
NEVADA CITY COUNCIL - MONDAY, DECEMBER 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 6th Street, Nevada, Iowa. Mayor Brett Barker, convened the meeting at 6:00 p.m. on Monday, December 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, Steve Skaggs, Sandy Ehrig. Jason Sampson was present via Zoom. Absent: None.

Staff Present: Erin Clanton, Jordan Cook, Kerin Wright, Erin Mousel, Shawn Ludwig, Ray Reynolds, Erin Coughlin, Ryan Hutton, Andrew Henderson, Tim Hansen, Rhonda Maier

Also in attendance were: Karen Selby, Brenda Dryer, Christa Skaggs

3. APPROVAL OF AGENDA

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

4. PUBLIC HEARING(S)

A. Public Hearing on Proposed Development Agreement with Van Houweling Properties II, LLC

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 **December 8, 2022**. The public hearing is **for notice of meeting to approve Development Agreement with Van Houweling Properties II, LLC and Authorization of Annual Appropriate Tax Increment Payments**.

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

2. Resolution No. 062 (2022/2023): Resolution Approving Development Agreement with Van Houweling Properties II, LLC, Authorizing Annual Appropriation Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement

Motion by Sandy Ehrig, seconded by Dane Nealson, to **adopt amended Resolution No. 062 (2022/2023) with the substantial completion date updated to December 31, 2024**. After due consideration and discussion the roll was called. Aye: Ehrig,

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

- B. Public Hearing on Proposed Development Agreement with AK System Solutions LLC
1. Public Hearing

At 6:04 p.m. Mayor Barker announced that this is the time and place set for a **public hearing** as advertised in the Nevada Journal on **December 8, 2022**. The public hearing is **for notice of meeting to approve Development Agreement with AK Systems Solutions LLC and Authorization of Annual Appropriate Tax Increment Payments.**

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

2. Resolution No. 063 (2022/2023): Resolution Approving Development Agreement with AK System Solutions LLC, Authorizing Annual Appropriation Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement

Motion by Steve Skaggs, seconded by Barb Mittman, to **adopt Resolution No. 063 (2022/2023)**. After due consideration and discussion the roll was called. Aye: Skaggs, Mittman, Nealson, Sampson, 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 28, 2022
- B. Approve Payment of Cash Disbursements, including Check Numbers 78946-79028 and Electronic Numbers 1235-1242 (Inclusive) Totaling \$611,958.88 (See attached list) and the First Interstate Card Purchases for the December 6, 2022 Statement, total \$3,052.27
- C. Approve Financial Reports for Month of December, 2022
- D. Approve Renewal of Class "C" Liquor License and Sunday Sales Privileges for MiCasta, 1115 6th St, Effective December 15, 2022
- E. Approve 2023 Story County Emergency Management Commission 2023 Membership appointments
- F. Approval of Garbage Licenses for 2022
 1. Waste Management of Iowa
 2. Jerry's Sanitation
 3. Arends Sanitation
 4. Aspen Waste Systems
 5. Pratt Sanitation Inc
 6. Walters Sanitary Service Inc
 7. Eichinger Brothers LLC dba Garbage Guys

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. 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), third and final reading

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

- B. 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, third and final reading

Motion by Dane Nealson, seconded by Barb Mittman, to **approve Ordinance No. 1039, third and final 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.

- C. 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, second reading

Motion by Brian Hanson, seconded by Steve Skaggs, to **approve Ordinance No. 1040, 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.

- D. 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), second reading

Motion by Dane Nealson, seconded by Barb Mittman, to **approve Ordinance No. 1041, 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 Pay Request No. 18 for WWTF Improvements-Phase 2 from Williams Brothers Construction Inc. in the amount of \$1,032,615.65

Motion by Brian Hanson, seconded by Sandy Ehrig, to **approve Pay Request No. 18 for WWTF Improvements-Phase 2 from Williams Brothers Construction Inc. in the amount of \$1,032,615.65.** After due consideration and discussion the roll was called. Aye: Hanson, Ehrig, Mittman, Nealson, Sampson, Skaggs. Nay: None. The Mayor declared the motion carried.

- F. Approve Pay Request No. 10 for WWTF Improvements-Phase 3 from Boomerang Corp. in the amount of \$798,595.21

Motion by Steve Skaggs, seconded by Brian Hanson, to **approve Pay Request No. 10 for WWTF Improvements-Phase 3 from Boomerang Corp. in the amount of \$798,595.21.** After due consideration and discussion the roll was called. Aye: Skaggs, Hanson, Mittman, Neilson, Sampson, Ehrig. Nay: None. The Mayor declared the motion carried.

