

#### **AGENDA**

### REGULAR MEETING OF THE NEVADA CITY COUNCIL MONDAY, SEPTEMBER 26, 2022 – 6:00 P.M. NEVADA CITY HALL, COUNCIL CHAMBERS – 1209 6<sup>TH</sup> 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=UERoTDIIUXZHczZIQi9ML0ZOeEIOdz09

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 <a href="mailto:kwright@cityofnevadaiowa.org">kwright@cityofnevadaiowa.org</a>
by 4:00 p.m. Monday, September 26, 2022

- 1. Call the Meeting to Order
- 2. Roll Call
- 3. Approval of the Agenda
- 4. PUBLIC HEARING(S)
  - A. Proposal to Amend City Code for Bee Keeping
    - 1. Public Hearing
    - 2. Ordinance No. 1034 (2022/2023): An Ordinance Amending Chapter 55 of the City Code of Ordinances of Nevada, Iowa, 2022, to Allow the Keeping of Bees in the City, first reading
  - B. Proposal to add Chapter 159 Vacant Property
    - 1. Public Hearing
    - 2. Ordinance No. 1035 (2022/2023): 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, first reading

- 5. Approval of CONSENT AGENDA (Any item on the Consent Agenda may be removed for separate consideration.)
  - A. Approve Minutes of the Regular Meeting held on September 12, 2022
  - B. Approve Payment of Cash Disbursements, including Check Numbers 78546-78636 and Electronic Numbers 1182-1190 (Inclusive) Totaling \$3,877,151.89 (See attached list)
  - C. Approve Financial Reports for Month of August, 2022
- 6. PUBLIC FORUM: Time set aside for comments from the public on topics of City business other than those listed on the agenda no action may be taken. (Please keep your comments to five minutes or less.) This is an opportunity for members of the audience to bring to the Council's attention any item not listed on the agenda. Comments are limited to five (5) minutes per citizen, and the City will notify citizens when their time has expired. Speakers may not yield their times to others, and as a general rule this is not a time for exchange of questions. The Mayor has the authority to reduce the time allowed for comment in accordance with the number of persons present and signed up to speak.
  - A. Proclamation for Watershed Awareness Month

#### 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 19<sup>th</sup> Street Outlot A from AR (Agricultural-Residential Reserve District) to R-4 (Multiple Family Dwelling District), third and final reading
- B. 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, third and final reading
- C. Ordinance No. 1031 (2022/2023): An Ordinance regarding proposed Modified Chapter 77, pertaining to Golf Carts, second reading
- D. Ordinance No. 1032 (2022/2023): An Ordinance regarding proposed New Chapter 78, pertaining to ATV/UTV, second reading
- E. Ordinance No. 1033 (2022/2023): An Ordinance amending Chapter 69, No parking, funeral parking, second reading

#### 8. NEW BUSINESS

- A. Approve New Class "C" Liquor License for Melissa Sly d/b/a/ Camelot Theater Foundation, 1114 6<sup>th</sup> Street, Effective September 19, 2022
- B. Presentation and Request for Funding on behalf of the Camelot Theater Foundation and Appropriate Follow-Up.
- 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

F:\OFFICE\COUNCIL\AGENDAS-COUNCIL\2022-2023\2022-09-26.DOC

The	agenda	was	posted	on th	e official	bulletin	board	on	September	22.	2022.	in	compliance
with	the requ	irem	ents of t	he op	en meeti	ngs law.			•	,	,		
Post	ed			-		•							
E-M	ailad												



#### MEMO FOR REGULAR MEETING OF THE NEVADA CITY COUNCIL MONDAY, SEPTEMBER 26, 2022 – 6:00 P.M.

#### 4. PUBLIC HEARING(S)

- A. Proposal to Amend City Code for Bee Keeping
  - 1. Public Hearing
  - 2. Ordinance 1034 (2022/2023): An Ordinance Amending Chapter 55 of the City Code of Ordinances of Nevada, Iowa, 2022, to Allow the Keeping of Bees in the City, first reading Enclosed you shall find the public hearing notice and ordinance for the first reading.
- B. Proposal to add Chapter 159 Vacant Property
  - 1. Public Hearing
  - 2. Ordinance No. 1035 (2022/2023): 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, first reading Enclosed you shall find the public hearing notice and ordinance for the first reading.

#### 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 19<sup>th</sup> Street Outlot A from AR (Agricultural-Residential Reserve District) to R-4 (Multiple Family Dwelling District). Enclosed you shall find the ordinance to change zoning for Story County Hospital – final reading
- B. Ordinance No. 1030 (2022/2023): An Ordinance amending provisions pertaining to Sewer User charges, Chapter 99, third and final reading Enclosed you shall find the Sewer Rate Ordinance. The rates will be in effect with the January bills, December meter reading.
- C. Ordinance No. 1031 (2022/2023): An Ordinance regarding proposed Modified Chapter 77, pertaining to Golf Carts, second reading Enclosed you shall find the ordinance for proposed modifications to Chapter 77 for golf carts
- D. Ordinance No. 1032 (2022/2023): An Ordinance regarding proposed New Chapter 78, pertaining to ATV/UTV, second reading Enclosed you shall find the ordinance adding Chapter 78 for ATV/UTVs
- E. No. 1033 (2022/2023): An Ordinance amending Chapter 69, No parking, funeral parking, second reading Enclosed you shall find the request and ordinance to remove funeral parking from Chapter 69
- 8. NEW BUSINESS

- A. Approve New Class "C" Liquor License for Melissa Sly d/b/a/ Camelot Theater Foundation, 1114 6<sup>th</sup> Street, Effective September 19, 2022

  Enclosed is the application for a liquor license from the Camelot Theater Foundation.
- B. Presentation and Request for Funding on behalf of the Camelot Theater Foundation and Appropriate Follow-Up.

  Enclosed you shall find the request from the Camelot Theater Foundation asking for a commitment from the City.
- 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. Ryan Hutton and Ray Reynolds have visited the property, talked to Mr. MacVey and have additional pictures of the property from the site visit.

Ordinano Amend ( Item # 4A Date: 9/26/22

Page Tor 5

#### 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
- ML. 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.

Ordinance No. 1034 (2022/2023) Amend Chapter 55, Bee Keeping Page 2 of 3

- 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.

1 .1 1 a cth 1

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

Passed and approved this 26 <sup>th</sup> day of Passed and approved this day of	•	
Passed and approved this day or	-	
	Duott Doulean Marron	
Attest:	Brett Barker, Mayor	
Kerin Wright, City Clerk		



### Proof Of Publication in NEVADA JOURNAL

CITY OF NEVADA 1209 6TH STREET NEVADA, IA 502010530

STATE OF WISCONSIN, BROWN COUNTY

#### CITY OF NEVADA

PH Notice Nevada Code of Ordinances - Bee Keeping

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

September 15, 2022

the last day of said publication being the 15th day of September, 2022

Legal Clerk

Notary Public, State of Wisconsin, County of Brown

My commission expires

sworn to before me and subscribed in my presence by this the 15th day of September, 2022

FEE: \$27.84 AD #: 0001464009 ACCT: 37490 AMY KOKOTT Notary Public State of Wisconsin #1464009
EXHIBIT A
NOTICE OF PUBLIC HEARING
CONCERNING
AMENDMENTS TO THE
NEVADA CODE OF ORDINANCES

YOU ARE HEREBY NOTIFIED that the City of Nevada, lowa, 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, lowards 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

Published in the Nevada Journal on September 15, 2022 (1T)

Or | Item # 4B | 9 | 26 | 32

#### **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 addressed 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 than 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 outlines 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.

Ordinance No. 1035 (2022/2023) New Chapter 159, Vacant Property Page 5 of 6

Passed and approved this 26 <sup>th</sup> day of September, 2022. Passed and approved this day of October, 2022.	
Passed and approved this day of October, 2022.	
	Brett Barker, Mayor
Attest:	
Kerin Wright, City Clerk	

#### **Proof Of Publication in**

#### **NEVADA JOURNAL**

CITY OF NEVADA 1209 6TH STREET NEVADA, IA 502010530

STATE OF WISCONSIN, BROWN COUNTY

that I am the Legal Clerk of NEVADA JOURNAL, a weekly newspaper, published at; Ames, Story County, Iowa that the annexed printed:

#### CITY OF NEVADA

PH Notice - Amendments to Code of Ordinance - Vacant Property

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

September 15, 2022

the last day of said publication being the 15th day of September, 2022

Legal Clerk

Notary Public, State of Wisconsin, County of Brown

My commission expires

sworn to before me and subscribed in my presence by this the 15th day of September, 2022

FEE: \$27.26 AD #: 0001464011 ACCT: 37490 AMY KOKOTT Notary Public State of Wisconsin

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

YOU ARE HEREBY NOTIFIED that the City of Nevada, lowa, 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, lowa is available on the City's website and in the City Cierk's office.

reveaud, lowa is available on the Citry's website and in the City Cierk's office.

YOU ARE FURTHER NOTIFIED, that a Public Hearing will be held in the City Council Chambers, 1209 6th Street, Nevada, lowa 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 Cierk, 1209 6th Street, Nevada, lowa 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

Published in the Nevada Journal on September 15, 2022 (1T)

Page 1 of 1

Ne September Date: 9247

NEVADA CITY COUNCIL - MONDAY, SEPTEMBER 12, 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 6<sup>th</sup> Street, Nevada, Iowa. Mayor Brett Barker, convened the meeting at 6:00 p.m. on Monday, September 12, 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, Barb Mittman, Dane Nealson, Jason Sampson, Steve Skaggs. Absent: Sandy Ehrig.

Staff Present: Erin Clanton, Jordan Cook, Erin Mousel, Larry Stevens, Ray Reynolds, Andrew Henderson, Ryan Hutton, Tim Hansen, Erin Coughlin

Also in attendance were: Karen Selby, Kip Farthing, Renae Rudkin, Jason Rudkin, Lance Rudkin, Doug Anderson, Jeremy Meyer, Louis Lang

#### 3. APPROVAL OF AGENDA

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

#### 4. PUBLIC HEARING(S)

- A. Proposal to consider the Vacation of City Property for September 12, 2022
  - 1. Public Hearing:

At 6:01 p.m. Mayor Barker announced that this is the time and place set for a <u>public hearing</u> as advertised in the Nevada Journal on <u>September 1, 2022</u>. The public hearing is <u>concerning the Vacation of City Property.</u>

There were <u>no written or oral objections</u> to the aforementioned recommendation. Public hearing closed at 6:01 p.m.

2. Resolution No. 029 (2022/2023): A Resolution to Vacate and Convey an Alleyway adjoining Block Twelve (12) in Burris Addition

Motion by Steve Skaggs, seconded by Dane Nealson, to <u>adopt Resolution No. 029</u> (2022/2023). After due consideration and discussion the roll was called. Aye: Skaggs, Nealson, Sampson, Hanson, Mittman. Nay: None. The Mayor declared the motion carried.

#### B. Golf and ATV/UTV Ordinance

1. Public Hearing:

At 6:02 p.m. Mayor Barker announced that this is the time and place set for a <u>public hearing</u> as advertised in the Nevada Journal on <u>September 1, 2022</u>. The public hearing is <u>concerning</u> <u>amendments to the Nevada Code of Ordinances regarding Golf Carts and ATV/UTV's.</u>

Doug Anderson expressed how appreciative he was of Council's efforts and support with both ordinances. There were <u>no further written or oral objections</u> to the aforementioned recommendation. Public hearing closed at 6:03 p.m.

