
NEVADA CITY COUNCIL - MONDAY, APRIL 22, 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, April 22, 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: Melissa Muschick, Henry Corbin, Dane Nealson, Jason Sampson, Steve Skaggs, Sandy Ehrig. Absent: None.

Staff Present: Erin Clanton, Jordan Cook, Kerin Wright, Erin Mousel, Harold See, Tim Hansen, Marlys Barker, Holly Manternach, Ray Reynolds, Ryan Hutton

Also in attendance were: Brenda Dyer, Emily Schaack, Christa Skaggs, Barb Mittman, Jeremy Meyer, Karen Selby, Glen Kesselbring, Ann Kurtenbach, Michael Tinta, Amber Tinta, Ray Tinta, Ashley Tinta, Michelle Flynn, Jalene Hornbuckle, Brooksie Miller, Elizabeth Gindt, Kathy Solko.

3. APPROVAL OF AGENDA

Motion by Jason Sampson, seconded by Dane Nealson, to **approve the agenda**. After due consideration and discussion the roll was called. Aye: Sampson, Nealson, Skaggs, Ehrig, Muschick, Corbin. 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 Dane Nealson, seconded by Steve Skaggs, to **approve the following consent agenda items:**

- A. Approve Minutes of the Regular Meeting held on April 8, 2024
- B. Approve Payment of Cash Disbursements, including Check Numbers 83647-83720 and Electronic Numbers 1599-1607 (Inclusive) Totaling \$823,355.65 (See attached list)
- C. Approve Financial Reports for Month of March, 2024
- D. Schedule Public Hearing for Fiscal Year 2023/2024 Budget Amendment #2 for May 13, 2024 and Authorize Publication
- E. Accept Easements for the 2024 Street Improvement Project, H & I Avenues
- F. Approve Request for Amendment to Catalyst Grant – 22-CTBF-018
- G. Recommendation for Permanent Firefighter Status – Michael Tinta

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

5. PUBLIC FORUM

- A. Mayor Barker Proclaimed April 21-27, 2024 National Volunteer Week. Main Street Nevada Director Emily Schaack, recognized volunteer efforts of individuals nominated for their service.

In addition, the Director shared that Main Street Nevada was given a business recruitment award for their work in bringing Something Blue to the Nevada Community.

- B. Mayor Barker Proclaimed May 6-10, 2024 Economic Development Week.
- C. Michael Tinta was sworn in as a permanent firefighter having completed his one-year probationary period.

6 OLD BUSINESS

- A. Harrington Park (Project C), SRF Sponsored Project
 - 1. Consideration of Bids
 - 2. Resolution No. 076 (2023/2024): A Resolution to award the contract for the Harrington Park (Project C) SRF Sponsored Project

Motion by Sandy Ehrig, seconded by Dane Neelson, to **adopt Resolution No. 076 (2023/2024).** After due consideration and discussion the roll was called. Aye: Ehrig, Neelson, Sampson, Skaggs, Muschick, Corbin. Nay: None. The Mayor declared the motion carried.

- B. Discussion and Appropriate Follow up on Pizza Pie-Looza
 - 1. Request for a waiver on the restriction of Alcohol on Lincoln Jefferson Highways Heritage Park by the Nevada Jaycees

Motion by Steve Skaggs, seconded by Dane Neelson, to **approve request for a waiver on the restriction of alcohol on Lincoln Jefferson Highways Heritage Park by the Nevada Jaycees.** After due consideration and discussion the roll was called. Aye: Skaggs, Neelson, Sampson, Ehrig, Muschick, Corbin. Nay: None. The Mayor declared the motion carried.

- 2. Approve 5-Day Special Class “C” Retail Alcohol License to NEVADA JAYCEES, d/b/a Nevada Jaycees, location 1209 6th Street, May 9, 2024 through May 13, 2024

Motion by Dane Neelson, seconded by Melissa Muschick, to **approve 5-Day Special Class “C” Retail Alcohol License to NEVADA JAYCEES, d/b/a Nevada Jaycees, location 1209 6th Street, May 9, 2024 through May 13, 2024.** After due consideration and discussion the roll was called via voice vote. Aye: Neelson, Muschick, Corbin, Sampson, Skaggs, Ehrig. Nay: None. The Mayor declared the motion carried.

