: Ray Reynolds, Director of Fire and EMS

DATE: September 6, 2022

REF: Activity report for Trustees, City Council and Honorable Mayor.

Total Calls to date for year: 498

Fires for August 2022: 2

EMS calls for August 2022: 50

Good intent calls for August 2022: 10

Community supported events for August 2022: 5

Narcan used this month: 0

International Association of Fire Chiefs- Fire and Life Safety Section

At Fire Rescue International (FRI), I was re-appointed as a Board Member At-Large for the Fire and Life Safety Section of the IAFC. Being a part of this board allows me to be a part of addressing various fire problems that impact our community. I was able to meet with the US Fire Administrator and discuss the possibility of using BRIC grants to fund sprinkler projects in our historic district downtown. The IAFC covers travel expenses for the board members. This allows access to important fire service information while saving the city money.

Camelot Theater Featured in National Sprinkler Magazine

The Camelot Theater renovation project was the subject of a national article published in the September-October 2022 National Fire Sprinkler Magazine. I wrote the article to showcase our community and the positive things happening in our historic district. Economic development grants are vital to bring historic renovation projects up to safety levels of occupancy while also protecting the historic qualities that make up these buildings. The theater has an apartment on the second and third levels. Both apartments use a single exit. This residential setting requires a sprinkler system. The code allows for a 13R sprinkler system in the residential spaces above the commercial first floor space in

place of a black pipe NFPA 13 commercial grade sprinkler system. This allowance to use PVC type pipe reduces sprinkler costs by 50% compared to commercial black pipe sprinkler installations. The theater does get some breaks being historic. They are only required to sprinkle the apartments, the alcohol service area, under the stage, and the kitchen spaces. Even though the first floor is all open, the theater seating is existing. While we highly recommend sprinklers throughout, sprinklers would not be mandated in the seating occupancy spaces that remain existing use (unless there is a change in use).

“For instance, if the upper building is residential and doesn’t exceed specific height requirements, sprinklers above the podium style first floor may be able to follow the more relaxed rules of *NFPA 13R: Standard for the Installation of Sprinkler Systems in Low-Rise Residential Occupancies*.

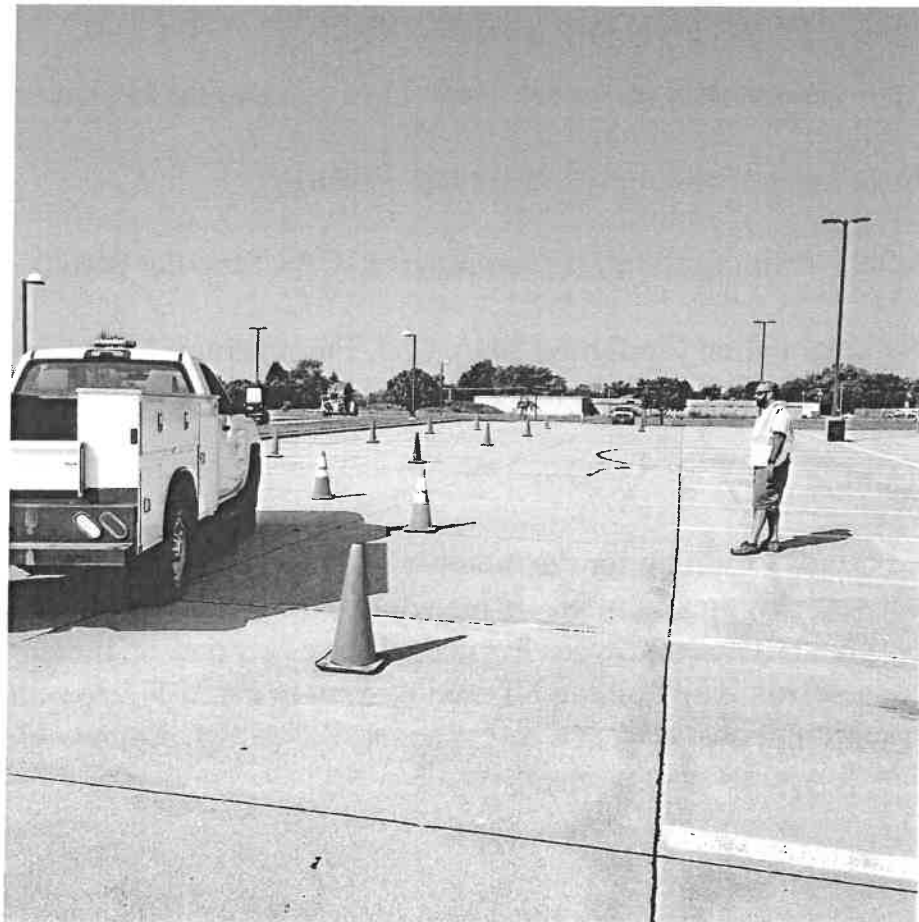
Incidentally, some occupancies above the podium top may not have to be sprinklered at all; for instance, a business occupancy under certain height, intended use, and area thresholds would not require sprinklers. Of course, NFSA still recommends opting for the significant protection offered by automatic sprinklers,” according to the NFSA.