2. Ordinance No. 1031 (2022/2023): An Ordinance regarding proposed Modified Chapter 77, pertaining to Golf Carts, first reading

Motion by Dane Nealson, seconded by Barb Mittman, to <u>approve Ordinance No. 1031 (2022/2023), first reading.</u> After due consideration and discussion the roll was called. Aye: Nealson, Mittman, Sampson, Skaggs, Hanson. Nay: None. The Mayor declared the motion carried.

3. Ordinance No. 1032 (2022/2023): An Ordinance regarding proposed New Chapter 78, pertaining to ATV/UTV, first reading

Motion by Jason Sampson, seconded by Brian Hanson, to <u>approve Ordinance No. 1032 (2022/2023), first reading.</u> After due consideration and discussion the roll was called. Aye: Sampson, Hanson, Mittman, Nealson, Skaggs. Nay: None. The Mayor declared the motion carried.

C. Proposal to enter into a Sewer Revenue Loan and Disbursement Agreement

1. Public Hearing:

At 6:09 p.m. Mayor Barker announced that this is the time and place set for a <u>public hearing</u> as advertised in the Nevada Journal on <u>September 1, 2022</u>. The public hearing is <u>to institute proceedings to enter into a loan and disbursement agreement.</u>

There were <u>no written or oral objections</u> to the aforementioned recommendation. Public hearing closed at 6:09 p.m.

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

Motion by Jason Sampson, seconded by Steve Skaggs, to <u>adopt Resolution No. 030 (2022/2023)</u>. After due consideration and discussion the roll was called. Aye: Sampson, Skaggs, Hanson, Mittman, Nealson. Nay: None. The Mayor declared the motion carried.

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

Motion by Dane Nealson, seconded by Barb Mittman, to <u>approve the following consent agenda</u> <u>items:</u>

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

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

#### 6. PUBLIC FORUM

- A. Council Member Mittman talked about the CROP Hunger Walk that has taken place in Story County for the past fifty years, and urged citizens to take part in the walk on October 2, 2022.
- B. Mayor Barker proclaimed September as Library Card Sign-Up Month and urged everyone to sign-up or renew their own card.
- C. Mayor Barker proclaimed September 26-30 as National Clean Energy Week and encouraged individuals and organizations to continue implementing the cleanest, lowest-emitting energy technologies available.

#### 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 19<sup>th</sup> Street Outlot A from AR (Agricultural-Residential Reserve District) to R-4 (Multiple Family Dwelling District), second reading

Motion by Jason Sampson, seconded by Barb Mittman, to <u>approve Ordinance No. 1029</u> (2022/2023), second reading. After due consideration and discussion the roll was called. Aye: Sampson, Mittman, Nealson. Skaggs, Hanson. Nay: None. The Mayor declared the motion carried.

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

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

C. Approve Pay Request No. 15 for WWTF Improvements-Phase 2 from Williams Brothers Construction Inc. in the amount of \$2,419,103.84

Motion by Jason Sampson, seconded by Steve Skaggs, to <u>approve Pay Request No. 15 for WWTF Improvements-Phase 2 from Williams Brothers Construction Inc. in the amount of \$2,419,103.84.</u> After due consideration and discussion the roll was called. Aye: Sampson, Skaggs, Hanson, Mittman, Nealson. Nay: None. The Mayor declared the motion carried.

D. Approve Pay Request No. 7 for WWTF Improvements-Phase 3 from Boomerang Corp. in the amount of \$40,873.75

Motion by Dane Nealson, seconded by Barb Mittman, to <u>approve Pay Request No. 7 for WWTF Improvements-Phase 3 from Boomerang Corp. in the amount of \$40,873.75.</u> After due consideration and discussion the roll was called. Aye: Nealson, Mittman, Sampson, Skaggs, Hanson. Nay: None. The Mayor declared the motion carried.

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

Motion by Barb Mittman, seconded by Jason Sampson, to <u>approve Pay Request No. 1 for WWTF Improvements-Phase 4 from OnTrack Construction, LLC in the amount of \$998,897.20.</u> After due consideration and discussion the roll was called. Aye: Mittman, Sampson, Skaggs, Hanson, Nealson. Nay: None. The Mayor declared the motion carried.

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

Motion by Brian Hanson, seconded by Dane Nealson, to <u>approve Pay Request No. 3 for the Fieldhouse from HPC LLC in the amount of \$132,996.20.</u> After due consideration and discussion the roll was called. Aye: Hanson, Nealson, Sampson, Skaggs, Mittman. Nay: None. The Mayor declared the motion carried.

G. CDBG-CV MicroEnterprise Funding, Forgivable Loan Agreements

1. Resolution No. 034 (2022/2023): Feltner Properties

Motion by Dane Nealson, seconded by Steve Skaggs, to <u>adopt Resolution No. 034</u> (2022/2023). After due consideration and discussion the roll was called. Aye: Nealson, Skaggs, Hanson, Mittman, Sampson. Nay: None. The Mayor declared the motion carried.

2. Resolution No. 035 (2022/2023): Great Plains Millwork

Motion by Steve Skaggs, seconded by Jason Sampson, to <u>adopt Resolution No. 035</u> (2022/2023). After due consideration and discussion the roll was called. Aye: Skaggs, Sampson, Hanson, Mittman, Nealson. Nay: None. The Mayor declared the motion carried.

3. Resolution No. 036 (2022/2023): Sweet Dreams Mattress

Motion by Jason Sampson, seconded by Barb Mittman, to <u>adopt Resolution No. 036</u> (2022/2023). After due consideration and discussion the roll was called. Aye: Sampson, Mittman, Nealson, Skaggs, Hanson. Nay: None. The Mayor declared the motion carried.

4. Resolution No. 037 (2022/2023): Wild Roots Salon

Motion by Brian Hanson, seconded by Dane Nealson, to <u>adopt Resolution No. 037</u> (2022/2023). After due consideration and discussion the roll was called. Aye: Hanson, Nealson, Sampson, Skaggs, Mittman. Nay: None. The Mayor declared the motion carried.

5. Resolution No. 038 (2022/2023): Meyer Chiropractic

Motion by Dane Nealson, seconded by Barb Mittman, to <u>adopt Resolution No. 038</u> (2022/2023). After due consideration and discussion the roll was called. Aye: Nealson, Mittman, Sampson, Skaggs, Hanson. Nay: None. The Mayor declared the motion carried.

6. Resolution No. 039 (2022/2023): Thisday Photography

Motion by Steve Skaggs, seconded by Brian Hanson, to <u>adopt Resolution No. 039</u> (2022/2023). After due consideration and discussion the roll was called. Aye: Skaggs, Hanson, Mittman, Nealson, Sampson. Nay: None. The Mayor declared the motion carried.

#### 8. NEW BUSINESS

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

Motion by Brian Hanson, seconded by Jason Sampson, to <u>adopt Resolution No. 040</u> (2022/2023). After due consideration and discussion the roll was called. Aye: Hanson, Sampson, Skaggs, Mittman, Nealson. Nay: None. The Mayor declared the motion carried.

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

Motion by Steve Skaggs, seconded by Dane Nealson, to <a href="mailto:approve-ordinance-no.1033">approve Ordinance No. 1033</a> (2022/2023): An Ordinance Amending Chapter 69, No Parking, Funeral Parking, first reading. After due consideration and discussion the roll was called. Aye: Skaggs, Nealson, Sampson, Hanson, Mittman. Nay: None. The Mayor declared the motion carried.

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

Motion by Dane Nealson, seconded by Barb Mittman, to <u>approve Neighborhood</u> <u>Improvement Incentive Program Application, Flummerfelt Homes, Sunridge Estates in the amount of \$25,355.</u> After due consideration and discussion the roll was called. Aye: Nealson, Mittman, Sampson, Skaggs, Hanson. Nay: None. The Mayor declared the motion carried.

9. REPORTS: (CA/Mayor/Council/Staff)

City Administrator Cook reported on meetings attended and has set dates for strategic planning sessions.

Mayor Barker gave a shout out to Lincoln Highways Days and commended Director Reynolds on the 9/11 event at Verbio. He also completed the entrance exam for the auditors.

Council Member Hanson commented on the potential need for maintenance of the west water towers

Nevada City Council September 12, 2022 Minutes FY22/23 Page 6 (2022/2023)

Council Member Sampson updated council on LHD. Overall, it went well and Friday had better attendance than in previous years.

Council Member Skaggs talked about the successful movie event at the Camelot and shared the Camelot Foundation will be starting the "Save the Windows" campaign.

Sergeant Henderson reported on Officer VanderHart - he's doing great with field training.

- 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.

At 6:29 p.m. motion by Brian Hanson, seconded by Jason Sampson, to <u>approve to go INTO Closed Session.</u> After due consideration and discussion the roll was called. Aye: Hanson, Sampson, Skaggs, Mittman, Nealson. Nay: None. The Mayor declared the motion carried.

At 6:54 p.m. motion by Jason Sampson, seconded by Dane Nealson, to <u>approve to go OUT OF Closed Session</u>. After due consideration and discussion the roll was called. Aye: Sampson, Nealson, Skaggs, Hanson, Mittman. Nay: None. The Mayor declared the motion carried.

- 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. ADJOURNMENT

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

	Brett Barker, Mayor	
ATTEST:	<i>"</i>	
Erin Mousel, Deputy City Clerk		
Published: Council Approved:		

