
NEVADA CITY COUNCIL - MONDAY, OCTOBER 24, 2022 6:00 P.M.

1. CALL TO ORDER

The City Council of the City of Nevada, Iowa, met for a meeting in the Council Chambers of Nevada City Hall located at 1209 6th Street, Nevada, Iowa. Mayor Brett Barker, convened the meeting at 6:00 p.m. on Monday, October 24, 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, Dane Nealson, Jason Sampson, Steve Skaggs, Sandy Ehrig. Absent: Barb Mittman. Barb Mittman arrived at 6:02 p.m.

Staff Present: Erin Clanton, Jordan Cook, Kerin Wright, Erin Mousel, Shawn Ludwig, Joe Mousel, Harold See, Tim Hansen, Rhonda Maier, Ray Reynolds, Ryan Hutton

Also in attendance were: Scott Henry, BJ Stokesbary, Scott & Jessica Walkner, Brenda Dryer, Don Arends, Renae Rudkin, Lance Lindeman

3. APPROVAL OF AGENDA

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

4. PUBLIC HEARING(S)

- A. Proposal to Vacate and Convey City Property
1. Public Hearing

At 6:01 p.m. Mayor Barker announced that this is the time and place set for a **public hearing** as advertised in the Nevada Journal on **October 13, 2022**. The public hearing is **concerning the vacation of City property**. Barb Mittman arrived at 6:02 p.m.

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

2. Resolution No. 044 (2022/2023): A Resolution to Vacate and Convey an Alleyway Adjoining Block Twelve (12) in Burris Addition, in the City of Nevada, Iowa

Motion by Steve Skaggs, seconded by Sandy Ehrig, to **adopt Resolution No. 044 (2022/2023)**. After due consideration and discussion the roll was called. Aye: Skaggs, Ehrig, Hanson, Mittman, Nealson, Sampson. Nay: None. The Mayor declared the motion carried.

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

Motion by Dane Nealson, seconded by Brian Hanson, to **approve the following consent agenda items:**

- A. Approve Minutes of the Regular Meeting held on October 10, 2022
- B. Approve Payment of Cash Disbursements, including Check Numbers 78706-78774 and Electronic Numbers 1199-1206 (Inclusive) Totaling \$3,162,522.94 (See attached list) and the First Interstate Purchasing Card for October Payment
- C. Approve Financial Reports for Month of September, 2022
- D. Approve Renewal of Class C Liquor License Permit and Sunday Sales Privileges for El Mezcalito, 1200 6th Street, Effective 11/18/22
- E. Receive Recommendation from Planning & Zoning Commission on Rezoning of 625 Academy Circle and Set Public Hearing for November 14th at 6:00 p.m. and Authorize Publication of Notice
- F. Receive Recommendation from Planning & Zoning Commission on Rezoning of 2000 5th Street, Northview Development and Set Public Hearing for November 14th at 6:00 p.m. and Authorize Publication of Notice

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

6. PUBLIC FORUM

- A. Don Arends shared comments regarding the housing development planned at 2000 5th Street and how it will affect the current residents on Jashalita Drive, including himself.

7. OLD BUSINESS

- A. 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, third and final reading

Lance Lindemann addressed the issue of a flight barrier for the bees.

Motion by Jason Sampson, seconded by Dane Nealson, to **approve Ordinance No. 1034 (2022/2023), third and final reading.** After due consideration and discussion the roll was called. Aye: Sampson, Nealson, Skaggs, Ehrig, Hanson, Mittman. Nay: None. The Mayor declared the motion carried.

- B. 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, third and final reading

Motion by Jason Sampson, seconded by Dane Nealson, to **approve Ordinance No. 1035 (2022/2023), third and final reading.** After due consideration and discussion the roll was called. Aye: Sampson, Nealson, Skaggs, Ehrig, Hanson, Mittman. Nay: None. The Mayor declared the motion carried.

- C. Resolution No. 045 (2022/2023): A Resolution approving the Camelot Theater Agreement

Motion by Dane Nealson, seconded by Sandy Ehrig, to **adopt Resolution No. 045 (2022/2023).** After due consideration and discussion the roll was called. Aye: Nealson,

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

- D. Approve Pay Request No. 4 for the Fieldhouse from HPC LLC in the amount of \$173,832.90

Motion by Barb Mittman, seconded by Steve Skaggs, to **approve Pay Request No. 4 for the Fieldhouse from HPC LLC in the amount of \$173,832.90.** After due consideration and discussion the roll was called. Aye: Mittman, Skaggs, Ehrig, Hanson, Nealson, Sampson. Nay: None. The Mayor declared the motion carried.

- E. Approve Pay Request No. 3 for 2022 Street Improvements Project from Manatt's, Inc. in the amount of \$1,754.61

Motion by Steve Skaggs, seconded by Dane Nealson, to **approve Pay Request No. 3 for 2022 Street Improvements Project from Manatt's, Inc. in the amount of \$1,754.61.** After due consideration and discussion the roll was called. Aye: Skaggs, Nealson, Sampson, Ehrig, Hanson, Mittman. Nay: None. The Mayor declared the motion carried.