Upcoming events for the Fire Department

- 9-11- 22: 9/11 Memorial Stair Climb at Verbio for first responders and military
- 9-20-22: Fireworks presentation (online) to the Blank Children’s Safety Conference
- 9-23-22: 1pm disaster drill at Verbio involving a fire and medical scenario
- 9-28-22: Iowa League of Cities Conference- Waterloo
- 10-5-22: Safety Training for all city employees (CPR/Stop the Bleed)
- 10-7/9-22: National Fallen Firefighter Memorial, Emmitsburg, Maryland - Brad Tendall’s name placed on the national firefighter memorial wall.

City Drivers Training

The city provided driver’s training for the monthly safety training. City employees drove the many different vehicles they normally drive while working in our parks, streets, and water/waste water plants. The employees learned of our city’s past insurance claims involving vehicle incidents. The training focused on how to avoid future claims while operating vehicles through obstacles in a safe manner. Police Sgt. Andrew Henderson assisted in the vehicle operations training.





The Nevada Street Department has been performing duties listed below:

- Street sweeper repairs
- Sweeping streets
- Patching
- Tree trimming
- Normal maintenance on city fleet
- Storm sewer repair on N avenue
- Ash tree removal
- Picked up trash along Lincoln Way
- Mowed around bridges



September 2022

TO: City Council

Continuing to process in coming permits and continuing inspections on building projects.

I have been sending notices for yard nuisances (If you see any please email me.)

The remodeling of the Motel is continuing.

I have included a recommendation for the Neighborhood Incentive Program.

I have included a Tax Abatement Form.

I have included a Minor Subdivision, ROSK Subdivision.

Respectfully,

Ryan Hutton
Building and Zoning Official



CITY OF NEVADA
**PARKS &
RECREATION**

September - 2022

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

From: Tim Hansen, Director of Parks and Recreation

Re: Monthly Information Report

- Field House Project:
 - Sanitary sewer and water hookup inside the boundaries of the footings has been completed.
 - Storm sewer on west and south side of project is complete.
 - Footings for the south wall and southwest angle wall are anticipated to start week of September 12th.
- Delivered tables to and from Lincoln Highway Days, Nucara, and the Camelot Theatre.
- Fall programs are ongoing as well as planning for winter programming, Senior Thanksgiving Luncheon, and Christmas activities and meals.
- Fall spraying for weed control will start next week. This will take place throughout the parks, cemetery, and various city properties during the months of September and October.
- Ongoing cemetery and park maintenance.
- Landscape maintenance at the pool.
- We will begin winterizing the pool the next couple of weeks.
- Staff training in early October.
- Sarah is currently doing Serve Safe training for concession operations.
- Staff, City Council, Wellness, and Safety meetings.

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



NEVADA PUBLIC SAFETY DEPARTMENT

1209 6th Street – P.O. Box 530 Nevada, Iowa 50201 Tele: 515-382-4593



Ricardo Martinez II
Public Safety Director
Chief of Police

Date: Monday, August 22nd, 2022

Alicia Janas-Martindale
545 Westwood Drive
Nevada, Iowa 50201
Email: jاليا83@gmail.com
Cell: 708-691-8875
Alternative Contact Person: Harley Martindale
Cell: 334-475-5888

RE: Block Party Street Closure Westwood Drive on Sunday, August 28th, 2022

Dear Alicia:

You are requesting to close Westwood Drive at the cul-de-sac located at the northern most portion of the roadway for a Neighborhood Block Party. This event is to take place on Sunday, August 28th, 2022. The party will start at 5:00pm and conclude at 8:00pm. To facilitate this event, barricades will be used to stop traffic at the cul-de-sac north of the intersection at Cimmaron Drive. Traffic will be open for Westwood and Cimmaron Drive. Neighbors will be allowed to leave and return if necessary. You have communicated with your neighbors and addressed any questions or concerns.