Item# 5B
Date: 9/26/22

# CITY OF NEVADA CLAIMS REPORT FOR AUGUST 22, 2022 9/13/22 THRU 9/26/22

VENDOR	REFERENCE	AMOUNT	CHECK#	CHECK DATE
VERIZON WIRELESS	LIB/WTR/WWT-SVCS	280.07		
JOHN DEERE FINANCIAL	STS-HYDRAULIC CYCLS/LUBE	115.41		
HPC LLC	FH2022-PR#3	132,996.20		
PRITCHARD, NANCY	PD-NACA MEMB	25		
WAGEWORKS	FSA 2021 PMT	1,120.80		
ON TRACK CONSTRUCTION, LLC	WWTF-PH4 PR#1	998,897.20		
WILLIAMS BROTHERS CONSTR	WWTF-PH2 PR15	2,419,103.84		
BOOMERANG CORP	WWTF-PH3 PR7	40,873.75		9/13/2022
US ASSURE	FIELDHOUSE PROJ-BLDRS RISK INS	9,529.00		9/13/2022
FLUMMERFELT HOMES	NIIP SUNRISE EST	25,355.00		9/13/2022
QUILL CORPORATION	LIB-SUPPLIES	113.64		9/19/2022
SCHENDEL PEST CONTROL I	LIB-WASPS	52.43	78565	9/19/2022
COMPUTER RESOURCE SPECIALISTS	LIB-IT SVCS	270	78566	9/19/2022
BAKER & TAYLOR BOOKS	LIB-MATERIALS	2,619.80	78567	9/19/2022
DEMCO INC	LIB-LABEL PROTECTORS	125.75	78568	9/19/2022
CENTER POINT LARGE PRIN	LIB-MATERIALS	47.94	78569	9/19/2022
CENGAGE LEARNING	LIB-MATERIALS	486.52	78570	9/19/2022
SOLKO, KATHY	LIB-CART RPR	75.11	78571	9/19/2022
MIDWEST TAPE	LIB-CDS	2,044.38	78572	9/19/2022
COUGHLIN, ERIN	LIB-REIMB	49.47	78573	9/19/2022
HOOPLA	LIB-DIGITAL MEDIA	230.26	78574	9/19/2022
AMAZON CAPITAL SERVICES	LIB-PEOPLE COUNTER	1,828.81	78575	9/19/2022
AWE ACQUISITION INC	LIB-AWE STATION	3,104.00	78576	9/19/2022
PRESSURE POINT CLEANERS	LIB-WINDOW CLEANING	642.96	78577	9/19/2022
GUTHRIE, GARY	LIB-GARLIC PROGRAM	32	78578	9/19/2022
ESPINOZA, ALYSSA	LIB-BOOK REFUND	7.99	78579	9/19/2022
DOG EARED BOOKS	LIB-MATERIALS	105.6	78580	9/19/2022
GREAT WESTERN BANK	PKM-IRRIGATION PARTS	1,646.63	1184	9/20/2022
WAGEWORKS	FSA 2021 PMTS	696.08	1183	9/20/2022
AMER'N FAMILY LIFE ASSR	AFLAC	1,120.17	78584	9/23/2022
IPERS	IPERS	36,434.22	1185	9/23/2022
MISSION SQUARE 303097	DEFERRED COMP	887.5	78585	9/23/2022
TREASURER STATE OF IOWA	STATE TAX	9,088.00	1186	9/23/2022
COLLECTION SERVICES CENTER	CHILD SUPPORT	483.4	78586	9/23/2022
EFTPS	FED/FICA TAX	29,986.26	1187	9/23/2022
HUTTON, RYAN	HSA	273.33	1188	9/23/2022
SYDNES, KELLAN	HSA	30	1189	9/23/2022
CORNISH, DEVIN	HSA	50	1190	9/23/2022
CENTRAL IOWA DISTRIBUTI	CH-SUPPLIES	311	78587	9/26/2022
HAWKINS INC	WTR-AZONE 15	3,789.53	78588	9/26/2022
ALLIANT UTILITIES	CH,UTILITIES	7,634.02	78589	9/26/2022
VAN WALL EQUIPMENT-NEVADA	PKM-WEEDEATER PARTS	113.83	78590	9/26/2022
SCHENDEL PEST CONTROL I	ALL-PEST CONTROL	294.25	78591	9/26/2022
STATE HYGIENIC LABORATORY	WWT-LAB ANALYSIS	3,289.50	78592	9/26/2022

CAPITAL SANITARY SUPPLY	PKM,DISPENSER	378.63	78593	9/26/2022
ARNOLD MOTOR SUPPLY	WTR,FILTER	646.23	78594	9/26/2022
IA STATE READY MIX	STS-CONCRETE	377	78595	9/26/2022
STORY CO TREASURER	AIRPORT RD LOT 3 TX	3,012.00	78596	9/26/2022
DOOR & FENCE STORE INC	STS-SVC DOOR RPRS	110	78597	9/26/2022
GATEHOUSE-DB IOWA HOLDINGS	ADM-7/25 MINUTES/CLAIMS	682.83	78598	9/26/2022
NEVADA COMMUNITY SCHOOL	PD,FUEL	5,184.49		9/26/2022
HAWKEYE TRUCK EQUIPMENT	STS-HYDRAULIC MOTOR #12	433.03	78599	9/26/2022
NATL REC & PARK ASSOC	PKA-MEMBERSHIP	433.03 175	78600	9/26/2022
GOOD AND QUICK	PD-#4 REPAIR	817.47	78601	9/26/2022
MOUSEL, JOE	STS-REIMB HOTEL APWA CONF	917.4	78602	9/26/2022
VESSCO INC	WTR-PUMP	2,452.50	78603	9/26/2022
NEVADA HARDWARE & PLUMBING	FD-HYDRANT PAINTING	662.52	78604	9/26/2022
NEWSOME PLUMBING	4PLX-PLUMBING RPR		78605	9/26/2022
STAPLES ADVANTAGE	WWT-INK	170	78606	9/26/2022
WINDSTREAM CORPORATION	LIB-PHONES	188.2	78607	9/26/2022
CONSUMERS ENERGY	WTR-WELL FLD	158.09	78608	9/26/2022
TAYLOR & ASSOCIATES INC	POOL-CHAISE	9,155.03	78609	9/26/2022
BELL, KEVIN	FD-#110 REAR LIGHTS	1,974.99	78610	9/26/2022
UPS	FD-SHIPPING	151.45	78611	9/26/2022
AMES OUTDOOR POWER	PKM-SPRAYER	21.45	78612	9/26/2022
JETCO, INC.	WWT-CLARIFIER RPR	10,399.00	78613	9/26/2022
JOHNSON CONTROLS SECURITY SOLU	WTR-SECURITY 4TH QTR 2022	456	78614	9/26/2022
CENTRAL IOWA WATER ASSC	WTR/LWE RAW WATER 10/2022	250	78615	9/26/2022
AVI SYSTEMS,INC.	·	614.88	78616	9/26/2022
CONVERSE CONDITIONED AIR	CH-CNCL CHMBRS AUG 30 SVC	560	78617	9/26/2022
QUADIENT	4PLX-A/C RPRS ALL-POSTAGE	381.48	78618	9/26/2022
HARVEST HEATING & A/C,	POOL-HEATER RPR	1,000.00	78619	9/26/2022
BROWNELLS, INC	PD-GUN SUPPLIES	4,480.00	78620	9/26/2022
MNG, INCORPORATED		220.39	78621	9/26/2022
RACOM CORPORATION	REC-VB SHIRTS/FB JERSEYS	1,226.00	78622	9/26/2022
P & M APPAREL	FD-UPGRADE FIRMWARE PD-CLOTHING	223.75	78623	9/26/2022
MARCO	ALL-COPIER LEASE	571.66	78624	9/26/2022
MENARDS - AMES	STS-PUMP/HOSE	799	78625	9/26/2022
BITUMINOUS MATERIALS & SUPPLY	PD-ASPHALT	124.96	78626	9/26/2022
MACQUEEN EQUIPMENT	STS-LWR RLLR DEFLEC	527.55	78627	9/26/2022
CELLEBRITE, INC	PD-SOFTWARE	506.03	78628	9/26/2022
TAPCO	STS-SIGNS	289	78629	9/26/2022
MADISON NATIONAL LIFE INS	ALL-LIFE INSURANCE	1,850.00	78630	9/26/2022
METRONET	ALL,INTERNET	447.97	78631	9/26/2022
MUIR EMBROIDERY	STS,WTR,PKM,CEM-SCREEN PRNT	292.2	78632	9/26/2022
ACES ANIMAL CARE	PD-ANIMAL CONTROL	116	78633	9/26/2022
K3 FIRE	FD-#610 RPR	396.24	78634	9/26/2022
JONES, TANNER	EMS-REIMB EMT BOOK	537	78635	9/26/2022
		272.95	78636	9/26/2022
	Accounts Payable Total Refund Checks Total	3,790,471.02		
	Payroll Checks	228.03		
	***** REPORT TOTAL ****	86,452.84		
	REPORT TOTAL	3,877,151.89		

GENERAL	173,421.46
ROAD USE TAX	21,363.71
LOCAL OPTION SALES TAX	486.74
LIBRARY TRUST	2,998.35
DANIELSON TRUST	230.26
SC/FIELDHOUSE	142,525.20
WATER	37,527.06
WATER DEPOSITS	185.46
SEWER	21,282.48
SEWER CAP IMP PROJECT	3,458,874.79
REVOLVING FUND	16,439.50
FLEX BENEFIT REVOLVING	1,816.88
TOTAL FUNDS	3,877,151.89

JLBLCERP 9/22/22 CASH 2:50 PM

CITY OF NEVADA
BALANCE SHEET
CALENDAR 8/2022, FISCAL 2/2023

Item# 5C Date: 9 26 22

	<del>.</del>	MTD	YTD
ACCOUNT NUMBER	ACCOUNT TITLE	BALANCE	BALANCE
***************************************			
001-000-1110	CASH-GENERAL FUND	289,521.37-	4,210,779.96
)02-000-1110	CASH-HOTEL/MOTEL	1,567.68	18,050.31
110-000-1110	CASH-ROAD USE TAX	19,790.51	2,316,050.35
l12-000-1110	CASH-EMPLOYEE BENEFITS	152.58	235,020.19
13-000-1110	CASH-RUT CAPITAL	152.91	235,528.81
.19-000-1110	CASH-EMERGENCY FUND	.15	229.87
21-000-1110	CASH-LOCAL OPTION TAX	81,430.33	1,635,544.40
.25-000-1110	CASH-TIF	1,334.86	1,865,367.08
.26-000-1110	CASH-LMI SUBFUND	3,850.00-	190,717.70
.67-000-1111	RESERVE-WELLS	1.16	1,785.64
.67-000-1113	RESERVE-ZWILLING	.07	112.28
.67-000-1114	RESERVE-ALBERRY	.66	1,021.66
.68-000-1118	RESERVE-UNDESIGNATED	.01	7.97
.68-000-1119	RESERVE-HARMS TRUST, GREEN SP	17.26	26,586.50
69-000-1110	CASH-LIBRARY TRUST	2,045.80-	21,152.60
.71-000-1110	CASH-FIRE TRUST	11.39	17,536.96
72-000-1110	CASH-SCORE UNDESIGNATED	3.71	5,717.08
73-000-1110	CASH-SCORE O&M	.17	265.61
74-000-1110	CASH-NORTH STORY BASEBALL	502.25-	2,702.29
75-000-1110	CASH-SENIOR COMM CENTER	6.38	9,820.15
76-000-1110	CASH-GH PIANO	12.40	19,100.22
77-000-1110	CASH-POLICE FOREITURE	7.95	12,246.52
79-000-1122	RESERVE-GRNBLT MAP 2005	2.35	3,623.97
79-000-1124	RESERVE-ST CO TRAIL	.26	399.69
79-000-1125	RESERVE-IND RDG GREENBE	1.12	1,725.47
79-000-1127	RESERVE-UNRESTRICTED	928.71	80,538.26
79-000-1128	RESERVE-SCORE SCOREBOAR	3.00	4,620.17
79-000-1130	RESERVE-LANDSCAPING	7.46	6,493.52
79-000-1131	RESERVE-FIELD MAINT	161.71	18,039.27
79-000-1132	RESERVE-LEW HANSEN SUB	.92	1,420.06
79-000-1133	RESERVE-87 SOUTHWOOD	4.96	7,641.33
79-000-1134	RESERVE-MARDEAN PARK	.59	906.91
80-000-1110	CASH-COLUMBARIAN MAINT	3.40	5,233.28
31-000-1110	CASH-TRAIL MAINTENANCE	8.10	12,475.21
32-000-1110	CASH-DANIELSON/OTHERTRU	1,782.29-	246,735.52
33-000-1110	CASH-LIB BLDG TRUST	.13	196.55
34-000-1110	CASH-TREES FOREVER	2.98	4,584.14
35-000-1110	CASH-4TH OF JULY	2,504.86	7,487.00
36-000-1110	CASH-COMM BAND	319.19-	1,244.20
00-000-1110	CASH-DEBT SERVICE	190.77	293,847.74
)1-000-1110	CASH-CITY HALL/PUBLIC S	.38	589.78
)2-000-1110	CASH-LIBRARY BLDG	2.20	3,385.19
)4-000-1110	CASH-SC/FIELDHOUSE	145,392.11-	4,073,789.22
)7-000-1110	CASH-SIDEWALKIMPROVEMEN	48.87	75,282.04
10-000-1110	CASH-2021STS PROJ 11TH/S14	70.07	
11-000-1110	CASH-2019 CIP WORK	1,004.56	663,458.88- 1,547,329.93
15-000-1110	CASH-CBD DOWNTOWN IMPR	1,007.30	• •
1-000-1110	CASH-TRAIL CIP PROJECTS	254.06	119,811.46-
!2-000-1110	CASH-ARP FUNDS	499,831.83	391,326.99
!3-000-1110	CASH-2017STS,WTR,WWT,STM PROJ	799,001,00	1,000,416.79
0-000-1110	CASH-PERPETUAL CARE	550.00	221.00-
	CONTRACTOR CONTRACTOR	330.00	162,521.58

