
NEVADA CITY COUNCIL - MONDAY, FEBRUARY 12, 2024 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 12, 2024, 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: Henry Corbin, Dane Nealson, Jason Sampson, Steve Skaggs, Sandy Ehrig. Absent: None.

Staff Present: Erin Clanton, Jordan Cook, Kerin Wright, Erin Mousel, Chris Brandes, Marlys Barker, Brandon Mickelson, Ray Reynolds, Josh Cizmadia, Ryan Hutton, Rhonda Maier.

Also in attendance were: Brenda Dyer, Karen Selby, Jim Samuelson, Andy Kelly, Allison DePenning, Casey Schatbach

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

4. PUBLIC HEARING(S)

A. 2024 CIP Street Improvements Project

1. Public Hearing on Proposed 2024 Street Improvements Project

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 January 25, 2024. The public hearing is concerning the 2024 CIP Street Improvements Project.

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

2. Resolution No. 045 (2023/2024): A Resolution finally approving and confirming plans, specifications, forms of contract and estimate of cost for the 2024 Street Improvements Project

Motion by Jason Sampson, seconded by Sandy Ehrig, to adopt Resolution No. 045 (2023/2024). After due consideration and discussion the roll was called. Aye: Sampson, Ehrig, Corbin, Nealson, Skaggs. Nay: None. The Mayor declared the motion carried.

3. Consideration of bids for the 2024 Street Improvements Project

4. Resolution No. 046 (2023/2024): A Resolution awarding contract for the 2024 Street Improvement Project

Motion by Steve Skaggs, seconded by Henry Corbin, to **adopt Resolution No. 046 (2023/2024)**. After due consideration and discussion the roll was called. Aye: Skaggs, Corbin, Nealson Sampson, Ehrig. Nay: None. The Mayor declared the motion carried.

- B. Rezoning of 115 W Lincoln Highway, West Field Development LLC
 - 1. Public Hearing rezoning of 115 W Lincoln Highway

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 **January 25, 2024**. The public hearing is **concerning the rezoning of property at 115 W Lincoln Highway**.

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

- 2. Ordinance No. 1050 (2023/2024): An Ordinance Amending the Zoning Map of the City of Nevada, Iowa, by Rezoning the Property at 115 W Lincoln Hwy, West Field Development LLC, from UC/R-3 (Urban Corridor/Urban Family Residential) to GC (General Commercial), first reading

Motion by Dane Nealson, seconded by Henry Corbin, to **approve Ordinance No. 1050 (2023/2024), first reading**. After due consideration and discussion the roll was called. Aye: Nealson, Corbin, 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 Sandy Ehrig, to **approve the following consent agenda items**:

- A. Approve Minutes of the Regular Meeting held on January 22, 2024
- B. Approve Payment of Cash Disbursements, including Check Numbers 83254-83360 and Electronic Numbers 1540-1555 (Inclusive) Totaling \$892,409.89 (See attached list) and the First Interstate Card Purchases for the February 19, 2024 Statement, total \$2,979.08
- C. Approve Class "B" Retail Alcohol License for DOLGENCORP, LLC, d/b/a Dollar General #1536, 1705 South B Avenue, Effective March 1, 2024
- D. Approve Provider Agreements with NEDC, Main Street Nevada, Nevada Community School District, Story County Medical Center, and Story County for the "Our Nevada" Newsletter
- E. Probationary Firefighters Dusty Beal, Jacob Henick, and Julian Garcia
- F. Accept 2023 Certified Local Government Annual Report
- G. Approve Tax Abatement: #BP2023-0049, 1603 10th Street #520, new garage

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

- 6. OLD BUSINESS

- A. Resolution No. 039 (2023/2024): A Resolution Amending and Approving the Appendix to the City Code

Motion by Steve Skaggs, seconded by Sandy Ehrig, to **adopt Resolution No. 039 (2023/2024).** After due consideration and discussion the roll was called. Aye: Skaggs, Ehrig, Corbin, Nealson, Sampson. Nay: None. The Mayor declared the motion carried.

- B. Approve Pay Request No. 32 for WWTF Improvements-Phase 2 from Williams Brothers Construction Inc. (WBCI) in the amount of \$225,760.62

Motion by Sandy Ehrig, seconded by Henry Corbin, to **approve Pay Request No. 32 for WWTF Improvements-Phase 2 from Williams Brothers Construction Inc. (WBCI) in the amount of \$225,760.62.** After due consideration and discussion the roll was called. Aye: Ehrig, Corbin, Nealson, Sampson, Skaggs, Ehrig. Nay: None. The Mayor declared the motion carried.

- C. Approve Pay Request No. 21 for WWTF Improvements-Phase 3 from Boomerang Corp. in the amount of \$6,053.47

Motion by Steve Skaggs, seconded by Henry Corbin, to **approve Pay Request No. 21 for WWTF Improvements-Phase 3 from Boomerang Corp. in the amount of \$6,053.47.** After due consideration and discussion the roll was called. Aye: Skaggs, Corbin, Nealson, Sampson, Ehrig. Nay: None. The Mayor declared the motion carried.

- D. WWTF Improvements-Phase 4, Contractor OnTrack Construction, LLC
a. Approve Pay Request No. 15 in the amount of \$52,084.84

Motion by Dane Nealson, seconded by Jason Sampson, to **approve Pay Request No. 15 in the amount of \$52,084.84.** After due consideration and discussion the roll was called. Aye: Nealson, Sampson, Skaggs, Ehrig, Corbin. Nay: None. The Mayor declared the motion carried.