Your request is approved

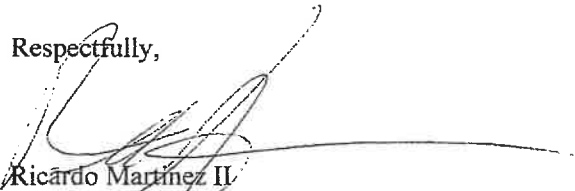
You are required to allow emergency vehicle access if necessary. The City of Nevada is not liable for any injuries or other claims made by participants in your event. You are responsible for obtaining any liability insurance necessary to protect you against any claims which may be brought in connection with this.

In the future, please apply for a road closure request well in advance of the planned event.

You have agreed to use barricades to close off the road. Should you require equipment to close the roadway these arrangements will need to be made with City of Nevada Streets Superintendent Joe Mousel. There are rental fees and deposits associated with the use of City equipment. Mr. Mousel can be reached Monday-Friday between 8:00 a.m. and 3:00 p.m. by calling his office at 515-382-4813. It is your responsibility to make these arrangements with Mr. Mousel.

If you have questions, please let me know.

Respectfully,


Ricardo Martinez II
Public Safety Director/Chief of Police

Cc: Jordan Cook, Nevada City Administrator
Joe Mousel, Nevada Streets Superintendent
Command Staff, Nevada Public Safety Department
City Council & Mayor



NEVADA PUBLIC SAFETY DEPARTMENT

1209 6th Street – P.O. Box 530 Nevada, Iowa 50201 Tele: 515-382-4593



Ricardo Martinez II
Public Safety Director
Chief of Police

Date: Friday, September 2nd, 2022

Lynn Boeset
342 Maple Avenue
Nevada, Iowa 50201
Mobile: 515-290-5591
Email: lynn@unitedadvocacyservices.com

RE: No Parking Area in Front of 342 Maple Avenue

Dear Lynn:

Through email communications and conversation, you are requesting the street in front of your residence, 342 Maple Avenue, Nevada, Iowa, be designated as a No Parking area during the City of Nevada Halloween Night. This would take place on Monday, October 31st, 2022. You have stated the display on your front lawn has attracted many people, some of which walk on your property, display, causing damage; additionally, you have various lighting devices which people may walk and trip upon. You are requesting the No Parking area starting at 4:30pm, concluding at 9:30pm, in an effort to keep individuals from hurting themselves and preventing damage to your property. The No Parking area will be bordered on the west of your property to the driveway; on the east side by your own driveway.

Your request is approved

The No Parking Signs are provided by the Nevada Public Safety Department. There is no charge for these signs. These can be picked up at the Nevada Public Safety Department. You will need to place the signs on a post of your choosing in a manner allowing the public to easily see them. You should place two (2) signs on your property. These may be retrieved prior to your event. You will be required to remove the signs no later than 9:30pm.

The City of Nevada is not liable for any injuries or other claims made by participants in your event. You are responsible for obtaining any liability insurance necessary to protect you against any claims which may be brought in connection with this.

If you desire to place saw horses, or similar type devices on the roadway in front of your residence, you may do so. However, if you do require equipment, you may contact Nevada Streets Superintendent Joe Mousel. There are rental fees and deposits associated with the use of City equipment. Mr. Mousel can be reached Monday-Friday between 8:00 a.m. and 3:00 p.m. by calling his office at 515-382-4813. It is your responsibility to make these arrangements with Mr. Mousel.

I would like to thank you for contacting me well in advance of this event. It is very much appreciated. If you have questions, please let me know.

Respectfully,


Ricardo Martinez II
Public Safety Director/Chief of Police

Cc: Jordan Cook, Nevada City Administrator
Joe Mousel, Nevada Streets Superintendent
Command Staff, Nevada Public Safety Department
City Council & Mayor

Ricardo Martinez

From: Lynn Boeset <lynn@unitedadvocacyservices.com>
Sent: Tuesday, August 30, 2022 1:54 PM
To: Ricardo Martinez
Subject: RE: Halloween Event

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

Public Safety Director/Police Chief Martinez,

I am requesting a no parking designation in front of my house at 342 Maple Ave. Nevada, the night of October 31st. This designation will be from 4:30 PM till 9:30 PM and cover from the west side of my property to the east side of my property.

