
NEVADA CITY COUNCIL - MONDAY, NOVEMBER 28, 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 28, 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, Sandy Ehrig. Absent: None.

Staff Present: Erin Clanton, Jordan Cook, Kerin Wright, Erin Mousel, Larry Stevens, Brandon Mickleson, Joe Mousel, Harold See, Ryan Hutton, Chris Brandes, Tim Hansen

Also in attendance were: Brenda Dryer, Joe Anderson

3. APPROVAL OF AGENDA

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

4. PUBLIC HEARING(S)

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

At 6:01 p.m. Mayor Barker announced that this is the time and place set for a **public hearing** as advertised in the Nevada Journal on **November 3, 2022**. The public hearing is **for notice of designation of expanded Nevada Urban Renewal Area and Proposed Urban Renewal Plan Amendment**.

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

2. Resolution No. 052 (2022/2023): Resolution to Declare Necessity and Establish an Urban Renewal Area, Pursuant to Section 403.4 of the Cod of Iowa and Approve Urban Renewal Plan Amendment for the Nevada Urban Renewal Area

Motion by Brian Hanson, seconded by Barb Mittman, to **adopt Resolution No. 052 (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.

3. Ordinance No. 1040 (2022/2023): An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the November, 2022 Addition to the Nevada Urban Renewal Ara, Pursuant to Section 403.19 of the Code of Iowa

Motion by Steve Skaggs, seconded by Sandy Ehrig, to **approve Ordinance No. 1040 (2022/2023), first reading.** After due consideration and discussion the roll was called. Aye: Skaggs, Ehrig, Hanson, Mittman, Nealson, Sampson. Nay: None. The Mayor declared the motion carried.

- B. Rezoning of 1238 T Avenue, Flummerfelt's Country Club Estates MHC LLC
 1. Public Hearing

At 6:03 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 17, 2022.** The public hearing is **for the Rezoning of Property at 1238 T Avenue, Flummerfelt's Country Club Estates MHC LLC.**

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

2. Ordinance No. 1041 (2022/2023): An Ordinance Amending the Zoning Map of the City of Nevada, Iowa, by Rezoning the Property at 1238 T Avenue, Flummerfelt's Country Club Estates, MHC LLC, from R-4 (Multiple Family Dwelling District) to R-5 (Mobile Home Park Residential)

Motion by Dane Nealson, seconded by Barb Mittman, to **approve Ordinance No. 1041 (2022/2023), first reading.** After due consideration and discussion the roll was called. Aye: Nealson, Mittman, Sampson, Skaggs, Ehrig, Hanson. Nay: None. The Mayor declared the motion carried.

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

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

- A. Approve Minutes of the Regular Meeting held on November 14, 2022
- B. Approve Payment of Cash Disbursements, including Check Numbers 78880-78945 and Electronic Numbers 1222-1233 (Inclusive) Totaling \$3,939,050.21 (See attached list)
- C. Approve Financial Reports for Month of October, 2022
- D. Approve the Cancellation of the second meeting of December, 2022
- E. Approve 2023 Wellness Program
- F. Approve 2023 Meeting Dates
- G. Approve Tax Abatement:
 1. Permit #BP2022-0025, 901 S Glen Avenue, New Home
 2. Permit #BP2018-0101, 630 4th Street, Home Remodel
 3. Permit #BP2022-0026, 251 West E Ave, New Garage
 4. Permit #BP2022-0049, 1335 2nd Street, Addition

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. OLD BUSINESS

- A. 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, third and final reading

Motion by Jason Sampson, seconded by Dane Nealson, to **approve Ordinance No. 1037 (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. Approve Pay Request No. 5 for the Fieldhouse from HPC LLC in the amount of \$218,359.40

Motion by Sandy Ehrig, seconded by Steve Skaggs, to **approve Pay Request No. 5 for the Fieldhouse from HPC LLC in the amount of \$218,359.40.** After due consideration and discussion the roll was called. Aye: Ehrig, Skaggs, Hanson, Mittman, Nealson, Sampson. Nay: None. The Mayor declared the motion carried.

- C. 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), second reading

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

- D. 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, second reading

Motion by Dane Nealson, seconded by Barb Mittman, to **approve Ordinance No. 1039 (2022/2023), second reading.** 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 Change Order No. 1 for WWTF Improvements-Phase 3 from Boomerang Corp. in the amount of (\$60,000.00)

Motion by Brian Hanson, seconded by Steve Skaggs, to **approve Change Order No. 1 for WWTF Improvements-Phase 3 from Boomerang Corp.** After due consideration and discussion the roll was called. Aye: Hanson, Skaggs, Ehrig, Mittman, Nealson, Sampson. Nay: None. The Mayor declared the motion carried.