- C. Oak Park Estates
 - 1. Resolution No. 077 (2023/2024): A Resolution Accepting Public Improvements in Oak Park Subdivision

Motion by Steve Skaggs, seconded by Henry Corbin, to **adopt Resolution No. 077 (2023/2024).** After due consideration and discussion the roll was called. Aye: Skaggs, Corbin, Neelson, Sampson, Ehrig, Muschick. Nay: None. The Mayor declared the motion carried.

- 2. Resolution No. 078 (2023/2024): A Resolution Approving Final Subdivision Plat of Oak Park Estates, First Addition, City of Nevada, Story County, Iowa and accepting the dedication of certain lands for street purposes and various easements

Motion by Jason Sampson, seconded by Sandy Ehrig, to **adopt Resolution No. 078 (2023/2024)**. After due consideration and discussion the roll was called. Aye: Sampson, Ehrig, Muschick, Corbin, Nealson, Skaggs. Nay: None. The Mayor declared the motion carried.

D. WWTF Improvements- Phase 4 Project

1. Approve Pay Request No. 17 in the amount of \$223,532.81

Motion by Melissa Muschick, seconded by Jason Sampson, to **approve Pay Request No. 17 in the amount of \$223,532.81**. After due consideration and discussion the roll was called. Aye: Muschick, Sampson, Skaggs, Ehrig, Corbin, Nealson. Nay: None. The Mayor declared the motion carried.

2. Resolution No. 079 (2023/2024): A Resolution accepting the WWTF Improvements-Phase 4 as Substantially Complete

Motion by Jason Sampson, seconded by Henry Corbin, to **adopt Resolution No. 079 (2023/2024)**. After due consideration and discussion the roll was called. Aye: Sampson, Corbin, Nealson, Skaggs, Ehrig, Muschick. Nay: None. The Mayor declared the motion carried.

3. Approve Pay Request No. 18 in the amount of \$374,918.47

Motion by Sandy Ehrig, seconded by Steve Skaggs, to **approve Pay Request No. 18 (portion of retainage) in the amount of \$374,918.47**. After due consideration and discussion the roll was called. Aye: Ehrig, Skaggs, Muschick, Corbin, Nealson, Sampson. Nay: None. The Mayor declared the motion carried.

E. Nevada Field House

1. Approve Pay Request No. 20 from HPC, LLC in the amount of \$27,821.70

Motion by Dane Nealson, seconded by Jason Sampson, to **approve Pay Request No. 20 from HPC, LLC in the amount of \$27,821.70**. After due consideration and discussion the roll was called. Aye: Nealson, Sampson, Skaggs, Ehrig, Muschick, Corbin. Nay: None. The Mayor declared the motion carried.

2. Approve Progress Billing Invoice #2 from H2I Group for Gym Equipment in the amount of \$25,742.00

Motion by Melissa Muschick, seconded by Dane Nealson, to **approve Progress Billing Invoice #2 from H2I Group for Gym Equipment in the amount of \$25,742.00**. After due consideration and discussion the roll was called. Aye: Muschick, Nealson, Sampson, Skaggs, Ehrig, Corbin. Nay: None. The Mayor declared the motion carried.

3. Approve Progress Billing Invoice #3 from H2I Group for Gym Equipment in the amount of \$6,200.00

Motion by Steve Skaggs, seconded by Melissa Muschick, to **approve Progress Billing Invoice #3 from H2I Group for Gym Equipment in the amount of \$6,200.00**. After due consideration and discussion the roll was called. Aye: Skaggs, Muschick, Corbin, Nealson, Sampson, Ehrig. Nay: None. The Mayor declared the motion carried.

4. Approve Change Order No. 1 in the amount of \$4,241.00

Motion by Steve Skaggs, seconded by Sandy Ehrig, to **approve Change Order No. 1 in the amount of \$4,241.00.** After due consideration and discussion the roll was called. Aye: Skaggs, Ehrig, Muschick, Corbin, Nealson, Sampson. Nay: None. The Mayor declared the motion carried.

- F. Ordinance No. 1053 (2023/2024): An Ordinance amending the zoning map of the City of Nevada, Iowa, by rezoning the property at 2000 5th Street from "AR" (Agricultural-Residential Dwelling) District, to a "R-2" (Single- and Two-Family Dwelling) District, third and final reading

Motion by Dane Nealson, seconded by Henry Corbin, to **approve Ordinance No. 1053 (2023/2024), third and final reading.** After due consideration and discussion the roll was called. Aye: Nealson, Corbin, Sampson, Skaggs, Ehrig, Muschick. Nay: None. The Mayor declared the motion carried.