Lynn Boeset
United Advocacy Services
PO Box 571
Nevada, IA 50201
O 515-382-3733
F 515-686-6032

From: Ricardo Martinez [rmartinez@cityofnevadaiaowa.org]
Sent: Monday, August 29, 2022 5:30 PM
To: Lynn Boeset
Subject: Halloween Event

Put your request together and forward it to me. I prefer a letter, but if you want to email me your request rather than an attachment I will accept that. Since you are requesting this well in advance, which I absolutely appreciate, we can tweak if it is needed.

Talk soon,

Ricardo Martinez II
Public Safety Director
Chief of Police
1209 6th Street



NEVADA PUBLIC SAFETY DEPARTMENT

1209 6th Street – P.O. Box 530 Nevada, Iowa 50201 Tele: 515-382-4593



Ricardo Martinez II
Public Safety Director
Chief of Police

Date: Friday, September 2nd, 2022

Katelyn M Wolters
Public Relations Vice President
Gamma Phi Beta Sorority
318 Pearson Avenue
Ames, Iowa 50014
E: kwolters@iastate.edu
M: 908-303-3668

Reference: Sorority Event on Friday, October 21st, 2022

Dear Katelyn,

Thank you for contacting the Nevada Public Safety Department to provide police services for your event taking place on Friday, October 21st, 2022, starting about 5:30pm, concluding no later than 9:30pm. Per phone conversations and emails, you are requesting police services for an event to take place at Farmhouse Gatherings, 1024 6th Street, Nevada, Iowa. In our conversation you anticipate between 175-200 guests. There will be approximately fifteen (15) advisors and non-alcohol consuming monitors assisting at this event.

Police services are \$55 per hour per Officer. Officers are required to be at the event thirty (30) minutes in advance of the start of the event. In this case, 4.5 hours. The cost of police services will be \$495 (2 Officers X \$55 per hour X 4.5 hours). The fee is to be paid in advance to the Nevada Public Safety Department. Please consider this letter an Invoice for these services. This may be paid in person at the Nevada Public Safety Department, or mailed to the address listed in the letterhead of this document. A receipt will be provided after payment is received. Credit card payments are acceptable, however, there is an additional credit card fee, and payment is in person.

This scanned letter should suffice if questions arise. If you have questions or concerns, please contact me.

Respectfully,

Ricardo Martinez II
Public Safety Director
Chief of Police

CC: Jordan Cook, Nevada City Administrator
Command Staff, Nevada Public Safety Department
Nevada Mayor & City Council

Ricardo Martinez

From: NPSD
Sent: Friday, September 2, 2022 4:43 PM
To: Ricardo Martinez
Subject: FW: Security at The Gatherings

From: Wolters, Katelyn M <kwolters@iastate.edu>
Sent: Tuesday, August 23, 2022 9:24 AM
To: NPSD <NPSD@cityofnevadaiaowa.org>
Subject: Security at The Gatherings

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

Hello,

For a sorority event at The Gatherings in Nevada, IA, we would need to hire 2 security guards through the police department there. The event is on October 21 from 5:30-9:30 at the longest. I was wondering if this could be possible!

Thank you,
Katelyn Wolters
Iowa State University
Aerospace Engineering
(908) 303-3668 | kwolters@iastate.edu



NEVADA PUBLIC SAFETY DEPARTMENT

1209 6th Street - P.O. Box 530 Nevada, Iowa 50201 Tele: 515-382-4593

Ricardo Martinez II
Public Safety Director
Chief of Police



Tuesday, September 6th, 2022

Kristian Einsweiler
Principal, Nevada High School
1001 15th Street
Nevada, IA 50201
Phone: 515-382-3521

RE: 2022 Homecoming Parade

Dear Kristian:

I received your emailed letter Sunday, September 4th, 2022, in regards to the 2022 Homecoming Parade. You are requesting to hold the Homecoming Parade on Tuesday, September 13th, 2022. The parade is scheduled to begin at 6:00pm.

Your letter indicates you have received permission from the Story County Board of Supervisors to use the Story County Administration Building Parking lot, located in the 500 blk of J Avenue, as your assembly point. This will start at 5:30pm. The parade will initially head west on J Avenue to 5th Street. At 5th Street, the parade will traverse north to K Avenue. At K Avenue, the parade will turn east toward 6th Street and then turn south at 6th Street and drive past the Announcing Stand which will be at State Bank and Trust. On 6th Street, the parade will turn east onto J Avenue and continue to 10th Street. Once getting to 10th Street, the parade will turn south and travel to H Avenue. At H Avenue, the parade will turn east to 15th Street. At this point the parade will disband.