- F. CDBG-CV MicroEnterprise Funding, Subrogation Agreements
1. Resolution No. 053 (2022/2023): Feltner Properties

Motion by Dane Neelson, seconded by Barb Mittman, to **adopt Resolution No. 053 (2022/2023)**. After due consideration and discussion the roll was called. Aye: Neelson, Mittman, Sampson, Skaggs, Ehrig, Hanson. Nay: None. The Mayor declared the motion carried.

2. Resolution No. 054 (2022/2023): Great Plains Millwork

Motion by Steve Skaggs, seconded by Sandy Ehrig, to **adopt Resolution No. 054 (2022/2023)**. After due consideration and discussion the roll was called. Aye: Skaggs, Ehrig, Hanson, Mittman, Neelson, Sampson. Nay: None. The Mayor declared the motion carried.

3. Resolution No. 055 (2022/2023): Wild Root Salon

Motion by Brian Hanson, seconded by Dane Neelson, to **adopt Resolution No. 055 (2022/2023)**. After due consideration and discussion the roll was called. Aye: Hanson, Neelson, Sampson, Skaggs, Ehrig, Mittman. Nay: None. The Mayor declared the motion carried.

4. Resolution No. 056 (2022/2023): Meyer Chiropractic

Motion by Dane Neelson, seconded by Barb Mittman, to **adopt Resolution No. 056 (2022/2023)**. After due consideration and discussion the roll was called. Aye: Neelson, Mittman, Sampson, Skaggs, Ehrig, Hanson. Nay: None. The Mayor declared the motion carried.

5. Resolution No. 057 (2022/2023): Thisday Photography

Motion by Steve Skaggs, seconded by Sandy Ehrig, to **adopt Resolution No. 057 (2022/2023)**. After due consideration and discussion the roll was called. Aye: Skaggs, Ehrig, Hanson, Mittman, Neelson, Sampson. Nay: None. The Mayor declared the motion carried.

7. NEW BUSINESS

- A. Resolution No. 058 (2022/2023): A Resolution Setting a Date of Meeting at which it is Proposed to Approve a Development Agreement with Van Houweling Properties II, LLC, Including Annual Appropriation Tax Increment Payments

Motion by Jason Sampson, seconded by Sandy Ehrig, to **adopt Resolution No. 058 (2022/2023)**. After due consideration and discussion the roll was called. Aye: Sampson, Ehrig, Hanson, Mittman, Neelson, Skaggs. Nay: None. The Mayor declared the motion carried.

- B. Resolution No. 059 (2022/2023): A Resolution Setting a Date of Meeting at which it is Proposed to Approve a Development Agreement with AK System Solutions LLC, Including Annual Appropriation Tax Increment Payments

Motion by Dane Neelson, seconded by Steve Skaggs, to **adopt Resolution No. 059 (2022/2023)**. After due consideration and discussion the roll was called. Aye: Neelson,

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

- C. Resolution No. 060 (2022/2023): A Resolution Accepting Purchase Agreement and Permanent Sanitary Sewer Easements and Sanitary Sewer Temporary Construction Easements from Henry Land II LLC

Motion by Barb Mittman, seconded by Dane Nealson, to **adopt Resolution No. 060 (2022/2023)**. After due consideration and discussion the roll was called. Aye: Mittman, Nealson, Sampson, Skaggs, Ehrig, Hanson. Nay: None. The Mayor declared the motion carried.

- D. Resolution No. 061 (2022/2023): A Resolution Approving Material Transfer agreement between Ames National Laboratory and City of Nevada, Iowa

Motion by Sandy Ehrig, seconded by Dane Nealson, to **adopt Resolution No. 061 (2022/2023)**. After due consideration and discussion the roll was called. Aye: Ehrig, Nealson, Sampson, Skaggs, Hanson, Mittman. Nay: None. The Mayor declared the motion carried.

8. ADJOURNMENT

There being no further business to come before the meeting, motion by Dane Nealson, seconded by Sandy Ehrig, to **adjourn the meeting**. Following voice vote, the Mayor declared the motion carried at 6:25 p.m. the meeting adjourned.

Brett Barker, Mayor

ATTEST:

Kerin Wright, City Clerk

Published: _____
Council Approved: _____