
NEVADA CITY COUNCIL - MONDAY, MAY 8, 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, May 8, 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, Tim Hansen, Ryan Hutton, Erin Coughlin, Brandon Mickelson

Also in attendance were: Brenda Dryer, David Alt, Marlys Brehm, Louis Lang

3. APPROVAL OF AGENDA

Motion by Dane Nealson, seconded by Brian Hanson, to **approve the agenda**. After due consideration and discussion the roll was called. Aye: Nealson, Hanson, Mittman, Sampson, Skaggs, Ehrig. 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 6:02 p.m. Mayor Barker announced that this is the time and place set for a **public hearing** as advertised in the Nevada Journal on **April 20, 2023**. The public hearing is **amending the plan for the Nevada Urban Renewal Area and designating an expanded Nevada Urban Renewal Area**.

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

2. Resolution No. 090 (2022/2023): Resolution to Declare Necessity and Establish an Urban Renewal Area, Pursuant to Section 403.4 of the Code of Iowa and Approve Urban Renewal Plan Amendment for the Nevada Urban Renewal Area

Motion by Steve Skaggs, seconded by Jason Sampson, to **adopt Resolution No. 090 (2022/2023)**. After due consideration and discussion the roll was called. Aye: Skaggs, Sampson, Ehrig, Hanson, Mittman, Nealson. Nay: None. The Mayor declared the motion carried.

3. Ordinance No. 1045 (2022/2023): An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the May, 2023 Addition to the Nevada Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa, first reading

Motion by Barb Mittman, seconded by Brian Hanson, to **approve Ordinance No 1045 (2022/2023), first reading.** After due consideration and discussion the roll was called. Aye: Mittman, Hanson, Nealson, Sampson, Skaggs, Ehrig. 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 Dane Nealson, to **approve the following consent agenda items:**

- A. Approve Minutes of the Special Meeting held on April 24, 2023
- B. Approve Minutes of the Regular Meeting held on April 24, 2023
- C. Approve Payment of Cash Disbursements, including Check Numbers 79653-79715 and Electronic Numbers 1334-1341 (Inclusive) Totaling \$407,105.61 (See attached list) and the First Interstate Card Purchases for the May 19, 2023 Statement, total \$4,886.90
- D. Schedule Public Hearing for Fiscal Year 2022/2023 Budget Amendment, #1, for May 22, 2023 and Authorize Publication
- E. Assistant Youth Librarian Job Description

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

6. PUBLIC FORUM

- A. Music at the Mansion – Nevada Historical Society

Marlys Brehm thanked Council for the partnership that has built over the years with the Historical Society. For the 2nd annual Music at the Mansion they hope to have more vendors and extended hours of music. An invitation was extended to Council and the Community to attend.

Louis Lang expressed his concerns regarding the Field House, Streets, and Dump (yard waste) location.

7. OLD BUSINESS

- A. Approve Pay Request No. 23 for WWTF Improvements-Phase 2 from Williams Brothers Construction Inc. (WBCI) in the amount of \$716,601.11

Motion by Jason Sampson, seconded by Sandy Ehrig, to **approve Pay Request No. 23 for WWTF Improvements-Phase 2 from Williams Brothers Construction Inc. (WBCI) in the amount of \$716,601.11.** After due consideration and discussion the roll was called. Aye: Sampson, Ehrig, Hanson, Mittman, Nealson, Skaggs. Nay: None. The Mayor declared the motion carried.

- B. Approve Pay Request No. 8 for WWTF Improvements-Phase 4 from OnTrack Construction, LLC in the amount of \$850,995.62

Motion by Dane Nealson, seconded by Steve Skaggs, to **approve Pay Request No. 8 for WWTF Improvements-Phase 4 from OnTrack Construction, LLC in the amount of \$850,995.62.** After due consideration and discussion the roll was called. Aye: Nealson, Skaggs, Hanson, Mittman, Sampson, Ehrig. Nay: None. The Mayor declared the motion carried.

- C. Approve Pay Request No. 2 for Jordan Well No. 4 Plugging and Demolition from The Northway Corporation in the amount of \$122,538.60

Motion by Sandy Ehrig, seconded by Barb Mittman, to **approve Pay Request No. 2 for Jordan Well No. 4 Plugging and Demolition from The Northway Corporation in the amount of \$122,538.60.** After due consideration and discussion the roll was called. Aye: Ehrig, Mittman, Nealson, Sampson, Skaggs, Hanson. Nay: None. The Mayor declared the motion carried.