Your request is Approved

The Nevada Public Safety Department will provide a police escort for the parade, pending any priority calls for service. Street closures are not being requested, however, you will need traffic control at intersections. Volunteers at intersections reduces costs and assuage the need for barricades. Your request indicates each volunteer will wear a city approved traffic vest. If you need vests the NPSD can provide these at no costs.

Should the need for street barricades become necessary, you must contact Nevada Street Department Superintendent Joe Mousel to make these arrangements. Mr. Mousel can be reached Monday-Friday between 8:00 a.m. and 3:00 p.m. by calling his office at 515-382-4813. There are rental and deposit fees associated with the use of city equipment. It is your responsibility to make these arrangements with Mr. Mousel.

Homecoming is always a great time for Nevada, we hope for a fun and safe week. As always, if you have questions or concerns, please contact me.

Respectfully,

Andrew Henderson
Detective Sergeant
Nevada Public Safety Department

Ricardo Martinez II
Public Safety Director
Chief of Police

Cc: Jordan Cook, Nevada City Administrator
Joe Mousel, Nevada Street Superintendent
Command Staff, Nevada Public Safety Department
Mayor & City Council



BRICK GENTRY P.C.

ATTORNEYS & COUNSELORS AT LAW

ERIN M. CLANTON
ATTORNEY

T: 515-274-1450

F: 515-274-1488

Erin.Clanton@brickgentrylaw.com

August 11, 2022

Donald Juhl
616 J Avenue
PO Box 25
Nevada, Iowa 50201

Re: Mac Vey Investments LC property at 536 4th Avenue

Dear Mr. Juhl:

I wanted to follow up about the status of the progress in rehabilitating the property located at 536 4th Avenue (the "Property.") As you will recall, following a hearing on April 29, 2021 and subsequent meeting on July 26, 2021, the City passed the enclosed resolution requiring Mac Vey Investments, LC to restore the Property in full compliance with the Resolution and Order on or before August 1, 2022. The City has not received the requisite plans for restoration, has not been invited to investigate the Property at any of the check-points set forth, and by all visual accounts, the Property has not been rehabilitated in accordance with the Order.

By letter dated July 26, 2022, Mr. Mac Vey was invited to attend the August 8, 2022 City Council meeting in order to update the Council on the status of repairs. Mr. Mac Vey was not in attendance, however the Council moved to give Mac Vey Investments, LC thirty (30) days to comply with the July 26, 2021 Order. The City Council will reconsider this matter at its meeting on September 12, 2022. If the Property is not compliant by that date, the Council may proceed with any and all additional measures to compel compliance including litigation and/or municipal infraction.

If you have any questions about the foregoing, please don't hesitate to contact me.

Sincerely,

Erin M. Clanton

Enc: July 26, 2021 Order

Don Juhl, Lawyer

Phone & FAX: 515.382.4292
e-mail: donjuhl@law@yahoo.com

cell phone: 515.450.0262

616 J Avenue, P.O. Box 25
Nevada, IA 50201

COPY

August 15, 2022

MacVey Investments, LC
Mr. Todd MacVey, Member-Manager
P.O. Box 1962
Ames, IA 50010

In re: Enclosed letter from Nevada City Attorney, Ms. Erin M. Clanton

Dear Todd:

This morning I received the enclosed letter from the Nevada City Attorney regarding your property at 536 4th Avenue in Nevada. As you know, I am no longer representing you in this matter.

Notwithstanding this fact, I highly recommend that you take whatever action is required pursuant to the Resolution, a copy of which is also enclosed. Failure to do so will, I am confident, result in the city demolishing the building and you will end-up with a substantial judgment against you for the costs involved. That would be most unfortunate.

For *your* benefit, please give this important matter you prompt attention.

