
NEVADA CITY COUNCIL - MONDAY, APRIL 10, 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, April 10, 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, Dane Nealson, Jason Sampson, Steve Skaggs, Sandy Ehrig. Absent: None.

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

Also in attendance were: Brenda Dryer, Louis Lang

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. Fiscal Year 2023/2024 Budget

1. Public Hearing – on proposed Fiscal Year 2023/2024 Budget

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 **March 23, 2023**. The public hearing is **on the proposed Fiscal Year 2023/2024 Budget**.

There were no written comments. There were oral comments from Louis Lang who expressed his concerns and frustrations regarding the conditions of the streets. Public hearing closed at 6:10 p.m.

2. Resolution No. 083 (2022/2023): A Resolution Adopting the Fiscal Year 2023/2024 Annual Budget

Motion by Brian Hanson, seconded by Barb Mittman, to **adopt Resolution No. 83 (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.

B. Capital Improvement Plan Fiscal Year 2023/2024

1. Public Hearing – on proposed Fiscal Year 2023/2024 Capital Improvement Plan

At 6:10 p.m. Mayor Barker announced that this is the time and place set for a **public hearing** as advertised in the Nevada Journal on **March 23, 2023**. The public hearing is **on the proposed Capital Improvements Plan for Fiscal Year 2023/2024**.

There were **no written or oral objections** to the aforementioned recommendation. Public hearing closed at 6:10 p.m.

2. Resolution No. 084 (2022/2023): A Resolution Adopting the Fiscal Year 2023/2024 Capital Improvements Program

Motion by Jason Sampson, seconded by Steve Skaggs, to **adopt Resolution No. 084 (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.

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 March 27, 2023
- B. Approve Payment of Cash Disbursements, including Check Numbers 79525-79579 and Electronic Numbers 1313-1323 (Inclusive) Totaling \$280,586.44 (See attached list) and the First Interstate Card Purchases for the April 19, 2023 Statement, total \$1,885.54
- C. Schedule Public Hearing on Proposed Action to Institute Proceedings to Enter into a General Fund Equipment Acquisition Lease Agreement with Lease Payments Thereunder in an Amount Not to Exceed \$50,000.00 for April 24, 2023 at 6:00 p.m.

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. OLD BUSINESS

- A. Ordinance No. 1042 (2022/2023): An Ordinance Amending Chapter 106 of the City Code of Ordinances of the City of Nevada, Iowa, 2022, Regarding the Collection of Solid Waste, Third and Final Reading

Motion by Sandy Ehrig, seconded by Steve Skaggs, to **approve Ordinance No. 1042 (2022/2023), third and final reading**. After due consideration and discussion the roll was called. Aye: Ehrig, Skaggs, Hanson, Mittman, Nealson, Sampson. Nay: None. The Mayor declared the motion carried.

- B. Ordinance No. 1044 (2022/2023): An Ordinance Amending Chapter 65 (Stops Required by Vehicles Entering Stop Intersection) For Additional Stop Signs on H Avenue, Second Reading

Motion by Jason Sampson, seconded by Dane Nealson, to **approve Ordinance No. 1044 (2022/2023), second 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.

Motion by Brian Hanson, seconded by Dane Nealson, to **approve Ordinance No. 1044 (2022/2023), waiving third and final reading.** After due consideration and discussion the roll was called via voice vote. Aye: Hanson, Mittman, Nealson, Sampson, Skaggs, Ehrig. Nay: None. The Mayor declared the motion carried.

- C. Approve Pay Request No. 22 for WWTF Improvements-Phase 2 from Williams Brothers Construction Inc. (WBCI) in the amount of \$1,636,012.69

Motion by Jason Sampson, seconded by Brian Hanson, to **approve Pay Request No. 22 for WWTF Improvements-Phase 2 from Williams Brothers Construction Inc. (WBCI) in the amount of \$1,636,012.69.** After due consideration and discussion the roll was called. Aye: Sampson, Hanson, Mittman, Nealson, Skaggs, Ehrig. Nay: None. The Mayor declared the motion carried.

- D. Approve Pay Request No. 7 for WWTF Improvements-Phase 4 from OnTrack Construction, LLC in the amount of \$773,866.77

Motion by Steve Skaggs, seconded by Dane Nealson, to **approve Pay Request No. 7 for WWTF Improvements-Phase 4 from OnTrack Construction, LLC in the amount of \$773,866.77.** After due consideration and discussion the roll was called. Aye: Skaggs, Nealson, Sampson, Ehrig, Hanson, Mittman. Nay: None. The Mayor declared the motion carried.

- E. Approve Pay Request No. 9 for the Field House from HPC LLC in the amount of \$982,967.85

Motion by Sandy Ehrig, seconded by Dane Nealson, to **approve Pay Request No. 9 for the Field House from HPC LLC in the amount of \$982,967.85.** After due consideration and discussion the roll was called. Aye: Ehrig, Nealson, Sampson, Skaggs, Hanson, Mittman. Nay: None. The Mayor declared the motion carried.

- F. Resolution No. 085 (2022/2023): A Resolution Authorizing Deed to Dispose of Real Property

Motion by Barb Mittman, seconded by Dane Nealson, to **adopt Resolution No. 085 (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.

7. NEW BUSINESS

- A. Resolution No. 086 (2022/2023): A Resolution to Approve Grant Contract Between Wastewater and Drinking Water Treatment Financial Assistance Program and City of Nevada for City of Nevada Wastewater Treatment Project

Motion by Brian Hanson, seconded by Jason Sampson, to **adopt Resolution No. 086 (2022/2023).** After due consideration and discussion the roll was called. Aye: Hanson, Sampson, Skaggs, Ehrig, Mittman, Nealson. Nay: None. The Mayor declared the motion carried.

- B. Resolution No. 087 (2022/2023): A Resolution Setting Date for Public Hearing on Designation of the Expanded Nevada Urban Renewal Area and on Urban Renewal Plan Amendment

Motion by Sandy Ehrig, seconded by Dane Nealson, to **adopt Resolution No. 087 (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.

- C. Approve 5 Day Class "C" Retail Alcohol License for Marcus Johnson d/b/a/ Mucky Duck Pub, L.L.C., 220 H Avenue, Effective April 14 – 18, 2023 for Story County Legal Aid Fundraiser

Motion by Jason Sampson, seconded by Dane Nealson, to **approve 5 Day Class "C" Retail Alcohol License for Marcus Johnson d/b/a/ Mucky Duck Pub, L.L.C., 220 H Avenue, Effective April 14 – 18, 2023 for Story County Legal Aid Fundraiser**. After due consideration and discussion the roll was called. Aye: Sampson, Nealson, Skaggs, Ehrig, Hanson, Mittman. Nay: None. The Mayor declared the motion carried.

- D. Discussion and Appropriate Follow-up regarding extension of contract with Robb Morgan, Robb's Tree and Stump Service for Ash Tree Removal

Motion by Dane Nealson, seconded by Brian Hanson, to **approve Option 1: Approve extension of Robb's Tree & Stump Service for Ash Tree removal to September 30, 2023, at a cost of \$600.00 for the tree and stump**. After due consideration and discussion the roll was called. Aye: Nealson, Hanson, Mittman, 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 Nealson, seconded by Jason Sampson, to **adjourn the meeting**. Following voice vote, the Mayor declared the motion carried at 6:45 p.m. the meeting adjourned.

Brett Barker, Mayor

ATTEST:

Kerin Wright, City Clerk

Published: _____
Council Approved: _____