JLBLCERP 9/22/22 CASH 2:50 PM

CITY OF NEVADA

BALANCE SHEET
CALENDAR 8/2022, FISCAL 2/2023
MTD

Page 2 OPER: KW

	CA	LENDAK 8/2022, FISCAL	
		MTD	YTD
ACCOUNT NUMBER	ACCOUNT TITLE	BALANCE	BALANCE
501-000-1110	CASH-HATTERY		5,000.00
500-000-1110	CASH-WATER O&M	134,438.34	3,143,128.60
i01-000-1110	CASH-WATER DEPOSITS		86,000.19
502-000-1110	CASH-WATER PLANT UPGRADE RSI		1,299,553.84
105-000-1110	CASH-WATER 2012C BOND	0.0170	199,966.73
i07-000-1110	CASH-WTR CAPITAL REVOLV	242.52	373,557.60
i08-000-1110	CASH-JORDAN WELL PROJ	LTL.JL	47,820.50
i10-000-1110	CASH-WASTEWATER O&M	134,354.60	3,099,658.67
15-000-1110	CASH-SEWER CONSTRUCTION	15,595.43	2,817,796.64
16-000-1110	CASH-WAT CIP	1,686,101.84-	2,100,575.48
17-000-1110	CASH-WAT CAPITAL	220.76	340,041.90
18-000-1110	CASH-SRF SPONSORED PROJECT		
70-000-1110	CASH-GARBAGE UTILITY	6,058.53	18,160.81
40-000-1110	CASH-STORM WATER UTILIT	15,168.45	,
10-000-1139	RESERVE-PARK & RECREATI	57.66	88,814.73
10-000-1140	RESERVE-LIBRARY	258.60-	45,887.46
10-000-1141	RESERVE-CEMETERY	4,313.76-	
10-000-1142	RESERVE-FINANCE	211.96	326,476.83
10-000-1143	RESERVE-FIRE	19,648.75-	312,233.71
10-000-1144	RESERVE-POLICE	124.56	191,856.42
10-000-1146	RESERVE-PLANNING & ZONI	22.72	34,989.37
10-000-1147	RESERVE-GATES HALL	22.80	35,121.61
10-000-1148	RESERVE-TECHNOLOGY	7,536.42-	
12-000-1110	CASH-FLEXIBLE BENEFITS	•	28,283.59
30-000-1110	CASH-SICK & VACATION	201.76	310,773.56
	CASH TOTAL	1,261,720.34-	29,275,103.33
01-000-1120	PETTY CASH - LIBRARY		75.00
01-000-1123	PETTY CASH - POOL	1,000.00-	
00-000-1120	PETTY CASH - CITY HALL	2,000100	600.00
	PETTY CASH TOTAL	1,000.00-	675.00
	TETTI CASII TOTAL	1,000.00	013.00
32-000-1168	COUNTY FOUNDATION INVES		90,523.78
	COUTUGE TOTAL		00 500 70
	SAVINGS TOTAL	.00	90,523.78
		=======================================	
	TOTAL CASH	1,262,720.34- =========	29,366,302.11 =======

JLBUDGRP 9/22/22 FUNCTION 2:50 PM

Page 1 OPER: KW

CITY OF NEVADA
BUDGET REPORT
CALENDAR 8/2022, FISCAL 2/2023 PCT OF FISCAL YTD 16.6%
TOTAL MTD YTD PERCENT
BUDGET BALANCE BALANCE EXPENDED UN **\CCOUNT NUMBER** ACCOUNT TITLE UNEXPENDED POLICE TOTAL 1,264,543.00 91,123.76 277,382.05 21.94 987,160.95 POLICE-OFFICE TOTAL 137,518.00 9,739.44 23,986.97 17.44 113,531.03 EMERGENCY MANAGEMENT TOTAL 1,300.00 146.76 271.53 20.89 1,028.47 FLOOD CONTROL TOTAL 27,600.00 1,574.43 4,306.79 15.60 23,293.21 FIRE TOTAL 205,828.00 33,076.81 77,203.78 37.51 128,624.22 AMBULANCE TOTAL 32,700.00 2,420.98 6,407.20 19.59 26,292.80 BUILDING INSPECTIONS TOTAL 59,030.00 3,660.75 9,231.76 15.64 49,798.24 ANIMAL CONTROL TOTAL 4,500.00 637.80 637.80 14.17 3,862.20 ANIMAL CONTROL-OWNER TOTAL 1,500.00 409.90 409.90 27.33 1,090.10 1,734,519.00 142,790.63 399,837.78 23.05 1,334,681.22 PUBLIC SAFETY TOTAL ROADS, BRIDGES, SIDEWALKS TOTA 687,319.00 39,070.57 128,680.96 18.72 558,638.04 STREET LIGHTING TOTAL 137,000.00 18,665.49 28,251.57 20.62 108,748.43 TRAFFIC CONTROL & SAFETY TOTA 500.00 .00 .00 .00 500.00 PAVEMENT MARKINGS TOTAL 15,000.00 320.84 9,715.94 64.77 5,284.06 SNOW REMOVAL TOTAL 77,275.00 .00 409.00 .53 76,866.00 TREES & WEEDS TOTAL 50,000.00 23.97 23.97 .05 49,976.03 967,094.00 58,080.87 167,081.44 17.28 PUBLIC WORKS TOTAL 800,012.56 WATER,AIR,MOSQUITO CONTRO TOTA 13,000.00 .00
OTHER HEALTH/SOCIAL SERV TOTA 40,000.00 .00 .00 .00 .00 .00 13,000.00 40,000.00 HEALTH & SOCIAL SERVICES TOTA 53.000.00 .00 .00 .00 53,000.00 LIBRARY TOTAL
LIBRARY-DONATED TOTAL
A461,441.00
A33,961.28
B92,003.19
B9.94
B9,437.81
LIBRARY-DONATED TOTAL
A461,441.00
A34,000.00
A1,942.48
B2,369.34
B2,369.34
B31,630.66
LIBRARY-STATE INFRASTRUCT TOTA
B90.00
B1,337.75
B6.99
B18,662.25
B18

JLBUDGRP 9/22/22 FUNCTION 2:50 PM CITY OF NEVADA

Page 2 OPER: KW

CITY OF NEVADA

BUDGET REPORT

CALENDAR 8/2022, FISCAL 2/2023 PCT OF FISCAL YTD 16.6%

TOTAL MTD YTD PERCENT

ACCOUNT TITLE BUDGET BALANCE BALANCE EXPENDED UN' ACCOUNT TITLE ACCOUNT NUMBER UNEXPENDED 
 FLAG FOOTBALL TOTAL
 6,395.00
 .00
 .00
 .00
 6,395.00

 HALLOWEEN TOTAL
 250.00
 .00
 .00
 .00
 .00
 .250.00

 JR THEATRE/FESTIVAL TREES TOTA
 2,787.00
 .00
 .00
 .00
 .00
 2,787.00

 CIRL TOTAL
 5,000.00
 995.00
 995.00
 19.90
 4,005.00

 HISTORICAL SOCIETY TOTAL
 .00
 .00
 5,000.00
 .00
 5,000.00

 HISTORIC PRESERVATION TOTAL
 6,250.00
 .00
 .00
 .00
 .00
 6,250.00
 CULTURE & RECREATION TOTAL 2,070,796.00 160,083.04 456,737.91 22.06 1,614,058.09 
 ECONOMIC DEVELOPMENT TOTAL
 487,614.00
 1,339.43
 1,339.43
 .27
 486,274.57

 MAIN STREET NEVADA TOTAL
 25,000.00
 .00
 .00
 .00
 .25,000.00

 HOUSING & URBAN RENEWAL TOTAL
 60,000.00
 3,850.00
 3,850.00
 6.42
 56,150.00

 PLANNING & ZONING TOTAL
 216,030.00
 5,267.06
 13,852.78
 6.41
 202,177.22

 CHRISTMAS LIGHTS TOTAL
 800.00
 .00
 .00
 .00
 .00
 800.00

 4TH OF JULY TOTAL
 9,500.00
 .00
 10,000.00
 105.26
 500.00 

 LINCOLN HWY DAYS TOTAL
 4,500.00
 .00
 .00
 .00
 4,500.00

 OTHER COMM & ECO DEV TOTAL
 1,100.00
 .00
 355.75
 32.34
 744.25
 10,456.49 29,397.96 3.65 775,146.04 COMMUNITY & ECONOMIC DEV. TOTA 804,544.00 MAYOR/COUNCIL/CITY MGR TOTAL 9,231.00 611.62 5,628.21 60.97 3,602.79
COUNCIL TOTAL 10,423.00 .00 4.00 .04 10,419.00
CITY ADMINISTRATOR TOTAL 44,300.00 1,667.93 11,440.61 25.83 32,859.39
CLERK/TREASURER/ADM TOTAL 490,817.00 50,134.77 86,662.02 17.66 404,154.98
LEGAL SERVICES/ATTORNEY TOTAL 113,700.00 10,326.00 40,027.50 35.20 73,672.50
CITY HALL/GENERAL BLDGS TOTAL 129,292.00 8,640.28 21,762.55 16.83 107,529.45
TORT LIABILITY TOTAL 56,160.00 .00 70,173.00 124.95 14,013.00OTHER GENERAL GOVERNMENT TOTA 14,000.00 62.56 2,723.97 19.46 11,276.03 867,923.00 71,443.16 238,421.86 27.47 GENERAL GOVERNMENT TOTAL 629,501.14 CITYHALL/LIBRARY DEBT TOTAL 98,213.00 .00 .00 .00 98,213.00 CBD PROJECT 8.9M TOTAL 178,600.00 .00 .00 .00 .00 178,600.00 GATES HALL DEBT TOTAL 396,900.00 .00 .00 .00 .00 396,900.00 2019B CIP WORK TOTAL 443,400.00 .00 .00 .00 .00 443,400.00 DDCE WTR/WWT/STS DEBT TOTAL 664,050.00 .00 .00 .00 .00 664,050.00 .00 .00 .00 1,781,163.00 DEBT SERVICE TOTAL 1,781,163.00 FLOOD CONTROL TOTAL 75,000.00 .00 .00 .00 75,000.00 ROADS, BRIDGES, SIDEWALKS TOTA 2,520,000.00 .00 276,644.27 10.98 2,243,355.73 SIDEWALKS TOTAL 25,000.00 .00 .00 .00 .00 25,000.00 RAILROAD CROSSINGS TOTAL 10,000.00 .00 .00 .00 .00 10,000.00 FIELDHOUSE TOTAL 4,640,000.00 148,036.91 160,735.37 3.46 4,479,264.63 CAPITAL PROJECTS TOTAL 7,270,000.00 148,036.91 437,379.64 6.02 6,832,620.36

