
NEVADA CITY COUNCIL - MONDAY, JANUARY 9, 2023 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, January 9, 2023, 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 6:01 p.m.

Staff Present: Erin Clanton, Jordan Cook, Kerin Wright, Erin Mousel, Ryan Hutton, Erin Coughlin, Larry Stevens, Tim Hansen, Rhonda Maier, Ric Martinez, Chris Brandes.

Also in attendance were: Karen Selby, Emily Schaack, Allison Severson, James Woodard, Theresa Presley, Tim McLaughlin, Louis Lang.

3. APPROVAL OF AGENDA

Dane Nealson arrived at 6:01 p.m. Motion by Brian Hanson, seconded by Jason Sampson, to **approve the agenda**. After due consideration and discussion the roll was called. Aye: Hanson, Sampson, Skaggs, Ehrig, Mittman, Nealson. Nay: None. The Mayor declared the motion carried.

4. PUBLIC HEARING(S)

- A. 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 **December 22, 2022**. The public hearing is **for the proposed amendment to the Nevada Urban Renewal Area**.

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

2. Resolution No. 069 (2022/2023): Resolution to Approve Urban Renewal Plan Amendment for the Nevada Urban Renewal Area

Motion by Jason Sampson, seconded by Steve Skaggs, to **adopt Resolution No. 069 (2022/2023)**. After due consideration and discussion the roll was called. Aye: Sampson, Skaggs, Ehrig, Hanson, Mittman, Nealson. Nay: None. The Mayor declared the motion carried.

- B. Proposed Development Agreement with Mid-States Material Handling & Fabrication, Inc.
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 22, 2022**. The public hearing is **for the proposed development agreement with Mid-States Material Handling & Fabrication, Inc.**

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

2. Resolution No. 070 (2022/2023): Resolution Approving Development Agreement with Mid-States Material Handling & Fabrication, Inc., Authorizing Annual Appropriation Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement

Motion by Brian Hanson, seconded by Dane Nealson, to **adopt Resolution No. 070 (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.

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

Motion by Jason Sampson, seconded by Barb Mittman, to **approve the following consent agenda items:**

- A. Approve Minutes of the Regular Meeting held on December 12, 2022
 - B. Approve Payment of Cash Disbursements, including Check Numbers 79105-79162 and Electronic Numbers 1252-1261 (Inclusive) Totaling \$473,602.66 (See attached list) and the First Interstate Card Purchases for the January 5, 2023 Statement, total \$3,254.29
 - C. Approve Provider Agreements with NEDC, Main Street Nevada, Nevada Community School District and Story County Medical Center, Story County for the "Our Nevada" Newsletter
 - D. Approve CIRTPA Representatives for Calendar Year 2022, Larry Stevens-Primary and Ryan Hutton-Alternate
 - E. Approval of Garbage License for Arends Sanitation – Additional Garbage Truck
- After due consideration and discussion the roll was called. Aye: Sampson, Mittman, Nealson, Skaggs, Ehrig, Hanson. Nay: None. The Mayor declared the motion carried.

6. PUBLIC FORUM

- A. Library Annual Report Presentation

Library Director Erin Coughlin gave the annual report for the library, highlighting items such as new staff, successful events, increased circulation, working with Parks & Rec on a permanent story walk, and keeping up with changing technology.

Louis Lang asked about the status of a yard waste dump. He also stated concern regarding the second street railroad tracks.

7. OLD BUSINESS

- A. Approve Pay Request No. 19 for WWTF Improvements-Phase 2 from Williams Brothers Construction Inc. in the amount of \$621,917.05

Motion by Jason Sampson, seconded by Brian Hanson, to **approve Pay Request No. 19 for WWTF Improvements-Phase 2 from Williams Brothers Construction Inc. in the amount of \$621,917.05.** After due consideration and discussion the roll was called. Aye: Sampson, Hanson, Mittman, Nealsen, Skaggs, Ehrig. Nay: None. The Mayor declared the motion carried.