8. NEW BUSINESS

- A. Approve Alliant Electric and Natural Gas Utility Services Relocation for Nevada WWTF Improvements Phase 3

Motion by Barb Mittman, seconded by Brian Hanson, to **approve Alliant Electric and Natural Gas Utility Services Relocation for Nevada WWTF Improvements Phase 3.** After due consideration and discussion the roll was called. Aye: Mittman, Hanson, Nealson, Sampson, Skaggs, Ehrig. Nay: None. The Mayor declared the motion carried.

- B. Resolution No. 091 (2022/2023): Resolution authorizing the use of a preliminary official statement in connection with entering into a General Obligation Urban Renewal Loan Agreement

Motion by Steve Skaggs, seconded by Dane Nealson, to **adopt Resolution No. 091 (2022/2023).** After due consideration and discussion the roll was called. Aye: Skaggs, Nealson, Sampson, Ehrig, Hanson, Mittman. Nay: None. The Mayor declared the motion carried.

- C. Resolution No. 092 (2022/2023): Resolution Setting a Date of Meeting at Which it is Proposed to Approve a Development Agreement with Oak Park Estates, L.C., Including Annual Appropriation Tax Increment Payments

Motion by Jason Sampson, seconded by Sandy Ehrig, to **adopt Resolution No. 092 (2022/2023).** After due consideration and discussion the roll was called. Aye: Sampson, Ehrig, Hanson, Mittman, Nealson, Skaggs. Nay: None. The Mayor declared the motion carried.

- D. Resolution No. 093 (2022/2023): Resolution Setting a Date of Meeting at Which it is Proposed to Approve a Development Agreement with Workit, LLC, Including Annual Appropriation Tax Increment Payments

Motion by Steve Skaggs, seconded by Barb Mittman, to **adopt Resolution No. 093 (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.

- E. Resolution No. 094 (2022/2023): Resolution Setting a Date of Meeting at Which it is Proposed to Approve a Development Agreement with Cutting Edge Painting, L.L.C., Including Annual Appropriation Tax Increment Payments

Motion by Sandy Ehrig, seconded by Steve Skaggs, to **adopt Resolution No. 094 (2022/2023)**. After due consideration and discussion the roll was called. Aye: Ehrig, Skaggs, Hanson, Mittman, Nealson, Sampson. Nay: None. The Mayor declared the motion carried.

- F. Resolution No. 095 (2022/2023): Resolution Setting a Date of Meeting at Which it is Proposed to Approve a Development Agreement with Syngenta Crop Protection, LLC, Including Annual Appropriation Tax Increment Payments

Motion by Dane Nealson, seconded by Jason Sampson, to **adopt Resolution No. 095 (2022/2023)**. After due consideration and discussion the roll was called. Aye: Nealson, Sampson, Skaggs, Ehrig, Hanson, Mittman. Nay: None. The Mayor declared the motion carried.

- G. Resolution No. 096 (2022/2023): Resolution accepting Preliminary Plat for Oak Park Subdivision

Motion by Jason Sampson, seconded by Steve Skaggs, to **adopt Resolution No. 096 (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.

- H. Resolution No. 097 (2022/2023): Resolution accepting Minor Subdivision for Martin's 3rd Addition

Motion by Brian Hanson, seconded by Dane Nealson, to **adopt Resolution No. 097 (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.

- I. Approve City of Nevada Seatbelt Policy

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

9. Closed Session pursuant to Iowa Code Section 21.5 (1) (i) to evaluate the professional competency of an individual whose appointment, hiring, performance or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and appropriate follow-up

Motion by Jason Sampson, seconded by Dane Nealson, to **approve to go INTO 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.

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

10. Discussion and Appropriate Follow-up on Closed Session pursuant to authority found in Iowa Code Section 21.5 (1)(i) to evaluate the professional competency of an individual whose appointment, hiring, performance or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation

No action was taken by the Council.

11. ADJOURNMENT

There being no further business to come before the meeting, motion by Jason Sampson, seconded by Dane Nealson, to **adjourn the meeting.** Following voice vote, the Mayor declared the motion carried at 7:39 p.m. the meeting adjourned.

Brett Barker, Mayor

ATTEST:

Kerin Wright, City Clerk

Published: _____
Council Approved: _____