LBUDGRP	9/22/22
<b>FUNCTION</b>	2:50 PM

CITY OF NEVADA BUDGET REPORT

Page 3 OPER: KW

		CALENDAR 8/2022, FISCAL TOTAL			SCAL YTD	16.6%
CCOUNT NUMBER	ACCOUNT TITLE	BUDGET	MTD BALANCE	YTD BALANCE	PERCENT EXPENDED	UNEXPENDED
	WTR 2012C BOND TOTAL	463,900.00	.00	.00	.00	463,900.00
	WWT DEBT TOTAL	925,660.00	.00	.00	.00	925,660.00
	WATER TOTAL	50,490.00	.00	.00	.00	50,490.00
	WATER-PLANT/PUMPS TOTAL	927,753.00	74,504.55	174,886.00	18.85	752,867.00
	WATER-LINES-INST & O&M TOTAL	. 79,065.00	3,814.29	10,460.67	13.23	68,604.33
	WATER ACCOUNTING TOTAL	364,591.00	28,655.65	49,822.41	13.67	314,768.59
	WASTEWATER PLANT TOTAL	678,724.00	54,032.79	135,551.16	19.97	543,172.84
	WASTSEWATER COLLECTION TOTAL		1,709,057.12	3,308,623.40	9.90	30,095,622.60
	WASTEWATER ACCOUNTING TOTAL	245,530.00	17,371.55	41,132.97	16.75	204,397.03
	LANDFILL/GARBAGE TOTAL	73,700.00	54.10	36,410.60	49.40	37,289.40
	STORM WATER TOTAL	60,900.00		2,364.89	3.88	58,535.11
	ENTERPRISE FUNDS TOTAL	37,274,559.00	1,887,564.66	3,759,252.10	10.09	33,515,306.90
	TRANSFERS IN/OUT TOTAL	4,525,894.00	.00	.00	.00	4,525,894.00
	TRANSFER OUT TOTAL	4,525,894.00	.00	.00	.00	4,525,894.00
		=======================================	=======================================	=======================================		
	TOTAL EXPENSES	57,349,492.00	2,478,455.76	5,488,108.69	9.57	51,861,383.31

JLREVNRP 9/22/22 CITY OF NEVADA Page 1 RFUND 2:50 PM REVENUE REPORT OPER: KW CALENDAR 8/2022, FISCAL 2/2023 PCT OF FISCAL YTD 16.6% YTD BUDGET MTD PERCENT ACCOUNT NUMBER ACCOUNT TITLE ESTIMATE BALANCE RECVD BALANCE UNCOLLECTED GENERAL TOTAL 4,014,915.00 46,949.11 127,764.99 3.18 3,887,150.01 HOTEL MOTEL TOTAL 9,025.00 1,567.68 1,584.09 17.55 7,440.91 ROAD USE TAX TOTAL 932,501.00 70,652.51 143,930.50 15.43 788,570.50 EMPLOYEE BENEFITS TOTAL 476,409.00 152.58 2,412.18 .51 473,996.82 RUT CAPITAL TOTAL 200,200.00 152.91 387.22 .19 199,812.78 EMERGENCY FUND TOTAL 77,965.00 229.87 .29 .15 77,735.13 LOCAL OPTION SALES TAX TOTAL 980,500.00 92,802.12 192,190.37 19.60 788,309.63 TAX INCREMENT FINANCING TOTAL 564,561.00 1,334.86 4,760.05 .84 559,800.95 LMI-SUBFUND TOTAL 75,880.00 .00 .00 .00 75,880.00 RESTRICTED GIFTS TOTAL 5.00 1.89 96.00 .20 4.80 CEMETARY CIP/LAND TOTAL 20.00 17.27 43.73 218.65 23.73-LIBRARY TRUST TOTAL 8,620.00 673.09 923.08 7,696.92 10.71 FIRE TRUST TOTAL 30.00 11.39 28.84 96.13 1.16 SCORE-UNDESIGNATED TOTAL 10.00 3.71 9.40 94.00 .60 SCORE 0&M TOTAL 5.00 .17 .43 8.60 4.57

24,000.00

710.00

1.75

6.38

4.94

16.15

.02

2.27

23,995.06

693.85

NORTH STORY BASEBALL TOTAL

SENIOR CENTER TRUST TOTAL

JLREVNRP 9/22/22 RFUND 2:50 PM

CITY OF NEVADA REVENUE REPORT CALENDAR 8/2022, FISCAL 2/2023

Page 2 OPER: KW PCT OF FISCAL YTD 16.6%

BUDGET MTD YTD PERCENT ICCOUNT NUMBER ACCOUNT TITLE ESTIMATE BALANCE BALANCE RECVD UNCOLLECTED GATES HALL PIANO TOTAL 10.00 12.40 31.40 314.00 21.40-ASSET FORFEITURE TOTAL 10.00 7.95 20.13 201.30 10.13-PARK OPEN SPACE TOTAL 23,550.00 1,111.08 2,116.22 8.99 21,433.78 COLUMBARIAN MAINTENANCE TOTAL 220.00 3.40 8.61 3.91 211.39 TRAIL MAINTENANCE TOTAL 20,020.00 8.10 20.51 .10 19,999.49 DANIELSON TRUST TOTAL 200.00 160.19 407.58 203.79 207.58-LIB BLDG TRUST TOTAL 100.00 .13 .33 .33 99.67 TREES FOREVER TOTAL 10.00 2.98 7.54 75.40 2.46 4TH OF JULY TRUST TOTAL 2,010.00 2,504.86 2,509.82 124.87 499.82-COMMUNITY BAND TOTAL 1,000.00 100.81 102.37 10.24 897.63 DEBT SERVICE TOTAL 1,800,614.00 190.77 2,890.79 .16 1,797,723.21 CH CAMPUS PROJ TOTAL .00 -38 .97 .00 .97-LIBRARY ADDITION TOTAL 101,683.00 2.20 516.88 .51 101,166.12 SC/FIELDHOUSE TOTAL 4,570,000.00 2,644.80 6,844,82 .15 4,563,155.18 SIDEWALK IMPROVEMENTS TOTAL 30,000.00 48.87 123.76 .41 29,876.24 2019 CIP WORK TOTAL .00 1,004.56 2,543.86 .00 2,543.86-CBD DOWNTOWN IMPR TOTAL 2,000.00 .00 .00 .00 2,000.00

JLREVNRP 9/22/22 RFUND 2:50 PM	CAL	CITY OF NEVADA REVENUE REPORT ENDAR 8/2022, FISCAL	2/2023	PCT OF FI	SCAL YTD	Page 3 OPER: KW
ACCOUNT NUMBER	ACCOUNT TITLE	BUDGET ESTIMATE	MTD BALANCE	YTD BALANCE	PERCENT RECVD	
	TRAIL CIP RESERVE PROJTS TOTA	71,000.00	254.06	643.36	.91	70,356.64
	ARP FUNDS TOTAL	1,097,515.00	499,831.83	500,330.14	45.59	597,184.86
	PERPETUAL CARE TOTAL	3,800.00	550.00	700.00	18.42	3,100.00
	WATER TOTAL	2,377,743.00	240,061.43	477,584.88	20.09	1,900,158.12
	WATER DEPOSITS TOTAL	25,000.00	1,650.00	4,050.00	16.20	20,950.00
	WATER PLANT UPGRADE RSRV TOTA	200,500.00	843.70	2,136.51	1.07	198,363.49
	WATER 2012C/2020B BOND TOTAL	463,900.00	.00	.00	.00	463,900.00
	WATER CAPITAL REVOLVING TOTAL	125,500.00	242.52	614.14	.49	124,885.86
	SEWER TOTAL	2,456,951.00	209,613.66	421,900.87	17.17	2,035,050.13
	SEWER SRF REVOLVING TOTAL	924,160.00	.00	.00	.00	924,160.00
	SEWER CONSTRUCTION TOTAL	320,500.00	15,595.43	32,051.21	10.00	288,448.79
	SEWER CAP IMP PROJECT TOTAL	31,115,500.00	.00	1,592,823.70	5.12	29,522,676.30
	SEWER EQUIP REVOLVING TOTAL	60,300.00	220.76	559.04	.93	59,740.96
	SRF SPONSORED PROJECT TOTAL	2,200,000.00	.00	.00	.00	2,200,000.00
	LANDFILL/GARBAGE TOTAL	73,700.00	6,112.63	12,258.55	16.63	61,441.45
	STORM WATER TOTAL	171,900.00	15,243.06	30,806.10	17.92	141,093.90

464,500.00

2,396.72

3,819.83

.82

460,680.17

REVOLVING FUND TOTAL

JLREVNRP 9/22/22 RFUND 2:50 PM	CALE	CITY OF NEVADA REVENUE REPORT NDAR 8/2022, FISCAL BUDGET	. 2/2023 MTD	PCT OF FIS		Page 4 OPER: KW 16.6%
ACCOUNT NUMBER	ACCOUNT TITLE	ESTIMATE	BALANCE	BALANCE	PERCENT RECVD	UNCOLLECTED
	FLEX BENEFIT REVOLVING TOTAL	.00	2,496.00	4,992.00	.00	4,992.00-
	OTHER INTERNAL SERV FUND TOTA	500.00	201.76	510.92	102.18	10.92-
	TOTAL REVENUE BY FUND	56,069,752.00	1,217,444.61	3,578,217.48	6.38	52,491,534.52

Item # \_ [0A Date: \_ 9|210|22



WHEREAS, a water quality collaboration has been formed between the cities of Ames, Huxley, Nevada and Gilbert, Story County, Story County Conservation Board, Story County Board of Health, Prairie Rivers of Iowa, and Story County Soil & Water Conservation District; and,

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

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

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

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

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

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

#### WATERSHED AWARENESS MONTH

I, Mayor Brett Barker, urge every citizen within Story County to recognize the importance of the watershed in which you live and to commit to keep learning and identifying how you can make a difference, even in your own backyard.

**IN WITNESS WHEREOF**, I have hereunto set my hand and cause the Great Seal of the City of Nevada, Iowa to be affixed this 26<sup>th</sup> day of September, 2022.

Signed this 26th day of September, 2022.

Brett Barker,	Mayor

Ordinan
Rezoning
Date: 920

#### **ORDINANCE NO. 1029 (2022/2023)**

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF NEVADA, IOWA, BY REZONING THE PROPERTY AT 640 SOUTH 19<sup>TH</sup> 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.

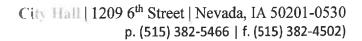
SECTION 3. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

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 22<sup>nd</sup> day of August, 2022, through the first reading. PASSED AND APPROVED this 12<sup>th</sup> 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.

ATTEST:	Brett Barker, Mayor	
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 19<sup>th</sup> 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 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. 19<sup>th</sup> 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 18<sup>th</sup> 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 22<sup>nd</sup> 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 22<sup>nd</sup> day of August, 2022.

Kerin Wright City Clerk

-----cli Member Jacobson this motion. Mayor for a roll call vote as derson yes, Lytle yes, s. Motion carried. orum: none. ports: A. Mayor Muth

Access Systems \$59.23

Park & City Hall .....\$160.61

Ordered more checks ...... \$237.54

Story County Treasurer Q1 Sheriff's payment......\$5,751.26

US Postal Service-Malibox Fee for

Total General
Fund Claims \$44,110.25

Alliant Energy-warning lights, street lights, city shed ....... \$820.95

Total Road Use Claims .....\$1,548.95

Alliant Energy-lagoon pumps, lift

station.....\$316.39

Payroll Checks For July ....\$2,661.05

Published in the Ames Tribune on

#1461181

**Story County** 

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

(all audio of meetings available at storycountylowa gov).