Very truly yours,

Don Juhl

Enc: 2

RESOLUTION NO. 003 (2021/2022)

**RESOLUTION AND ORDER
REGARDING DANGEROUS BUILDING**

WHEREAS, notice was served on or about the 1st day of February, 2021, on Mac Vey Investments, LC, (“Owner”) to abate the nuisance existing at 536 4th Street in Nevada, Iowa (the “Property”) within 90 days from service of said notice upon the said Owner; and

WHEREAS, a hearing was requested by the Owner, through its attorney, and a hearing was held on April 26, 2021 and evidence produced and considered by the City Council; and

WHEREAS, the City Council, after hearing evidence from both City staff and the Owner, issued a Resolution and Order at its special meeting held on April 29, 2021, declaring the Property to be a nuisance and dangerous building as defined by Nevada City Code Chapter 145, as the Property has been inadequately maintained, a fire hazard, and abandoned; and

WHEREAS, the City Council’s April 29, 2021 Resolution and Order required the Owner to proceed with the following steps:

1. Within sixty (60) days of the date of this Order, retain a certified architect or structural engineer—licensed in the State of Iowa—to inspect the Property and provide a detailed list of repairs and/or replacements necessary to bring the Property into compliance with any and all building codes and render the Property habitable. Such report shall be submitted to the City Council within sixty (60) days of this Order.
2. Within sixty (60) days of the date of this Order, retain a certified fire restoration company to inspect the Property and provide a detailed report of the remedial efforts necessary to remove any carcinogenic material, mold and/or other dangerous material from the Property. Such report shall be submitted to the City Council within sixty (60) days of this Order.
3. Within sixty (60) days of the date of this Order, the Property Owner shall provide to the City Council a detailed plan to rehabilitate the Property to make the same safe and free from hazards to anyone coming on the premises, which includes bringing all structural, electrical, and plumbing components up to City Code requirements, and the proposed timeline necessary to accomplish the same.

WHEREAS, the Owner submitted the requested information to the City within the sixty (60) day timeline; and

WHEREAS, at its July 12, 2021 Council meeting, the City Council reconvened to provide additional timelines for the Owner to abate the nuisance.

NOW THEREFORE, BE IT RESOLVED that the Owner is hereby directed and ordered to abate the nuisance consisting of an unsafe residential home and unattached garage by:

1. Completing the list of repairs and/or replacements necessary to bring the Property into compliance with any and all building codes and render the Property habitable, in accordance with the reports prepared by Benjamin Design Collaborative dated June 23, 2021 and November 20, 2015, and the June 12, 2021 Inspection Report prepared by Bruce Runner.

2. Notifying the City at the following check-points of the restoration project and allow the City to inspect at each such check-point ("Inspection Points"):
 - a. When all walls are stripped to the studs and all electrical sheathed wire has been removed from all levels above the basement level.
 - b. When all soda application is taking place to verify proper decontamination of the fire toxins.
 - c. When all charred rafters and floor joists are removed for visible inspection.
 - d. When new electrical services are installed and provide documentation to the State Fire Marshall.
 - e. When the walls have been sheet-rocked.
 - f. Final Inspection.
3. If the Property fails to comply with any Inspection Point, the City may order the reconstruction be halted until the Property passes such inspection.
4. The Property shall be fully restored in accordance with the reports referenced in (1) above on or before August 1, 2022.
5. If the Owner fails to complete the project as required within the designated timeframe, the City may proceed with any and all additional measures to compel compliance including litigation and/or municipal infraction.

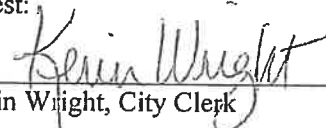
BE IT FURTHER RESOLVED that the City Clerk or enforcement officer be and is hereby directed to serve a copy of this Order upon the said Owner; and

BE IT FURTHER RESOLVED that in the event the Owner fails to abate the said nuisance within the time prescribed above, then and in that event the City will abate the said nuisance and the cost will be assessed against the Property and/or Owner, as the law shall provide, or it may proceed with any other measure allowed by law to bring the compel the Owner to bring the Property into compliance.

PASSED AND APPROVED this 26th day of July, 2021.


Brett Barker, Mayor

Attest:


Kerin Wright, City Clerk

Moved by Council Member Dane Nealson, seconded by Council Member Sandy Ehrig, that Resolution No. 003 (2021/2022) be adopted

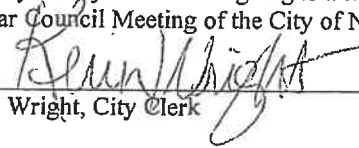
AYES: Nealson, Ehrig, Mittman, Sampson, Spence

NAYS: None

ABSENT: Hanson

The Mayor declared Resolution No. 003 (2021/2022) adopted.

I hereby certify that the foregoing is a true copy of a record of the adoption of Resolution No.003 (2021/2022) at the regular Council Meeting of the City of Nevada, Iowa, held on the 26th day of July, 2021.


Kerin Wright, City Clerk

