
NEVADA CITY COUNCIL - MONDAY, FEBRUARY 13, 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, February 13, 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, Dane Nealson, Jason Sampson, Steve Skaggs, Sandy Ehrig. Absent: Barb Mittman. Barb Mittman arrived at 6:01 p.m.

Staff Present: Erin Clanton, Jordan Cook, Kerin Wright, Erin Mousel, Ryan Hutton, Ray Reynolds, Erin Coughlin, Joe Mousel, Josh Cizmadia

Also in attendance were: Brenda Dryer, Mark Pleis, Emily Schaack, Bre Taege, Karen Selby, Members of the Nevada Fire Department.

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. FARMERS MARKET PRESENTATION

Bre Taege, a 2022 graduate of Leadership Nevada and an employee at FarmHouse Catering, presented her proposal for a Farmers Market to Council. She hopes to have the Farmers Market run on Thursday evenings, from 5:30-7:30 p.m. on Main Street between J Avenue and K Avenue. The vendors would be in the parking areas facing businesses. Bre plans to reach out to all businesses in that area to get their feedback on the event.

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

Motion by Barb Mittman, seconded by Steve Skaggs, to **approve the following consent agenda items:**

- A. Approve Minutes of the Regular Meeting held on January 23, 2023
- B. Approve Payment of Cash Disbursements, including Check Numbers 79238-79329 and Electronic Numbers 1268-1283 (Inclusive) Totaling \$549,727.92 (See attached list) and the First Interstate Card Purchases for the February 19, 2023 Statement, total \$3,381.18
- C. Resolution No. 073 (2022/2023): A Resolution to enter into a 28E Agreement with Story County to provide Dispatch/Jail Services for FY2023/2024
- D. Approve Renewal of Class "E" Retail Alcohol License for Fareway Stores, Inc., d/b/a Fareway Store #426, 1505 South B Avenue, Effective March 1, 2023

- E. Approve Class "B" Retail Alcohol License for DolgenCorp, LLC, d/b/a Dollar General #1536, 1705 South B Avenue, Effective March 1, 2023
- F. Schedule Public Hearing on Fiscal Year 2024 Proposed Maximum Property Tax Levy for February 27, 2023 at 6:00 p.m. and Authorize Publication of Notice on February 16, 2023

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

6. MAYOR'S APPOINTMENTS

- A. Approve Appointment of Mark Pleis to Board of Adjustment

Motion by Dane Nealson, seconded by Brian Hanson, to **approve Mayor's recommendation for the appointment of Mark Pleis to Board of Adjustment.** After due consideration and discussion the roll was called. Aye: Nealson, Hanson, Mittman, Sampson, Skaggs, Ehrig. Nay: None. The Mayor declared the motion carried.

- 7. PUBLIC FORUM: Time set aside for comments from the public on topics of City business other than those listed on the agenda – no action may be taken. (Please keep your comments to five minutes or less.) This is an opportunity for members of the audience to bring to the Council's attention any item not listed on the agenda. Comments are limited to five (5) minutes per citizen, and the City will notify citizens when their time has expired. Speakers may not yield their times to others, and as a general rule this is not a time for exchange of questions. The Mayor has the authority to reduce the time allowed for comment in accordance with the number of persons present and signed up to speak.

- A. Louis Lang commented on the condition of the City Streets. He also inquired about the process of patching and the status of a dump station.

8. OLD BUSINESS

- A. Resolution No. 074 (2022/2023): Resolution providing for the levy of taxes to pay General Obligation Urban Renewal Bonds, Series 2023A

Motion by Jason Sampson, seconded by Dane Nealson, to **adopt Resolution No. 074 (2022/2023).** After due consideration and discussion the roll was called by voice vote. Aye: Hanson, Mittman, Nealson, Sampson, Skaggs, Ehrig. Nay: None. The Mayor declared the motion carried.

- B. Approve Pay Request No. 20 for WWTF Improvements-Phase 2 from Williams Brothers Construction Inc. in the amount of \$875,779.86

Motion by Dane Nealson, seconded by Steve Skaggs, to **approve Pay Request No. 20 for WWTF Improvements-Phase 2 from Williams Brothers Construction Inc. in the amount of \$875,779.86.** After due consideration and discussion the roll was called. Aye: Nealson, Skaggs, Ehrig, Hanson, Mittman, Sampson. Nay: None. The Mayor declared the motion carried.

- C. Approve Pay Request No. 5 for WWTF Improvements-Phase 4 from OnTrack Construction, LLC in the amount of \$558,349.99

Motion by Steve Skaggs, seconded by Brian Hanson, to **approve Pay Request No. 5 for WWTF Improvements-Phase 4 from OnTrack Construction, LLC in the amount of \$558,349.99.** After due consideration and discussion the roll was called. Aye:

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

- D. Approve Pay Request No. 7 for the Field House from HPC LLC in the amount of \$1,422,729.50

Motion by Dane Nealson, seconded by Barb Mittman, to **approve Pay Request No. 7 for the Field House from HPC LLC in the amount of \$1,422,729.50.** 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. Review 2023 Nevada Foundation Human services Funding Round and request for \$16,269.58

Motion by Sandy Ehrig, seconded by Jason Sampson, to **approve pay request for Nevada Foundation Human Services Funding in the amount of \$16,269.58.** After due consideration and discussion the roll was called. Aye: Ehrig, Sampson, Skaggs, Hanson, Nealson. Nay: None. Abstain: Barb Mittman. The Mayor declared the motion carried.

9. NEW BUSINESS

- A. Approve Purchase of new fire engine for the Fire Department

Motion by Brian Hanson, seconded by Barb Mittman, to **approve Purchase of new fire engine for the Fire Department.** After due consideration and discussion the roll was called. Aye: Hanson, Mittman, Nealson, Sampson, Skaggs, Ehrig. Nay: None. The Mayor declared the motion carried.

- B. Resolution No. 075 (2022/2023): A Resolution to approve IowaDOT Agreement for Detour

Motion by Brian Hanson, seconded by Steve Skaggs, to **adopt Resolution No. 075 (2022/2023).** After due consideration and discussion the roll was called. Aye: Hanson, Skaggs, Ehrig, Mittman, Nealson, Sampson. Nay: None. The Mayor declared the motion carried.

- 10. CLOSED SESSION:** Closed Session pursuant to authority found in Iowa Code 21.5 (1) (c) to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation.

Motion by Dane Nealson, seconded by Jason Sampson, to **approve to go INTO Closed Session.** After due consideration and discussion the roll was called. Aye: Nealson, Sampson, Skaggs, Ehrig, Hanson, Ehrig. 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.

11. Discussion and appropriate follow-up on Closed Session pursuant to authority found in Iowa Code 21.5 (1) (c) to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation.

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

12. 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 7:17 p.m. the meeting adjourned.

Brett Barker, Mayor

ATTEST:

Kerin Wright, City Clerk

Published: _____
Council Approved: _____