ADOPTION OF AGENDA: Heddens

moved, Murken seconded adopt-ing the agenda as presented. Mo-

tion carried unanimously (MCU)

on a roll call vote.
STORYTIME CHILDCARE CENTER
ANNUAL REPORT: submitted writ-

AUGUST 2022 AS WATER QUALITY MONTH IN STORY COUNTY: The

Board read the proclamation in full. Heddens moved, Murken seconded the approval of the Pro-

clamation 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

MINUTES: 7/19/22 Minutes

Heddens moved, Murken seconded approval of the Minutes

PERSONNEL ACTIONS: 1) new hire,

effective 8/8/22, in a) Secondary Roads' for.: Shawn Birdsall @ \$21.24/hr; 2) pay adjustment, ef-fective date 7/31/22, a) Secondary Roads for Alex Golly @ \$28.71/hr; b) Shariff Office for Michalas

b) Sheriff Office for Nicholas

presented. Roll call vote.

Board of Supervisors

..... \$50.00

.....\$232.50

\$2,036.51

. \$1,534,24

\$38 AA

..... \$205.89

\_\_\$1,785.01

.. \$205.89

\$50,633,54

Alliant Energy

July Bill ....

Pratt Sanitation

State Bank & Trust

Road Use Tax Fund

Logan Contractors Supply Black Top Patches

Water Fund ia Regional Utilites

operation.....

PWS water supply

State Bank & Trust

ACH Fees......Total Water

ipers...... State Bank & Trust

ACH Fees
Total Sewer

Fund Claims ...

Sewer Fund

Fund Claims.

Grand Total of

August 11, 2022 (1T)

Falsal absent.

ten report only.

PROCLAMATION

Key Cooperative

**Midwest Insurance Corp** 

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

Jacobson had some out city attorney. reports. tegular Council Meet-

for August 8th, 2022, in the Council cham-Hall. (Lytle/Jacobson).

to adjourn. ion). MCU (3).

Mayor ngly.

easurer

f July 2022 but not after this meeting.

lcation of ms and new 398.27 I-7 locates - \$1.80 of Cities- City es officer handbook-

ey- Phone and Interall-\$118.47 e Auditor- 6th paybllf- \$3,305.29 Stump Service- Re- ... s and 2 stumps-

lighters, binder, adsharples-\$14.91 Fund king- 3' roadstone

oratories- Coliform ple-\$13.75 oply- Annual Soft-25.00 t Operator- \$477.00

al Resources --\$210.00 oply- Annual Soft-125.00 t Operator-\$477.00 Treasurer- Drainage

Jin-Story # 3-

f Claims - \$11,920,80

I Claims Report for

	1-1712-13002
***********	\$5,857.07
refit Tax	\$60.73
1X	\$30.83
<b>(</b>	\$287.77
	\$4.64
rax	54.607.24
	52,623.22

## 

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

4. Contract between the Sherift's Office and Maxwell Old Settlers Steering Committee for security, 8/5/22-8/6/22,

\$65.00/hour 5. Quarterly Report: Treasurer

6. Treasurer's Semi-Annual & Annual Report

7. Agreement and Statement of Work between Language 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 1/25/22-12/31/26 period

9. Contract, using American Res cue Plan Act (ARPA) funding, between Story County and Project lowa for the Cultivating Careers Program for up to \$100,000.00 with period performance

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 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 per-formance 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 HAMP-TON 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 additionold 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 PARTICI-PATION IN FEDERAL SAFE STREETS AND ROADS FOR ALL (SSAA)
GRANT APPLICATION: Darren
Moon, Engineer, reported this is
one of the new competitive federal grants. The lowa County Engineers Association (ICEA) will apply for the SS4A grant in one ap-plication for all 99 countles in lowa. 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 ANAL-

YSIS WITH HOUSTON ENGINEER-ING 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 SUPER-VISORS: 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 (1T)

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

The City Council of the City of Nevada, lowa, has received a rec-ommendation from the Planning and Zoning Commission to approve a rezoning request from the property owner, Story County Hospital, to amend the zoning or-dinance of the City of Nevada, lowa, 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 lo-cated within the corporate limits of the City of Nevada, lowa, from an AR (Agricultural) to an R-4 (Multiple Familiy Dwelling) District. The property for which the Rezoning Application is proposed

is legally described as: Story County Hospital Subdivi-sion Outlot A Nevada Story Coun-

The Planning and Zoning Com-mission of the City of Nevada, lowa, 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, lowa, will hold a public hearing on this request on the 22rid 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 com ments 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 (1T)

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

The Planning & Zoning Commission of the City of Nevada, lowa, has received a request from the property owner, ROSK RENTALS LLC , to review a Minor Subdivi-sion 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 Addi-tion to the City of Nevada, Story County, Iowa, subject to covenants, conditions, restrictions, re-strictions and easements of re-

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. 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
December, 2022	<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	
December, 2022	\$8.00	

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:

1. Carbonaceous Biological Oxygen Demand (CBOD) per pound over 300mg/l

Current: July 2022 <u>July 2023 July 2024 July 2025</u> \$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 <u>July 2023 July 2024 July 2025</u> \$0.543 \$<u>0.559</u> \$<u>0.576</u> \$<u>0.593</u> (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 July 2023 July 2024 July 2025
\$0.865 \$0.891 \$0.918 \$0.945 (Per Pound)
\*An Additional 3% increase yearly with the July billing

- 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 22<sup>nd</sup> day of August, 2022. Passed and approved second reading by Nevada City Council this 12<sup>th</sup> day of September, 2022. Passed and approved third reading by the Nevada City Council this 26<sup>th</sup> day of September, 2022.

ATTEST:	Brett Barker, Mayor
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

2<sup>nd</sup> Reading – September 12, 2022

Motion by Council Member Brian Hanson, seconded Council Member by Steve Skaggs, to approve the second reading of Ordinance No. 1030.

AYES:

Hanson, Skaggs, Mittman, Nealson, Sampson

NAYS:

None

ABSENT:

Sandy Ehrig

### 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

		Aug	ust 2	.022		
S	M	Т	W	Т	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			

S	М	T	W	Т	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 8<sup>th</sup> Council Meeting:

 Council reviews projected rate adjustments

NO LATER THAN August 24th:

 Complete and submit construction loan application (with pro forma) to lowa Finance Authority for approval at September 7<sup>th</sup> Board meeting

# Monday, August 22<sup>nd</sup> 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 12<sup>th</sup> 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

Ordinance 1 Amend C Item # 10 Date: 912622

rage I OI 4

## **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.
- 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. 18<sup>th</sup> Street, and 19<sup>th</sup> 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 12<sup>th</sup> day of September, 2022. Passed and approved this 26<sup>th</sup> day of September, 2022. Passed and approved this \_\_\_ day of October, 2022.

	Brett Barker, Mayor	
Attest:		
Kerin Wright, City Clerk	<del>_</del> ,	

Ordinance | Item # 70 | Date: 9 24 33

#### **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 possible 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 12<sup>th</sup> day of September, 2022. Passed and approved this 26<sup>th</sup> day of September, 2022. Passed and approved this \_\_ day of October, 2022.

Brett Barker, Mayor	
·	
	Brett Barker, Mayor

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. § 3211.10

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.

- 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. § 3211.10, IA ST § 3211.10

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** 

© 2022 Thomson Reuters. No claim to original U.S. Government Works.

Ordina Amend Chapt Item# 78
Date: 926 22

## **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 12<sup>th</sup> day of September, 2022.

Passed and approved this 26<sup>th</sup> day of September, 2022.

Passed and approved this \_\_\_ day of October, 2022.

	Brett Barker, Mayor	
Attest:		

# **Request for Information**

N	2	m	

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.

# BEER AND/OR LIQUOR RENEWAL CERTIFICATE OF INSPECTION

This application will be on the	Sept. db, 2022	Council Ag	genda	
Business Name Camelot The	ater Foundation	Phone Number	<u>.</u>	
Address			<u>.</u>	
Manager's Name		Phone _Number	<u> </u>	
Address				·
Owners Name		Phone _Number		<u>.</u>
Address				
I hereby certify that the premis liquor license has been inspec (conforms/did not conform) to The Fire Department recomme	ted by the undersigned at all applicable fire regulation	nd that on the date ons of the City of N	e of the inspection the later of the later of the later of the state of the state of the state of the later o	premises of Iowa.
9-13-2-2	E10E I	TAN CASTORIAN	OR BUILDING INSPE	CTOP
Date				CIOK
COMMENTS/OR REASONS				
Additional	INSP required	when	Construction	Complete



# State of Iowa Alcoholic Beverages Division

# **Applicant**

NAME OF LEGAL ENTITY

NAME OF BUSINESS(DBA)

