
NEVADA CITY COUNCIL - MONDAY, JULY 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, July 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, Ric Martinez, Ray Reynolds, Joe Mousel, Chris Brandes, Ryan Hutton, Brandon Mickelson

Also in attendance were: Brenda Dryer, Louis Lang, David Alt, Jim Reick, Jessica Brandes, Luke Spence, Kathy Marshall, Emily Schaack

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

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

Motion by Sandy Ehrig, seconded by Jason Sampson, to **approve the following consent agenda items:**

- A. Approve Minutes of the Regular Meeting held on June 26, 2023
- B. Approve Payment of Cash Disbursements, including Check Numbers 82092-82174 and Electronic Numbers 1384-1392 (Inclusive) Totaling \$1,193,587.02 (See attached list) and the First Interstate Card Purchases for the July 19, 2023 Statement, total \$4,603.45
- C. Approve Five Day Special Class "C" Retail Alcohol License, Nicole Schneider, d/b/a Nik's Topsy Trailers, 6th Street for Downtown Farmer's Market, 7/13/2023-7/17/2023.
- D. Approve Five Day Special Class "C" Retail Alcohol License, Nicole Schneider, d/b/a Nik's Topsy Trailers, 6th Street for Downtown Farmer's Market, 7/20/2023-7/24/2023.
- E. Approve Resolution No. 001 (2023/2024): A Resolution Approving Year End Transfers for FY2022/2023

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

5. PUBLIC FORUM

Sergeant Chris Brandes was sworn in as Public Safety Director.

Louis Lang expressed his concerns regarding the cost of concrete crushing, the conditions of the streets and their need of repair, as well as a dump site.

Kathy Marshall voiced her concerns over the 4th of July fireworks and her accounts of that day.

6. OLD BUSINESS

- A. Ordinance No. 1046 (2022/2023): An Ordinance Amending Chapter 69 (Parking Regulations) of the City Code to Allow Parking in Certain Areas, third and final reading

Motion by Barb Mittman, seconded by Jason Sampson, to **approve Ordinance No. 1046 (2023/2024), third and final reading.** After due consideration and discussion the roll was called. Aye: Mittman, Sampson, Skaggs, Ehrig, Hanson, Nealson. Nay: None. The Mayor declared the motion carried.

- B. Approve Work Order with HR Green for Annual Renewal for GIS Services

Motion by Steve Skaggs, seconded by Dane Nealson, to **approve Work Order with HR Green for Annual Renewal for GIS Services.** 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. Approve Change Order No. 3 for 2022 Street Improvements from Manatt's, Inc. in the amount of \$67,277.46

Motion by Sandy Ehrig, seconded by Barb Mittman, to **approve Change Order No. 3 for 2022 Street Improvements from Manatt's, Inc. in the amount of \$67,277.46.** After due consideration and discussion the roll was called. Aye: Ehrig, Mittman, Nealson, Sampson, Skaggs, Hanson. Nay: None. The Mayor declared the motion carried.

- D. Approve Pay Request No. 4 for 2022 Street Improvement Project from Manatt's, Inc. in the amount of \$127,704.98

Motion by Dane Nealson, seconded by Steve Skaggs, to **approve Pay Request No. 4 for 2022 Street Improvement Project from Manatt's, Inc. in the amount of \$127,704.98.** After due consideration and discussion the roll was called. Aye: Nealson, Skaggs, Ehrig, Hanson, Mittman, Sampson. Nay: None. The Mayor declared the motion carried.

- E. Approve Pay Request No. 25 for WWTF Improvements-Phase 2 from Williams Brothers Construction Inc. (WBCI) in the amount of \$1,763,004.99

Motion by Jason Sampson, seconded by Dane Nealson, to **approve Pay Request No. 25 for WWTF Improvements-Phase 2 from Williams Brothers Construction Inc. (WBCI) in the amount of \$1,763,004.99.** After due consideration and discussion the roll was called. Aye: Sampson, Nealson, Skaggs, Ehrig, Hanson, Mittman. Nay: None. The Mayor declared the motion carried.

