
NEVADA CITY COUNCIL - MONDAY, May 22, 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 22, 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, Steve Skaggs, Jason Sampson, Dane Nealson. Absent: Sandy Ehrig.

Staff Present: Erin Clanton, Jordan Cook, Kerin Wright, Erin Mousel, Ryan Hutton, Tim Hansen, Shawn Ludwig, Harold See, Joe Mousel, Mike Ackerman, Chris Brandes

Also in attendance were: Brenda Dryer, Jamie Hugget, Kathy Solko, Dean Rogers, Connie Page, Lindsey Deters, Noah Deters, Rich Worley, Al Bradish, Cheryl Bradish, Judy Allen, Jordan Hadaway, Davey Sproun, Dorian Myhre

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

4. PUBLIC HEARING(S)

- A. Public Hearing to approve Fiscal Year 2022/2023 Budget Amendment, #1
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 **May 11, 2023**. The public hearing is **to approve Fiscal Year 2022/2023 Budget Amendment #1**.

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

2. Resolution No. 099 (2022/2023): A Resolution Approving Fiscal Year 2022/2023 Budget Amendment #1

Motion by Barb Mittman, seconded by Brian Hanson, to **adopt Resolution No. 099 (2022/2023)**. After due consideration and discussion the roll was called. Aye: Mittman, Hanson, Nealson, Sampson, Skaggs. Nay: None. The Mayor declared the motion carried.

- B. Public Hearing on Development Agreement with Oak Park Estates, L.C.
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 **May 18, 2023**. The public hearing is **to approve development agreement with Oak Park Estates, L.C.**

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

2. Resolution No. 100 (2022/2023): Resolution Approving Development Agreement with Oak Park Estates, L.C., Authorizing Annual Appropriation Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement

Motion by Dane Nealson, seconded by Barb Mittman, to **adopt Resolution No. 100 (2022/2023)**. After due consideration and discussion the roll was called. Aye: Nealson, Mittman, Sampson, Skaggs, Hanson. Nay: None. The Mayor declared the motion carried.

C. Public Hearing on Development Agreement with Workit, LLC.

1. Public Hearing –

At 6:03 p.m. Mayor Barker announced that this is the time and place set for a **public hearing** as advertised in the Nevada Journal on **May 18, 2023**. The public hearing is **to approve development agreement with Workit, LLC.**

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

2. Resolution No. 101 (2022/2023): Resolution Approving Development Agreement with Workit, 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 Brian Hanson, to **adopt Resolution No. 101 (2022/2023)**. After due consideration and discussion the roll was called. Aye: Skaggs, Hanson, Mittman, Nealson, Sampson. Nay: None. The Mayor declared the motion carried.

D. Public Hearing on Development Agreement with Cutting Edge Painting, L.L.C.

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 **May 18, 2023**. The public hearing is **to approve development agreement with Cutting Edge Painting, L.L.C.**

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

2. Resolution No. 102 (2022/2023): Resolution Approving Development Agreement with Cutting Edge Painting, L.L.C., Authorizing Annual Appropriation Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement

No action was taken by the Council

- E. Public Hearing on Development Agreement with Syngenta Crop Protection, 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 **May 18, 2023**. The public hearing is **to approve development agreement with Syngenta Crop Protection, LLC.**

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

2. Resolution No. 103 (2022/2023): Resolution Approving Development Agreement with Syngenta Crop Protection, LLC., Authorizing Annual Appropriation Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement

No action was taken by the Council

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

Motion by Brian Hanson, seconded by Dane Nealson, to **approve the following consent agenda items:**

- A. Approve Minutes of the Regular Meeting held on May 8, 2023
- B. Approve Minutes of the Special Meeting held on May 15, 2023
- C. Approve Payment of Cash Disbursements, including Check Numbers 79716-79826 and Electronic Numbers 1346-1362 (Inclusive) Totaling \$5,714,196.20 (See attached list)
- D. Approve Financial Reports for Month of April, 2023
- E. Extension for Catalyst Grant S.E. Briggs Block
- F. Set Public Hearing for June 12, 2023 Voluntary Annexation Petition

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

6. PUBLIC FORUM

Jamie Hugnet presented information to Council regarding planting trees in the ROW. She would like to plant 2 trees in the ROW on her property. Will look into this subject further and bring the topic back to the June 12 agenda.

7. OLD BUSINESS

- A. 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, second reading

Motion by Brian Hanson, seconded by Steve Skaggs, to **approve Ordinance No. 1045 (2022/2023), second reading.** After due consideration and discussion the roll was called. Aye: Hanson, Skaggs, Mittman, Nealson, Sampson. Nay: None. The Mayor declared the motion carried.

- B. Resolution No. 104 (2022/2023): Resolution Approving Bond Purchase Agreement for the sale of General Obligation Urban Renewal Bonds, Series 2023A

Motion by Steve Skaggs, seconded by Dane Nealson, to **adopt Resolution No. 104 (2022/2023).** After due consideration and discussion the roll was called. Aye: Skaggs, Nealson, Sampson, Hanson, Mittman. Nay: None. The Mayor declared the motion carried.

- C. Resolution No. 105 (2022/2023): A Resolution Approving Concrete Crushing Services Agreement between Boomerang Corp. and City of Nevada

Motion by Brian Hanson, seconded by Steve Skaggs, to **adopt Resolution No. 105 (2022/2023).** After due consideration and discussion the roll was called. Aye: Hanson, Skaggs, Mittman, Nealson, Sampson. Nay: None. The Mayor declared the motion carried.

8. NEW BUSINESS

- A. Resolution No. 106 (2022/2023): A Resolution Approving the Application of the Capstone Group to the Iowa Economic Development Authority Iowa Workforce Housing Tax Credit Program

Motion by Brian Hanson, seconded by Steve Skaggs, to **adopt Resolution No. 106 (2022/2023).** After due consideration and discussion the roll was called. Aye: Hanson, Skaggs, Mittman, Nealson, Sampson. Nay: None. The Mayor declared the motion carried.

- B. Approve the Purchase of Wheel Loader

Motion by Jason Sampson, seconded by Dane Nealson, to **approve Option 1: accept the bid from Ziegler CAT for purchase of wheel loader at the cost of \$180,679.61, including trade-in.** After due consideration and discussion the roll was called. Aye: Sampson, Nealson, Skaggs, Hanson, Mittman. Nay: None. The Mayor declared the motion carried.

- C. Approve the Purchase of Snowblower for Wheel Loader

Motion by Barb Mittman, seconded by Dane Nealson, to **approve Option 1: accept the bid from MACQUEEN for LaRue D50 snowblower for \$209,163.00.** After due consideration and discussion the roll was called. Aye: Mittman, Nealson, Sampson, Skaggs, Hanson. Nay: None. The Mayor declared the motion carried.

9. **CLOSED SESSION:** 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 that individual requests a closed session.

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, 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, 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) (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 that individual requests a closed session.

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 7:24 p.m. the meeting adjourned.

Brett Barker, Mayor

ATTEST:

Kerin Wright, City Clerk

Published: _____
Council Approved: _____