BUSINESS

CAMELOT THEATER FOUNDATION

Camelot Theater Foundation

(515) 231-2339

ADDRESS OF PREMISES

PREMISES SUITE/APT NUMBER

CITY

COUNTY

ZIP

1114 6th Street

Nevada

Story

50201

MAILING ADDRESS

CITY

STATE

ZIP

603 T Avenue

Nevada

Iowa

50201

# **Contact Person**

NAME

PHONE

**EMAIL** 

Melissa K Sly

(515) 231-2339

melissa.sly@gmail.com

# **License Information**

LICENSE NUMBER

LICENSE/PERMIT TYPE

TERM

**STATUS** 

Special Class C Liquor License

12 Month

Submitted to Local Authority

TENTATIVE EFFECTIVE DATE

TENTATIVE EXPIRATION DATE

LAST DAY OF BUSINESS

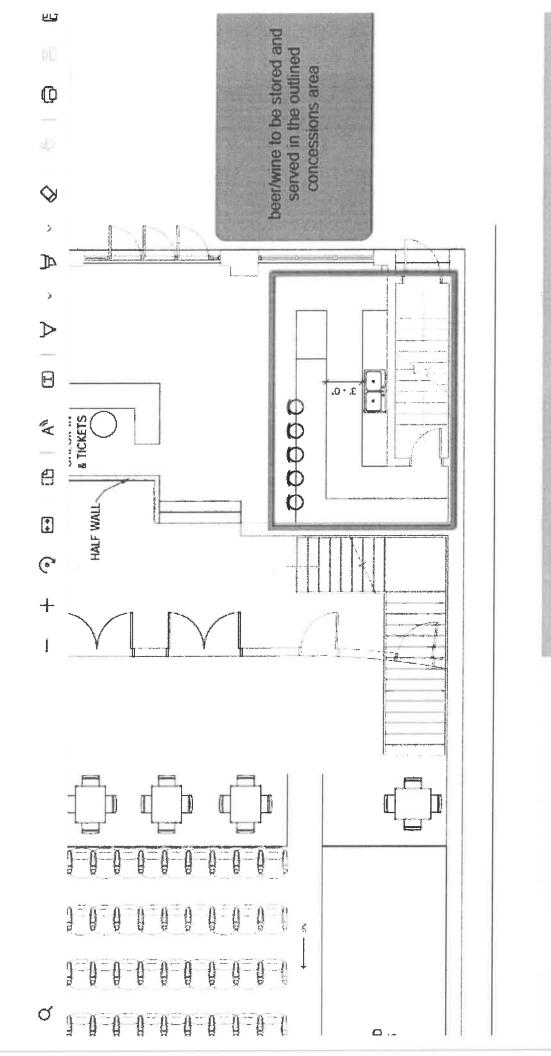
Sep 19, 2022

Sep 18, 2023

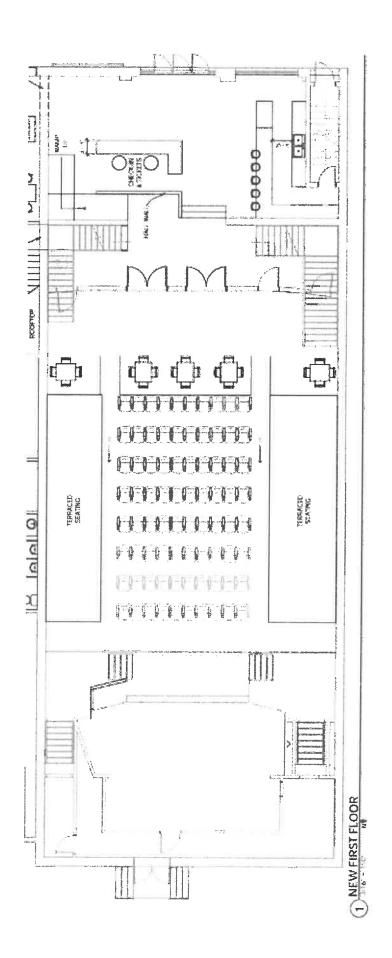
SUB-PERMITS

Special Class C Liquor License

**PRIVILEGES** 



P55



Camelot Theater Background & Future Vision

Item # 8B

Date: 9 26 22

The Camelot Theater is an architectural landmark in the center of Nevada, lowa's historic downtown district. Since 1928, many in Nevada and surrounding communities have enjoyed coming to the historic 400-seat theater to see feature films and live performances. The privately-owned venue struggled through the pandemic and was in need of renovations. In January 2022, the Camelot Theater Foundation (CTF), a 501(c)3 nonprofit organization, purchased the property as a collaborative effort with funding from the City of Nevada, Nevada Economic Development Council and community members. Since then, nearly \$675,000 has been raised by the Camelot Theatre Foundation to support the preservation goals and future uses of this historic resource. The renovation costs for all phases of the project are currently estimated at \$2,000,000.

It is CTF's goal to restore the façade to its original classical revival appearance, upstairs apartments will be remodeled for rental use, the theater will be updated with flexible seating, the front lobby will be expanded into a building to the north (donated by a community member) and reconfigured to include reception space, a bistro/wine bar, and a future rooftop patio. CTF will lease the space to a proprietor to run the restaurant business. We anticipate that lease income from the business and apartments will provide sustainable revenue ongoing to fulfill our mission to maintain and preserve the historic theater.

The theater will have the flexibility to accommodate a variety of uses such as plays, musicals, concerts, movies, children's theater, weddings, business events, educational events, training and more. This project will have a tremendous impact on downtown Nevada, as well as the broader region, in providing access to arts and entertainment for all interests in Story County and surrounding areas.

The impact of a rehabilitated and re-energized theater in the downtown will have a catalytic effect on the district as a whole. The tourism interest generated from the theater activities will lead to creating opportunities for adjoining and neighboring businesses to grow, while also creating new business opportunities in the district.

The cultural opportunities created by the Camelot Theater will be far reaching. There is currently a lack of suitable venues, of this size, for arts and cultural events in Story County. This provides the opportunity for performing arts groups to hold performances in this space. The ability to have stage productions, show movies, host events, and serve food at an affordable value is unique in the area.

The restoration of the historic Camelot theater will be conducted in phases and the order of the renovations may change depending on the grant requirements.

Phase 1 – Facade and Water Proofing - gutters, siding, temporary fix to the marquee, paint removal, brick repair and replacement - funded by pledges and HRDP Emergency grant. This phase will be completed Fall 2022.

Phase 2 – 2nd and 3rd floor window restoration – Spring, 2023 after funds are raised

Phase 3 – Renovate two upper level apartments

Phase 4 — Camelot/Bistro restrooms, bistro kitchen, and rooftop bar — located in the building to the north, which will be acquired in 2023.

Future phases - Wall removal between Camelot lobby and bistro building, renovate lobby and bistro dining space, theater seating and stage renovation.

The Camelot Theater Foundation is now asking for additional support from the City of Nevada for this project. Material costs are rising and economic conditions are occurring that make fundraising more difficult. To ensure that the theater is successfully renovated, the Camelot Theater foundation is asking for the City to provide financial support of \$30,000 per year for 4 years. Fundraising efforts are continuing to secure the rest of the funds for the project. Thank you for your consideration.

# City Administrators Report

September 8-22, 2022

## Community Coffee

Community coffee seems to be fizzling out. I would like to mix some things up. From what Marlys has provided, I thought it would be nice if we could designate a month for each council member to discuss any items they feel need to be addressed as well as questions our citizens may have for that council member or the district he or she represents. I think if we did this bimonthly, we would provide a two month break and this could allow ample amount of time to generate questions from the public for the council to address during their month.

# Engineer:

Let me know your thoughts on the numbers that were provided last council meeting. I would be interested in your thoughts on when/if we should proceed. I will have this as a discussion point on either this council meeting or the next.

# Council Chambers:

Over the next couple of weeks, we will be making some changes to the council chambers. The sign has been installed behind the desks and we will be ripping off the wall paper to paint the walls. Will be exciting to see the change as well as update the council to our current logo.

# Henry Development

Engineer has been communicating with P&Z, they have submitted documentation and will be starting the re-zoning process. We should be seeing this within a few weeks. Hoping this will be on the first meeting in October.

## **B.R.I.C** Grant

We will be moving through the process and keep tabs on the programs becoming available through the B.R.I.C grants program. They are providing a lot of different cycles, the key is finding the right project to fit in to that grant cycle.

# **IaCMA Professional Development Committee**

Some staff members, the Mayor and I will be headed to the IaCMA fall conference next week. I am excited for some of the speakers for this year's conference. Should be multiple opportunities to learn and gain knowledge since a lot has happened in the state over the course of a few months.

# Volunteer Hours-Evergreen Lane

I will be volunteering Monday and Thursdays for an hour to be a reading buddy tutor. This will start on the 26<sup>th</sup> and go through November.

## West K Lot

This lot did end up getting sold. They will be getting all their paperwork together to submit in order to start building. This buildout will be similar to the contractor condos that are currently located on 1710 West K.

# **ARPA Resolution:**

Although there are a lot of similarities to both projects (lift Station and Sewer extension), I believe the new project did not achieve the same goal. For that reason, I did not think it was wise to continue the grant process as they were not allowing amendments to the plan and this would have had to have an amendment.

# **UPDATES:**

## **UTV/ATV/Golf Carts:**

Second Reading- Council can waive 3<sup>rd</sup> reading.

# **Strategic Planning:**

First meeting will take place October 14th

# Community Coffee

Saturday, September 10-Farmgrounds

# MONTHLY/WEEKLY STANDING MEETINGS

**AEDC** 

NEDC (Executive) Lincoln HWY Days Recap WWTF Phase 2 & 4 Pizza Pie Looza



# STAFF MEETING AGENDA

Monday, September 19 @ 9:00 A.M

# A. One Organization & Noteworthy:

- a. Name one positive thing that happened last week?
- b. What Department did you help this last week?

## B. Old Business

- a. City Administrator
  - i. Council Meetings-Department Heads
  - ii. Facebook Live Ouestions-Staff
  - iii. Pest Control- Erik Hardt (Creed)
  - iv. Development Agreements
  - v. CIP-Streets
  - vi. Council Chambers Rehab
  - vii. B.R.I.C
  - viii. Well Field Leasing
    - ix. WWTP Vision

Next Staff meeting: October 3

Item# 0
Date: 9 26 22



City Hall | 1209 6<sup>th</sup> Street | Nevaua, 124 30201-0350 p. (515) 382-5466 | f. (515) 382-4502

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.)

I have Three Rezoning Applications and Two Variance Applications that will be heard in October.

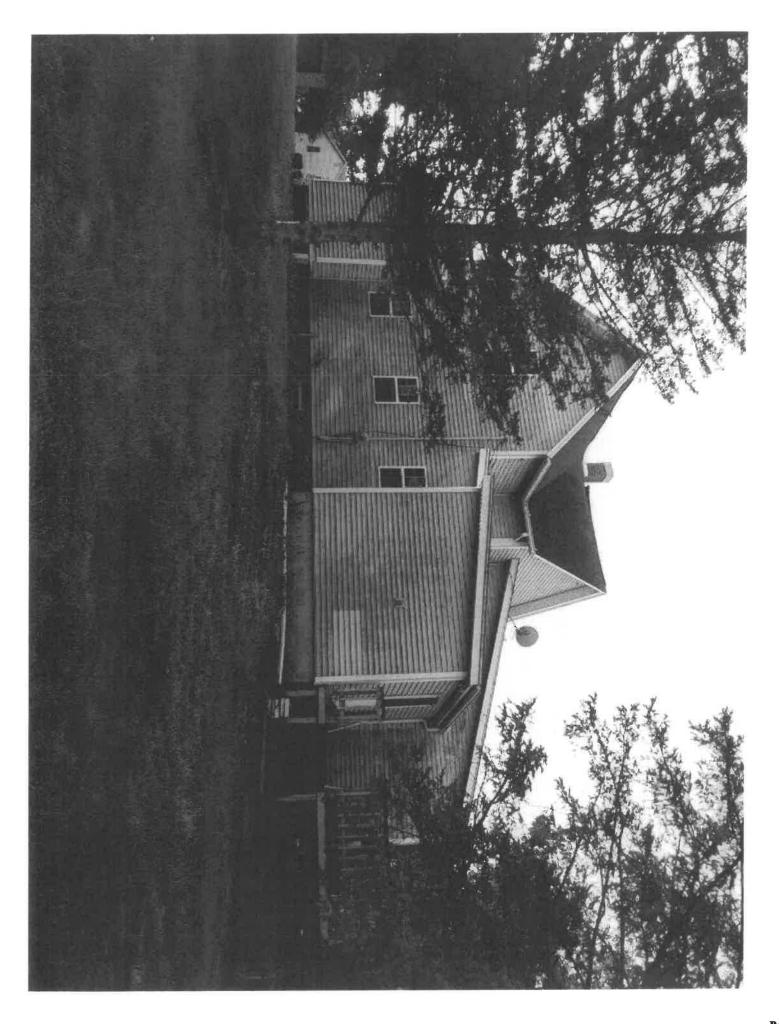
On 9/12/22 I met with Todd Macvey on his property at 536 4<sup>th</sup> Street. During the meeting I was able to walk around the property outside and in. The outside of the property was unkept with over grown vegetation and construction material. The inside had been stripped down of some lath and plaster and wall paper material. The interior had smoke residue on the walls and appliances that were still inside.

