
NEVADA CITY COUNCIL - MONDAY, November 14, 2022 6:00 P.M.

1. CALL TO ORDER

The City Council of the City of Nevada, Iowa, met for a meeting in the Council Chambers of Nevada City Hall located at 1209 6th Street, Nevada, Iowa. Mayor Brett Barker, convened the meeting at 6:00 p.m. on Monday, November 14, 2022, pursuant to the rules of the Council. The agenda was posted on the official bulletin board in compliance with the open meeting law.

2. ROLL CALL

The roll was called indicating the following named Council Members present and absent. Present: Brian Hanson, Barb Mittman, Jason Sampson, Steve Skaggs, Sandy Ehrig. Absent: Dane Nealson. Dane Nealson arrived at 6:05 p.m.

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

Also in attendance were: Don Arends, Jerry Gibson, Joe Anderson, Elijah Hansen, Scott Henry, Louis Lang

3. APPROVAL OF AGENDA

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

4. PUBLIC HEARING(S)

- A. Rezoning of 625 Academy Circle
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 **November 3, 2022**. The public hearing is **for notice of the Rezoning of Property at 625 Academy Circle**.

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

2. Ordinance No. 1038 (2022/2023): An Ordinance amending the zoning map of the City of Nevada, Iowa, by rezoning the property at 625 Academy Circle, Oak Park Estates from R-4 (Multiple Family Dwelling District) to PUD (Planned Unit Development), first reading

Motion by Sandy Ehrig, seconded by Jason Sampson, to **approve Ordinance No. 1038 (2022/2023), first reading**. After due consideration and discussion the roll was called. Aye: Ehrig, Sampson, Skaggs, Hanson, Mittman. Nay: None. The Mayor declared the motion carried.

B. Rezoning of 2000 5th Street
1. Public Hearing

At 6:02 p.m. Mayor Barker announced that this is the time and place set for a **public hearing** as advertised in the Nevada Journal on **November 3, 2022**. The public hearing is **for notice of the Rezoning of Property at 2000 5th Street**. Dane Nealson arrived at 6:05 p.m.

Elijah Hansen and Don Arends expressed their concerns regarding the proposed development at 2000 5th Street.

There were **no written objections** to the aforementioned recommendation. Public hearing closed at 6:14 p.m.

2. Ordinance No. 1039 (2022/2023): An Ordinance amending the zoning map of the City of Nevada, Iowa, by rezoning the property at 2000 5th Street from "AR" (Agricultural-Residential Reserve) District, to a "R-2" (Single- and Two-Family Dwelling) District, first reading

Motion by Jason Sampson, seconded by Dane Nealson, to **approve Ordinance No. 1039 (2022/2023), first 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.

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

Motion by Barb Mittman, seconded by Brian Hanson, to **approve the following consent agenda items**:

- A. Approve Minutes of the Regular Meeting held on October 24, 2022
- B. Approve Payment of Cash Disbursements, including Check Numbers 78775-78879 and Electronic Numbers 1208-1220 (Inclusive) Totaling \$957,455.30 (See attached list) and the First Interstate Purchasing Card for November Payment
- C. Accept and File the Annual Financial Report for FY21/22
- D. Accept and File City Street Finance Report for FY21/22
- E. Accept and File Annual Urban Renewal Report for FY21/22
- F. Approve Write off of Utility Debt in the amount of \$756.12 (see attached)
- G. Receive Recommendation from Planning & Zoning Commission on Rezoning of 1238 T Avenue, Flummerfelt Country Club Estates and Set Public Hearing for November 28th at 6:00 p.m. and Authorize Publication of Notice
- H. Resolution No. 049 (2022/2023): A Resolution approving the Second Amendment for the Iowa Economic development Authority, Hormel Food Corporation/Burke Marketing and City of Nevada Contract

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

6. PUBLIC FORUM

- A. Louis Lang requested additional information regarding the status of a dump location for yard waste.

7. OLD BUSINESS

- A. 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, second reading

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

1. Option to waive third and final reading for Ord No. 1036

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

- B. 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, second reading

Comments were received from a resident on H Avenue requesting an amendment to the parking ordinance. He is requesting no parking during school hours only. Parking would be allowed on nights and weekends. Following Council discussion, they would like further input from Public Safety before taking action on the third and final reading.