- F. Approve Pay Request No. 15 for WWTF Improvements-Phase 3 from Boomerang Corp. in the amount of \$172,833.50

Motion by Dane Nealson, seconded by Brian Hanson, to **approve Pay Request No. 15 for WWTF Improvements-Phase 3 from Boomerang Corp. in the amount of \$172,833.50.** After due consideration and discussion the roll was called. Aye: Nealson, Hanson, Mittman, Sampson, Skaggs, Ehrig. Nay: None. The Mayor declared the motion carried.

- G. Approve Pay Request No. 10 for WWTF Improvements-Phase 4 from OnTrack Construction, LLC in the amount of \$134,994.95

Motion by Jason Sampson, seconded by Sandy Ehrig, to **approve Pay Request No. 10 for WWTF Improvements-Phase 4 from OnTrack Construction, LLC in the amount of \$134,994.95.** After due consideration and discussion the roll was called. Aye: Sampson, Ehrig, Hanson, Mittman, Nealson, Skaggs. Nay: None. The Mayor declared the motion carried.

7. NEW BUSINESS

- A. Resolution No. 002 (2023/2024): A Resolution to Approve the Contract of the design phase of the Well/Water Main Relocation at the US 30/580th Avenue Interchange.

Motion by Barb Mittman, seconded by Steve Skaggs, to **adopt Resolution No. 002 (2023/2024).** 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. Resolution No. 003 (2023/2024): A Resolution Approving Master Agreement for Municipal Engineering Services with HR Green, Inc.

Motion by Steve Skaggs, seconded by Brian Hanson, to **adopt Resolution No. 003 (2023/2024).** After due consideration and discussion the roll was called. Aye: Skaggs, Hanson, Mittman, Nealson, Sampson, Ehrig. Nay: None. The Mayor declared the motion carried.

- C. Removal of Over Head Flashing Lights at 6th St and I Ave, 2nd St and Lincoln Highway, 10th St and Lincoln Highway, 15th St and Lincoln Highway

Motion by Dane Nealson, seconded by Barb Mittman, to **approve Removal of Over Head Flashing Lights at 6th St and I Ave, 2nd St and Lincoln Highway, 10th St and Lincoln Highway, 15th St and Lincoln Highway.** After due consideration and discussion the roll was called. Aye: Nealson, Mittman, Sampson, Skaggs, Ehrig, Hanson. Nay: None. The Mayor declared the motion carried.

8. **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.

At 6:45 p.m. motion by Dane Nealson, seconded by Sandy Ehrig, to **approve going INTO Closed Session.** After due consideration and discussion the roll was called via

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

At 6:59 p.m. motion by Dane Nealson, seconded by Barb Mittman, to **approve going OUT OF Closed Session.** After due consideration and discussion the roll was called. Aye: Nealson, Mittman, Sampson, Skaggs, Ehrig, Hanson. Nay: None. The Mayor declared the motion carried.

9. 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.

- A. Resolution No. 004 (2023/2024): A Resolution Approving Addendum to Employment Agreement for the Position of City Administrator and Authorizing and Directing the Mayor to Execute

Motion by Brian Hanson, seconded by Sandy Ehrig, to **adopt Resolution No. 004 (2023/2024).** After due consideration and discussion the roll was called. Aye: Hanson, Ehrig, Mittman, Nealson, Sampson, Skaggs. Nay: None. The Mayor declared the motion carried.

10. ADJOURNMENT

There being no further business to come before the meeting, motion by Dane Nealson, seconded by Brian Hanson, to **adjourn the meeting.** Following voice vote, the Mayor declared the motion carried at 6:59 p.m. the meeting adjourned.

Brett Barker, Mayor

ATTEST:

Kerin Wright, City Clerk

Published: _____
Council Approved: _____