- b. Approve Change Order No. 1 in the amount of \$37,510.00

Motion by Jason Sampson, seconded by Sandy Ehrig, to **approve Change Order No. 1 in the amount of \$37,510.00.** After due consideration and discussion the roll was called. Aye: Sampson, Ehrig, Corbin, Nealson, Skaggs. Nay: None. The Mayor declared the motion carried.

- E. Field House Project, Contractor HPC LLC
a. Approve Pay Request No. 19 in the amount of \$238,751.15

Motion by Dane Nealson, seconded by Henry Corbin, to **approve Pay Request No. 19 in the amount of \$238,751.15.** After due consideration and discussion the roll was called. Aye: Nealson, Corbin, Sampson, Skaggs, Ehrig. Nay: None. The Mayor declared the motion carried.

- b. Resolution No. 047 (2023/2024): A Resolution Accepting the Field House Project as Substantially Complete

Motion by Dane Nealson, seconded by Steve Skaggs, to **adopt Resolution No. 047 (2023/2024).** After due consideration and discussion the roll was called. Aye: Nealson, Skaggs, Ehrig, Corbin, Sampson. Nay: None. The Mayor declared the motion carried.

7. NEW BUSINESS

- A. Discussion and Appropriate Follow-up on Request to provide Credit for Sewer Charge on 10 Maple Ave, Lot 15

Motion by Steve Skaggs, seconded by Jason Sampson, to **approve option 1: direct staff to apply a credit of \$267.00 (per estimate from previous bills) for Sewer Charge on 10 Maple Ave, Lot 15.** After due consideration and discussion the roll was called. Aye: Skaggs, Sampson, Ehrig, Corbin, Nealson. Nay: None. The Mayor declared the motion carried.

- B. Resolution No. 048 (2023/2024): A Resolution to Approve Nevada Housing Rehabilitation Program Guidelines

Motion by Jason Sampson, seconded by Sandy Ehrig, to **adopt Resolution No. 048 (2023/2024).** After due consideration and discussion the roll was called. Aye: Sampson, Ehrig, Skaggs, Corbin, Nealson. Nay: None. The Mayor declared the motion carried.

- C. Resolution No. 049 (2023/2024): 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. 049 (2023/2024).** After due consideration and discussion the roll was called. Aye: Ehrig, Nealson, Sampson, Skaggs, Corbin. Nay: None. The Mayor declared the motion carried.

- D. Ordinance No. 1051 (2023/2024): An Ordinance Amending Chapter 63 (Speed Regulations) and Chapter 65 (Stop or Yield Required) of the City Code to Regulate Traffic on S14 from 6th Street to Maple, first reading

Motion by Dane Nealson, seconded by Steve Skaggs, to **approve Ordinance No. 1051 (2023/2024), first reading.** After due consideration and discussion the roll was called. Aye: Nealson, Skaggs, Ehrig, Corbin, Sampson. Nay: None. The Mayor declared the motion carried.

- a. Waive second and third reading

Motion by Sandy Ehrig, seconded by Dane Nealson, to **waive the second and third (final) reading for Ordinance No. 1051 (2023/2024).** After due consideration and discussion the roll was called. Aye: Ehrig, Nealson, Sampson, Skaggs, Corbin. Nay: None. The Mayor declared the motion carried.

- E. Ordinance No. 1052 (2023/2024): An Ordinance Amending Chapter 41 (Public Health and Safety) of the City Code by adding Language Pertaining to Storage Tanks, first reading

Motion by Dane Nealson, seconded by Steve Skaggs, to **approve Ordinance No. 1052 (2023/2024), first reading.** After due consideration and discussion the roll was called. Aye: Nealson, Skaggs, Ehrig, Corbin, Sampson. Nay: None. The Mayor declared the motion carried.

- a. Waive second and third reading

Motion by Dane Nealson, seconded by Henry Corbin, to **waive the second and third (final) reading for Ordinance No. 1052 (2023/2024)**. Dane Nealson withdrew his motion and Henry Corbin withdrew his second. The second and final readings did not pass and will be read at upcoming council meetings.

F. Approve Purchase to Replace and Repurpose Vehicle 11 (Command Vehicle)

Motion by Jason Sampson, seconded by Steve Skaggs, to **approve Purchase to Replace and Repurpose Vehicle 11 (Command Vehicle)**. After due consideration and discussion the roll was called. Aye: Sampson, Skaggs, Ehrig, Corbin, Nealson. Nay: None. The Mayor declared the motion carried.

G. Approve Purchase of Ultra High-Pressure Skid Unit for Command Vehicle

Motion by Sandy Ehrig, seconded by Dane Nealson, to **approve Purchase of Ultra High-Pressure Skid Unit for Command Vehicle**. After due consideration and discussion the roll was called. Aye: Ehrig, Nealson, Sampson, Skaggs, Corbin. Nay: None. The Mayor declared the motion carried.

H. Discussion and Appropriate Follow-up on Council Ward 2 Vacancy

Motion by Dane Nealson, seconded by Jason Sampson, to **approve option 1: approve the Clerk's proposed timeline for Appointment, thus requesting applications to fill anticipated Council Ward 2 vacancy and forming a Council Vacancy Committee; staff to prepare resolution for Intent to Appoint**. After due consideration and discussion the roll was called. Aye: Nealson, Sampson, Skaggs, Ehrig, Corbin. 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 6:52 p.m. the meeting adjourned.

Brett Barker, Mayor

ATTEST:

Kerin Wright, City Clerk

Published: _____
Council Approved: _____