- G. Approve Pay Request No. 3 for WWTF Improvements-Phase 4 from OnTrack Construction, LLC in the amount of \$395,427.26

Motion by Dane Neilson, seconded by Brian Hanson, to **approve Pay Request No. 3 for WWTF Improvements-Phase 4 from OnTrack Construction, LLC in the amount of \$395,427.26.** After due consideration and discussion the roll was called. Aye: Neilson, Hanson, Mittman, Sampson, Skaggs, Ehrig. Nay: None. The Mayor declared the motion carried.

7. NEW BUSINESS

- A. Resolution No. 064 (2022/2023): Resolution Setting Date for Public Hearing on Urban Renewal Plan Amendment

Motion by Barb Mittman, seconded by Sandy Ehrig, to **adopt Resolution No. 064 (2022/2023).** After due consideration and discussion the roll was called. Aye: Mittman, Ehrig, Hanson, Neilson, Sampson, Skaggs. Nay: None. The Mayor declared the motion carried.

- B. Resolution No. 065 (2022/2023): Resolution Setting Date of Meeting at Which it is Proposed to Approve a Development Agreement with Mid-States Material Handling & Fabrication, Inc., Including Annual Appropriation Tax Increment Payments

Motion by Brian Hanson, seconded by Dane Neilson, to **adopt Resolution No. 065 (2022/2023).** After due consideration and discussion the roll was called. Aye: Hanson, Neilson, Sampson, Skaggs, Ehrig, Mittman. Nay: None. The Mayor declared the motion carried.

- C. Approve Purchase of RecDesk as the Provider of Recreation Software Management for the Parks & Recreation Department

Motion by Barb Mittman, seconded by Steve Skaggs, to **approve purchase of RecDesk as the provider of recreation software management for the Parks and Recreation Department at a flat yearly rate of \$6,800.00/year for all necessary features and implement a contract with Government Portal to provide credit card services.** After due consideration and discussion the roll was called. Aye: Mittman, Skaggs, Ehrig, Hanson, Neilson, Sampson. Nay: None. The Mayor declared the motion carried.

- D. Approve Lime Lagoon Dredging Project for Water Plant

Motion by Brian Hanson, seconded by Dane Neilson, to **accept bid from Wulfekuhle Injection for \$70,000.00.** After due consideration and discussion the roll was called. Aye: Hanson, Neilson, Sampson, Skaggs, Ehrig, Mittman. Nay: None. The Mayor declared the motion carried.

- E. Resolution No. 066 (2022/2023): A Resolution Approving the Community Catalyst and Building Remediation Grant Agreement with the Iowa Economic Development Authority and the City of Nevada, IA

Motion by Sandy Ehrig, seconded by Brian Hanson, to **adopt Resolution No. 066 (2022/2023)**. After due consideration and discussion the roll was called. Aye: Ehrig, Hanson, Mittman, Neelson, Sampson, Skaggs. Nay: None. The Mayor declared the motion carried.

- F. Resolution No. 067 (2022/2023): A Resolution Declaring Economic Development Support and Theater Catalyst Application for Development Project at 1114 6th Street

Motion by Dane Neelson, seconded by Brian Hanson, to **adopt Resolution No. 067 (2022/2023)**. After due consideration and discussion the roll was called. Aye: Neelson, Hanson, Mittman, Sampson, Skaggs, Ehrig. Nay: None. The Mayor declared the motion carried.

- G. Resolution No. 068 (2022/2023): A Resolution in Support of Mid-States IEDA Application and Expansion

Motion by Brian Hanson, seconded by Barb Mittman, to **adopt Resolution No. 068 (2022/2023)**. After due consideration and discussion the roll was called. Aye: Hanson, Mittman, Neelson, Sampson, Skaggs, Ehrig. Nay: None. The Mayor declared the motion carried.

8. ADJOURNMENT

There being no further business to come before the meeting, motion by Dane Neelson, seconded by Barb Mittman, to **adjourn the meeting**. Following voice vote, the Mayor declared the motion carried at 6:44 p.m. the meeting adjourned.

Brett Barker, Mayor

ATTEST:

Kerin Wright, City Clerk

Published: _____
Council Approved: _____