- B. Approve Pay Request No. 11 for WWTF Improvements-Phase 3 from Boomerang Corp. in the amount of \$83,183.09

Motion by Brian Hanson, seconded by Steve Skaggs, to **approve Pay Request No. 11 for WWTF Improvements-Phase 3 from Boomerang Corp. in the amount of \$83,183.09.** After due consideration and discussion the roll was called. Aye: Hanson, Skaggs, Ehrig, Mittman, Nealsen, Sampson. Nay: None. The Mayor declared the motion carried.

- C. Approve Pay Request No. 4 for WWTF Improvements-Phase 4 from OnTrack Construction, LLC in the amount of \$384,867.02

Motion by Sandy Ehrig, seconded by Barb Mittman, to **approve Pay Request No. 4 for WWTF Improvements-Phase 4 from OnTrack Construction, LLC in the amount of \$384,867.02.** After due consideration and discussion the roll was called. Aye: Ehrig, Mittman, Nealsen, Sampson, Skaggs, Hanson. Nay: None. The Mayor declared the motion carried.

- D. Field House Project, Contractor HPC LLC

1. Approve Pay Request No. 6 for the Fieldhouse in the amount of \$98,479.85

Motion by Dane Nealsen, seconded by Steve Skaggs, to **approve Pay Request No. 6 for the Fieldhouse in the amount of \$98,479.85.** After due consideration and discussion the roll was called. Aye: Nealsen, Skaggs, Ehrig, Hanson, Mittman, Sampson. Nay: None. The Mayor declared the motion carried.

2. Approve Change Order No. 1 for the Field House in the amount of \$14,282.00

Motion by Steve Skaggs, seconded by Jason Sampson, to **approve Change Order No. 1 for the Field House in the amount of \$14,282.00.** After due consideration and discussion the roll was called. Aye: Skaggs, Sampson, Ehrig, Hanson, Mittman, Nealsen. Nay: None. The Mayor declared the motion carried.

- E. 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, third and final reading

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

- F. 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), third and final reading

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

- G. Resolution No. 071 (2022/2023): A Resolution approving the Merchant Processing Application and Agreement and Program Guide for taking credit/debit cards through the RecDesk software at the Fieldhouse

Motion by Jason Sampson, seconded by Barb Mittman, to **adopt Resolution No. 071 (2022/2023).** After due consideration and discussion the roll was called. Aye: Sampson, Mittman, Nealson, Skaggs, Ehrig, Hanson. Nay: None. The Mayor declared the motion carried.

8. NEW BUSINESS

- A. Approve LOT, Capital Equipment Revolving, Hotel/Motel, and TIF Worksheets for the FY23/24 Budget

Motion by Barb Mittman, seconded by Steve Skaggs, to **approve LOT, Capital Equipment Revolving, Hotel/Motel, and TIF Worksheets for the FY23/24 Budget.** After due consideration and discussion the roll was called. Aye: Mittman, Skaggs, Ehrig, Hanson, Nealson, Sampson. Nay: None. The Mayor declared the motion carried.

- B. Discussion and Appropriate Follow-up regarding the Public Safety Director Position

Informational brochure was reviewed. The position will be on the City's website, the Iowa League of City's website, and additional websites. It will be widely shared at minimal cost.

9. **CLOSED SESSION:** Closed Session pursuant to Iowa Code Section 21.5 (1) (j) to discuss the purchase or sale of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property or reduce the price the governmental body would receive for that property. The minutes and the audio recording of a session closed under this paragraph shall be available for public examination when the transaction discussed is completed.

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

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

10. Discussion and appropriate follow-up on Closed Session pursuant to Iowa Code Section 21.5 (1) (j) to discuss the purchase or sale of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property or reduce the price the governmental body would receive for that property. The minutes and the audio recording of a session closed under this paragraph shall be available for public examination when the transaction discussed is completed.

No action of council was taken after closed session.

11. ADJOURNMENT

There being no further business to come before the meeting, motion by Jason Sampson, seconded by Dane Neelson, to **adjourn the meeting**. Following voice vote, the Mayor declared the motion carried at 7:21 p.m. the meeting adjourned.

Brett Barker, Mayor

ATTEST:

Kerin Wright, City Clerk

Published: _____
Council Approved: _____