Motion by Dane Nealson, seconded by Barb Mittman, to **approve Ordinance No. 1037 (2022/2023), second reading.** After due consideration and discussion the roll was called. Aye: Nealson, Mittman, Sampson, Skaggs, Hanson. Nay: Ehrig. The Mayor declared the motion carried.

- C. Approve Pay Request No. 17 for WWTF Improvements-Phase 2 from Williams Brothers Construction Inc. in the amount of \$1,592,701.43

Motion by Jason Sampson, seconded by Sandy Ehrig, to **approve Pay Request No. 17 for WWTF Improvements-Phase 2 from Williams Brothers Construction Inc. in the amount of \$1,592,701.43.** After due consideration and discussion the roll was called. Aye: Sampson, Ehrig, Hanson, Mittman, Nealson, Skaggs. Nay: None. The Mayor declared the motion carried.

- D. Approve Pay Request No. 9 for WWTF Improvements-Phase 3 from Boomerang Corp. in the amount of \$12,797.45

Motion by Dane Nealson, seconded by Barb Mittman, to **approve Pay Request No. 9 for WWTF Improvements-Phase 3 from Boomerang Corp. in the amount of \$12,797.45.** After due consideration and discussion the roll was called. Aye: Nealson, Mittman, Sampson, Skaggs, Ehrig, Hanson. Nay: None. The Mayor declared the motion carried.

- E. Approve Pay Request No. 2 for WWTF Improvements-Phase 4 from On Track Construction in the amount of \$1,547,912.05

Motion by Jason Sampson, seconded by Dane Nealson, to **approve Pay Request No. 2 for WWTF Improvements-Phase 4 from On Track Construction in the amount of \$1,547,912.05.** After due consideration and discussion the roll was called. Aye: Sampson, Nealson, Skaggs, Ehrig, Hanson, Mittman. Nay: None. The Mayor declared the motion carried.

8. NEW BUSINESS

- A. Resolution No. 050 (2022/2023): A Resolution obligating funds from the Urban Renewal Tax Revenue Fund for appropriation to the payment of annual appropriation tax increment financed obligations which shall come due in the next succeeding fiscal year which include: (Almaco, \$30,000); (NEDC-membership, \$65,000); (R Friedrich & Sons/LMI, \$149,961); (Mid-States Material Handling, \$21,047); (Verbio, \$158,642); (ROSK Development, LLC,/LMI, \$34,062); (M&R Properties Iowa, LLC, \$10,754); (Mid-States/Vier, \$31,984)

Motion by Dane Nealson, seconded by Jason Sampson, to **adopt Resolution No. 050 (2022/2023).** After due consideration and discussion the roll was called. Aye: Nealson, Sampson, Ehrig, Hanson, Mittman. Nay: None. Abstain: Skaggs. The Mayor declared the motion carried.

- B. Resolution No. 051 (2022/2023): A Resolution approving Tax Increment Financing (TIF) indebtedness certification and directing the certification to be filed no later than December 1, 2022

Motion by Sandy Ehrig, seconded by Steve Skaggs, to **adopt Resolution No. 051 (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.

- C. Approve Camera System for City Hall and Library

Motion by Barb Mittman, seconded by Steve Skaggs, to **approve the purchase of camera system for City Hall and the Library from Astra Security in the amount of \$25,982.70.** After due consideration and discussion the roll was called. Aye: Mittman, Skaggs, Ehrig, Hanson, Nealson, Sampson. Nay: None. The Mayor declared the motion carried.

- D. Approve Neighborhood Improvement Incentive Program in the amount of \$7,500, Peebles 1608 2nd Rear

Motion by Jason Sampson, seconded by Brian Hanson, to **approve Neighborhood Improvement Incentive Program in the amount of \$7,500.00.** After due consideration and discussion the roll was called. Aye: Sampson, Hanson, Mittman, Nealson, 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 Neelson, seconded by Jason Sampson, to **adjourn the meeting**. Following voice vote, the Mayor declared the motion carried at 7:02 p.m. the meeting adjourned.

Brett Barker, Mayor

ATTEST:

Kerin Wright, City Clerk

Published: _____

Council Approved: _____