7. NEW BUSINESS

A. Camelot Theater Foundation

1. Approve 5-Day Class C Retail Alcohol License to CAMELOT THEATER FOUNDATION, d/b/a Camelot Theater Foundation, location 1114 6th Street, effective May 3, 2024 through May 7, 2024

Motion by Jason Sampson, seconded by Melissa Muschick, to **approve 5-Day Class C Retail Alcohol License to CAMELOT THEATER FOUNDATION, d/b/a Camelot Theater Foundation, location 1114 6th Street, effective May 3, 2024 through May 7, 2024.** After due consideration and discussion the roll was called. Aye: Sampson, Muschick, Corbin, Nealson, Skaggs, Ehrig. Nay: None. The Mayor declared the motion carried.

2. Approve Reimbursement #1 Request for the Camelot Theater's Downtown Housing Program Grant through IEDA, Award No. 22-ARPDH-040

Motion by Sandy Ehrig, seconded by Dean Nealson, to **approve Reimbursement #1 Request for the Camelot Theater's Downtown Housing Program Grant through IEDA, Award No. 22-ARPDH-040.** After due consideration and discussion the roll was called. Aye: Ehrig, Nealson, Sampson, Muschick, Corbin. Nay: None. Abstain: Skaggs. The Mayor declared the motion carried.

3. Resolution No. 080 (2023/2024): A Resolution Approving Agreement for Covenants and Restrictions (Downtown Housing Grant Program) between the City of Nevada, IA and Camelot Theater Foundation

Motion by Jason Sampson, seconded by Henry Corbin, to **adopt Resolution No. 080 (2023/2024).** After due consideration and discussion the roll was called. Aye: Sampson, Corbin, Nealson, Ehrig, Muschick. Nay: None. Abstain: Skaggs. The Mayor declared the motion carried.

- B. Resolution No. 081 (2023/2024): A Resolution authorizing Salary Increases for Non-Union Employees for Fiscal Years 24/25, 25/26, and 26/27, Effective July 1, 2024

Motion by Jason Sampson, seconded by Melissa Muschick, to **adopt Resolution No. 081 (2023/2024).** After due consideration and discussion the roll was called. Aye: Sampson, Muschick, Corbin, Nealson, Skaggs, Ehrig. Nay: None. The Mayor declared the motion carried.

- C. Resolution No. 082 (2023/2024): A Resolution to provide for a notice of hearing on proposed plans, specifications, forms of contract and estimate of cost for the 19th Street Trail Project and the taking of bids therefor

Motion by Dane Nealson, seconded by Steve Skaggs, to **adopt Resolution No. 082 (2023/2024)**. After due consideration and discussion the roll was called. Aye: Nealson, Skaggs, Ehrig, Muschick, Corbin, Sampson. Nay: None. The Mayor declared the motion carried.

- D. Ordinance No. 1054 (2023/2024): An Ordinance Amending the Code of Ordinances of the City of Nevada, Iowa, 2006, by Amending Provisions Pertaining to Sanitary Sewer System (Chapter 95), Building Sewers and Connections (Chapter 96), use of Public Sewers (Chapter 97), and on-site Wastewater Systems (Chapter 98), first reading

Motion by Steve Skaggs, seconded by Sandy Ehrig, to **approve Ordinance No. 1054 (2023/2024), first reading**. After due consideration and discussion the roll was called. Aye: Skaggs, Ehrig, Muschick, Corbin, Nealson, Sampson. Nay: None. The Mayor declared the motion carried.

- E. Ordinance No. 1055 (2023/2024): An Ordinance Amending the Code of Ordinances of the City of Nevada, Iowa, 2006, by Amending Provisions Pertaining to Sewer use Charges (Chapter 99), first reading

Motion by Sandy Ehrig, seconded by Dane Nealson, to **approve Ordinance No. 1055 (2023/2024), first reading**. After due consideration and discussion the roll was called. Aye: Ehrig, Nealson, Sampson, Skaggs, Muschick, 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 6:46 p.m. the meeting adjourned.

Brett Barker, Mayor

ATTEST:

Kerin Wright, City Clerk

Published: _____
Council Approved: _____