- F. Nevada Foundation Human Service Grant Funding process and procedures

Motion by Sandy Ehrig, seconded by Brian Hanson, to **approve Nevada Foundation Human Service Grant Funding process and procedures.** After due consideration and discussion the roll was called. Aye: Ehrig, Hanson, Mittman, Nealson, Sampson, Skaggs. Nay: None. The Mayor declared the motion carried.

8. NEW BUSINESS

- A. Resolution No. 046 (2022/2023): Resolution Deleting Property from the Nevada Urban Renewal Area

Motion by Dane Nealson, seconded by Brian Hanson, to **adopt Resolution No. 046 (2022/2023).** After due consideration and discussion the roll was called. Aye: Nealson, Hanson, Mittman, Sampson, Skaggs, Ehrig. Nay: None. The Mayor declared the motion carried.

- B. Ordinance No. 1036 (2022/2023): An Ordinance Deleting Property From the Tax Increment Financing District for the Nevada Urban Renewal Area of the City of Nevada, Iowa, Pursuant to Section 403.19 of the Code of Iowa, first reading

Motion by Jason Sampson, seconded by Sandy Ehrig, to **approve Ordinance No. 1036 (2022/2023), first reading.** After due consideration and discussion the roll was called. Aye: Sampson, Ehrig, Hanson, Mittman, Nealson, Skaggs. Nay: None. The Mayor declared the motion carried.

- C. Resolution No. 047 (2022/2023): Setting Date for Public Hearing on Designation of the Expanded Nevada Urban Renewal Area and on Urban Renewal Plan Amendment

Motion by Dane Nealson, seconded by Steve Skaggs, to **adopt Resolution No. 047 (2022/2023).** After due consideration and discussion the roll was called. Aye: Nealson,

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

- D. Resolution No. 048 (2022/2023): A Resolution to approve Verbio Wastewater Agreement

Motion by Brian Hanson, seconded by Barb Mittman, to **adopt Resolution No. 048 (2022/2023)**. After due consideration and discussion the roll was called. Aye: Hanson, Mittman, Nealson, Sampson, Skaggs, Ehrig. Nay: None. The Mayor declared the motion carried.

- E. Ordinance No. 1037 (2022/2023): An Ordinance Amending Chapter 65 (Stop or Yield Required) for Additional Stop Sign on 14th Street and Yield Signs on J Avenue and Chapter 69 (Parking Regulations) for No Parking on south side of H Avenue between 10th & 15th Street, first reading

Motion by Barb Mittman, seconded by Brian Hanson, to **approve Ordinance No. 1037 (2022/2023), first reading**. After due consideration and discussion the roll was called. Aye: Mittman, Hanson, Nealson, Sampson, Skaggs, Ehrig. Nay: None. The Mayor declared the motion carried.

- F. Approve Renewal of Class “C” Liquor License and Outdoor Service, Sunday Service Permit for Jessica and Scott Walkner d/b/a/ Do You Bowl 2, 1229 12th Street, Effective October 31, 2022

Motion by Dane Nealson, seconded by Jason Sampson, to **approve Class “C” Liquor License for Do You Bowl 2**. After due consideration and discussion the roll was called. Aye: Nealson, Sampson, Skaggs, Ehrig, Hanson, Mittman. Nay: None. The Mayor declared the motion carried.

- G. Neighborhood Improvement Incentive Program Application #2, Flummerfelt Homes, Sunridge Estates in the amount of \$27,990

Motion by Barb Mittman, seconded by Brian Hanson, to **approve Neighborhood Improvement Incentive Program Application #2, Flummerfelt Homes, Sunridge Estates in the amount of \$27,990**. After due consideration and discussion the roll was called. Aye: Mittman, Hanson, Nealson, Sampson, Skaggs, Ehrig. Nay: None. The Mayor declared the motion carried.

- H. Approve Purchase of Skid Loader for Streets Department

Motion by Jason Sampson, seconded by Sandy Ehrig, to **approve purchase of skid loader for Streets Department**. After due consideration and discussion the roll was called. Aye: Sampson, Ehrig, Hanson, Mittman, Nealson, Skaggs. Nay: None. The Mayor declared the motion carried.

- I. Approve Purchase of Indoor Play Equipment for Fieldhouse

Motion by Dane Nealson, seconded by Brian Hanson, to **approve purchase of indoor play equipment for fieldhouse**. After due consideration and discussion the roll was

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

9. ADJOURNMENT

There being no further business to come before the meeting, motion by Dane Nealson, seconded by Jason Sampson, to **adjourn the meeting**. Following voice vote, the Mayor declared the motion carried at 6:48 p.m. the meeting adjourned.

Brett Barker, Mayor

ATTEST:

Kerin Wright, City Clerk

Published: _____
Council Approved: _____