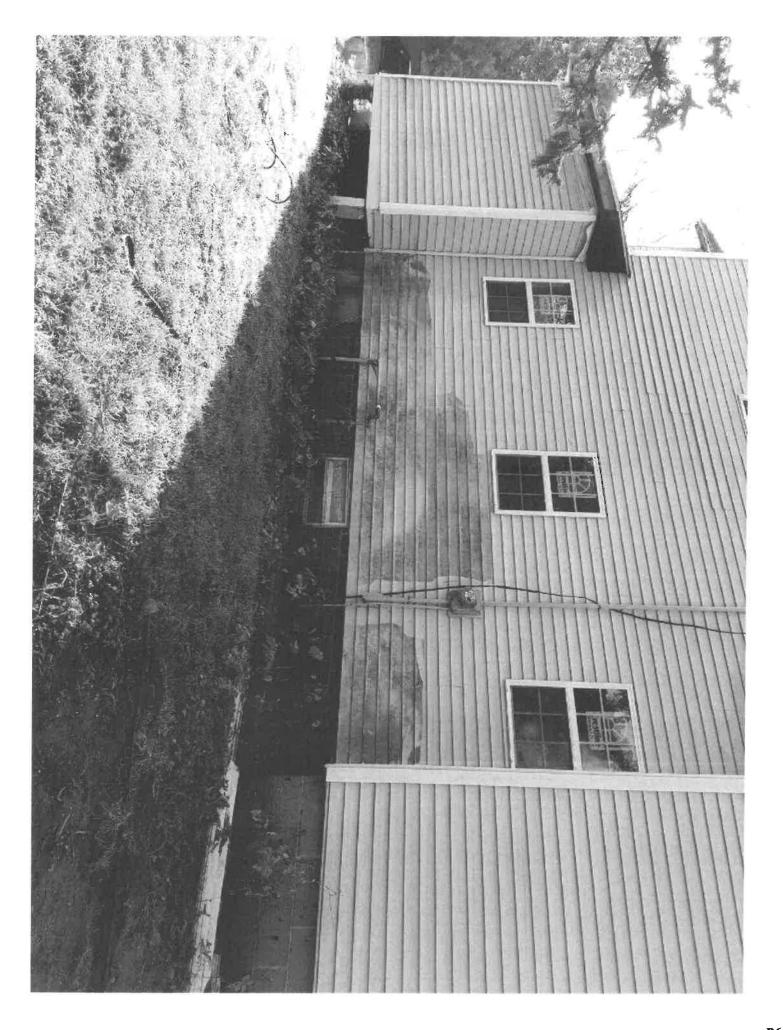
Since the initial meeting the exterior of the property has been cleaned up. The vegetation has been cut down, the house has been power washed. The interior has seen an improvement too. Todd has started to mitigate the soot from the smoke and has sandblasted the charred areas. The water has been turned back on and a pressure test of the home has been completed to turn on the gas. Todd has explained his plan to shore up the areas that have fire damage, and has cleaned some of the areas with smoke damage to show it can be done.

I have included pictures sent to me by Todd.

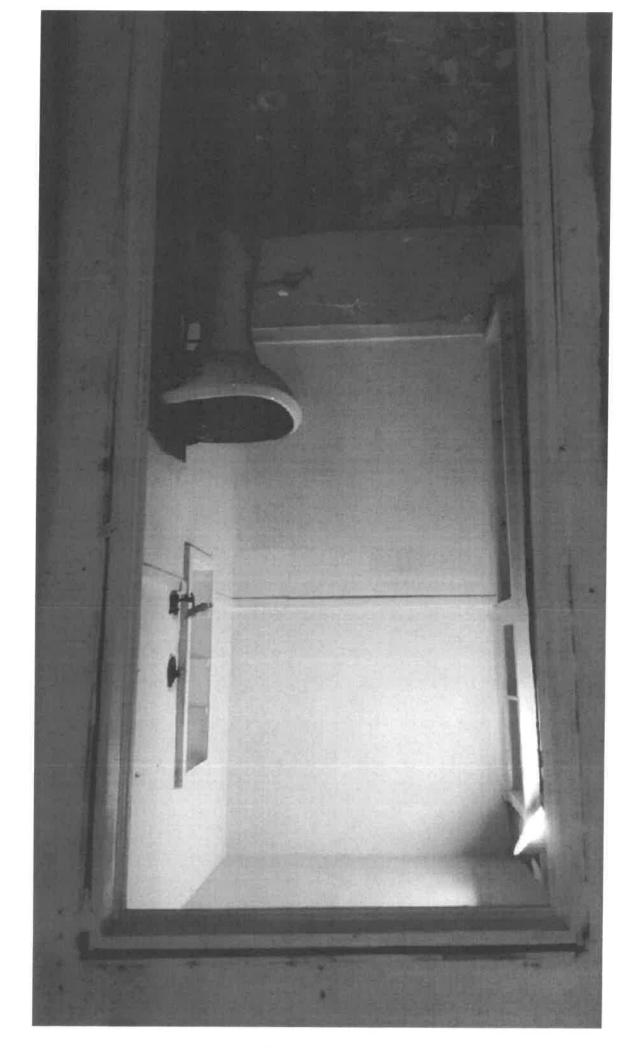
Respectfully,

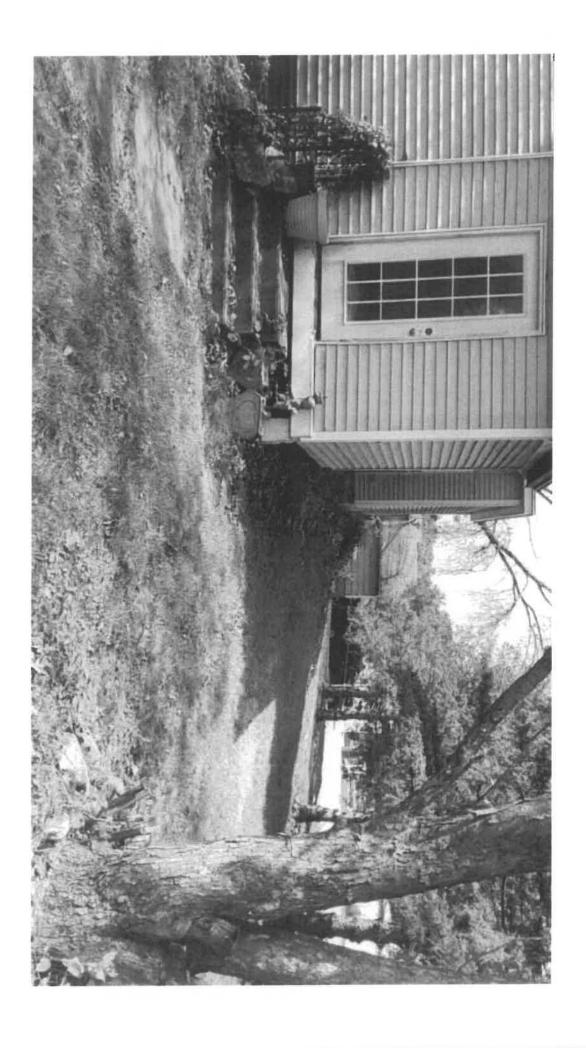
Ryan Hutton Building and Zoning Official















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 4<sup>th</sup> 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 <u>September 12, 2022</u>. 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

Frin M. Clanton

# Don Juhl, Lawyer

Phone & FAX: 515.382.4292 e-mail: donjuhllaw@yahoo.com

cell phone: 515.450.0262

616 J Avenue, P.O. Box 25 Nevada, IA 50201

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 4<sup>th</sup> 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 1<sup>st</sup> day of February, 2021, on Mac Vey Investments, LC, ("Owner") to abate the nuisance existing at 536 4<sup>th</sup> 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 it 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
  - 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	26 <sup>th</sup>	day	of July	, 2021.
--------	-----	----------	------	------------------	-----	---------	---------

Attest:

Kerin W ight, City

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.

# Benjamin Design Collaborative, P.C.

401 Clark Avenue, Suite 200 Ames, Iowa 50010 515-232-0888 Fax 515-232-0882



# Site Observation Notes

Review of Fire Damaged Property 536 4th Street, Nevada, Iowa

November 20, 2015

Owner:

Todd & Marilyn MacVey

P.O. Box 1962 913 Carroll Ave. Ames, Iowa 50010

Purpose:

Visited the property to review its existing conditions and ascertain what repairs would be needed due to the fire damage and subsequent non occupation of the principle building and garage.

The following observations were made during a site visit made on November 13, 2015:

- The existing home has suffered severe damage from a localized fire located primarily at the front entry of the home. The fire burned through the outside sheathing of the existing entry walls and continued up into the rafters and attic space. It appears that the Fire Department arrived at the property soon after the fire was discovered and put out the fire quickly. The actual structural damage from fire was confined to this front corner of the house, plus some additional damage in the main living area presumably caused by burning furniture in that room. The rest of the house contained extensive smoke and heat damage, but no damage to the structure itself.
- According to the new Owner, the house did sit empty through the full change of seasons. We did find evidence of burst piping, presumably from freezing. The only other evidence of the fire in the basement area is some minor water damage of the ceilings and bulkheads near the northeast corner entry.
- We walked through the basement area and reviewed the existing heating equipment. The furnace and water heater appeared undamaged and unaffected by the fire.

The following recommendations are made to comply with the 2009 International Residential Code sections, as adopted by the Iowa State Building Code:

- 1. Due to freezing, the water heater liner may have split open along with much of the piping I would anticipate that the water heater will need replaced, and the domestic water piping be checked and replaced also as required.
- Some of the bulkhead covering in the basement, primarily the underside of return air ducts, have some
  minor water damage and will need to be replaced, and we recommend that it be tested for asbestos
  containing materials due to its exhibiting characteristics of loose asbestos fibers, and removed by licensed
  hazardous materials handlers.
- 3. Remove the front porch in its entirety and replace foundation, framing, decking, posts, rafters and joists, sheathing, roofing and siding. Replace front entry door, frame and hardware.
- 4. Remove adjacent sheathing next to front porch, where damaged by the fire. Cut sheathing back to sound material and replace with plywood. Cover sheathing with an air barrier Tyvek and place new siding over all affected areas.

- 5. Remove all studs, headers, joists, and rafters that show visible charring and replace. Studs and rafters that have only slight damage from smoke may be retained thoroughly coat with shellac or Kilz paint and sister each stud or rafter in this condition with a member of similar size.
- 6. Floor joists above main living room remove all loose and/or burned material from joists, thoroughly coat with shellac or Kilz paint and sister each joist with new member.
- 7. Remove all wall and ceiling surfaces, paneling, cabinets, shelving, furnishings, etc., and remove all smoke damaged plaster from walls and ceilings throughout the house. With all the studs, joists and rafters exposed, verify if any interior enclosed spaces have smoke damage and coat them with shellac if needed.
- 8. Remove all affected/damaged roofing shingles and replace. Remove all damaged roof sheathing, cut back to sound material, and replace.
- Remove all appliances and replace. Remove cabinets, counters, doors and frames with extensive smoke damage and replace.
- 10. Remove all plastic sheathed electrical wires, exposed and concealed in walls. All of the electrical wire above the basement has been exposed to heat beyond safe usage levels and needs replaced, whether or not it shows direct signs of fire damage.
- 11. Replace any windows near the front entrance that show signs of fire damage. Most of the exterior windows appeared to be able to function normally.
- 12. The existing furnace and ductwork system did not exhibit any visual damage. Replace diffusers and grilles as required, have the entire system thoroughly cleaned.
- 13. Recap: once all the removal of materials and repairs have taken place, replace all the electrical, plumbing, insulation, vapor barrier, drywall, wood trim, fixtures and interior finishes.
- 14. Comply with all aspects of the 2009 IRC as required by the Iowa State Building Code.

#### Garage Repairs

A separate fire occurred inside the two stall garage, presumably started within the vehicle inside. The following recommendations are made concerning the garage:

- 15. Remove the remains of the overhead doors, door trim, and siding on the north face of the garage and replace.
- 16. Remove all interior fixtures and furnishings within the garage.
- 17. Remove the sheathing and roofing, trusses and bracing, fascia and soffits and replace in their entirety.
- 18. Remove any individual studs that show visible signs of charring and damage and replace. Studs with only smoke damage can be coated with shellac or Kilz paint.
- 19. Remove all plastic sheathed electrical wires, exposed and concealed in walls, and replace.

End of Site Observation Notes