
NEVADA CITY COUNCIL - MONDAY, MAY 13, 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, May 13, 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, Jason Sampson, Steve Skaggs, Sandy Ehrig. Absent: Dane Nealson.

Staff Present: Erin Clanton, Jordan Cook, Kerin Wright, Erin Mousel, Brandon Mickelson, Chris Brandes, Harold See, Erin Coughlin, Marlys Barker, Mike Roth.

Also in attendance were: Edward Askew, Karen Selby, Andy Kelly, Brandon Kaehler, Terence Beaston, Wade Presley, Daryle Vegge.

3. APPROVAL OF AGENDA

Motion by Jason Sampson, seconded by Steve Skaggs, to **approve the agenda**. After due consideration and discussion the roll was called. Aye: Sampson, Skaggs, Ehrig, Muschick, Corbin. Nay: None. The Mayor declared the motion carried.

4. PUBLIC HEARING(S)

A. FY24 Budget Amendment #2

1. Public Hearing –

At 6:00 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 25, 2024**. The public hearing is **for the FY24 Budget Amendment #2**.

There were **no written or oral objections** to the aforementioned recommendation. Public hearing closed at 6:00 p.m.

2. Resolution No. 083 (2023/2024): A Resolution approving Fiscal Year 2023/2024 Budget Amendment #2

Motion by Steve Skaggs, seconded by Sandy Ehrig, to **adopt Resolution No. 083 (2023/2024)**. After due consideration and discussion the roll was called. Aye: Skaggs, Ehrig, Muschick, Corbin, Sampson. 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 Sandy Ehrig, seconded by Melissa Muschick, to **approve the following consent agenda items:**

- A. Approve Minutes of the Regular Meeting held on April 22, 2024
 - B. Approve Payment of Cash Disbursements, including Check Numbers 83721-83803 and Electronic Numbers 1608-1619 (Inclusive) Totaling \$1,120,715.47 (See attached list) and the First Interstate Card Purchases for the March 19, 2024 Statement, total \$17,765.78
 - C. Approve Financial Reports for the Month of April, 2024
 - D. Probationary Firefighters Callie Raders and James Rea
- After due consideration and discussion the roll was called. Aye: Ehrig, Muschick, Corbin, Sampson, Skaggs. Nay: None. The Mayor declared the motion carried.

6. PUBLIC FORUM

- A. Story County Community Foundation representative Daryle Vegge updated Council regarding the grants and charitable funds available to our community and the surrounding areas.
- B. Wade Presley, with Nevada Community Band, thanked the Council and community for their continued support and extended an invitation to their first concert on June 4th.

7. OLD BUSINESS

- A. Resolution No. 084 (2023/2024): A Resolution Approving Corrected Final Subdivision Plat of Oak Park Estates, First Addition, City of Nevada, Story County, Iowa

Motion by Jason Sampson, seconded by Henry Corbin, to **adopt Resolution No. 084 (2023/2024).** After due consideration and discussion the roll was called. Aye: Sampson, Corbin, Skaggs, Ehrig, Muschick. Nay: None. The Mayor declared the motion carried.

- B. Approve Pay Request No. 35 for WWTF Improvements-Phase 2 from Williams Brothers Construction Inc. (WBCI) in the amount of \$45,293.93

Motion by Steve Skaggs, seconded by Sandy Ehrig, to **approve Pay Request No. 35 for WWTF Improvements-Phase 2 from Williams Brothers Construction Inc. (WBCI) in the amount of \$45,293.93.** After due consideration and discussion the roll was called. Aye: Skaggs, Ehrig, Muschick, Corbin, Sampson. Nay: None. The Mayor declared the motion carried.

- C. Approve Pay Request No. 24 for WWTF Improvements-Phase 3 from Boomerang Corp. in the amount of \$2,850.00

Motion by Jason Sampson, seconded by Melissa Muschick, to **approve Pay Request No. 24 for WWTF Improvements-Phase 3 from Boomerang Corp. in the amount of \$2,850.00.** After due consideration and discussion the roll was called. Aye: Sampson, Muschick, Corbin, Skaggs, Ehrig. Nay: None. The Mayor declared the motion carried.

- D. 2024 Street Improvements Project, Contractor Con-Struct Inc.
 - a. Approve Pay Request No. 1 in the amount of \$154,489.38

Motion by Steve Skaggs, seconded by Henry Corbin, to **approve Pay Request No. 1 for 2024 Street Improvements Project from Con-Struct Inc. in the amount of \$154,489.38.** After due consideration and discussion the roll was called. Aye: Skaggs, Corbin, Sampson, Ehrig, Muschick. Nay: None. The Mayor declared the motion carried.

- b. Approve Change Order No. 1 in the amount of \$47,479.00

Motion by Sandy Ehrig, seconded by Melissa Muschick, to **approve Change Order No. 1 for 2024 Street Improvements Project from Con-Struct Inc. in the amount of \$47,479.00.** After due consideration and discussion the roll was called. Aye: Ehrig, Muschick, Corbin, Sampson, Skaggs. Nay: None. The Mayor declared the motion carried.

- c. Approve Change Order No. 2 in the amount of \$14,434.00

Motion by Steve Skaggs, seconded by Jason Sampson, to **approve Change Order No. 2 for 2024 Street Improvements Project from Con-Struct Inc. in the amount of \$14,434.00.** After due consideration and discussion the roll was called. Aye: Skaggs, Sampson, Ehrig, Muschick, Corbin. Nay: None. The Mayor declared the motion carried.

- E. Discussion and Appropriate Follow-up regarding CBD Project, additional invoices received for work to repair gutters in alleyway for the Storm Drain issues

Motion by Melissa Muschick, seconded by Steve Skaggs, to **approve payment to Shill Electric in the amount of \$825.34 and payment to JC's Seamless Gutters in the amount of \$785.00 for additional work completed related to CBD Project.** After due consideration and discussion the roll was called. Aye: Muschick, Skaggs, Ehrig, Corbin, Sampson. Nay: None. The Mayor declared the motion carried.

8. NEW BUSINESS

- A. Approve Five Day Special Class C Retail Alcohol License, Cloud Wine, LLC, d/b/a Lucky Wife Wine Slushies, 6th Street for Downtown Farmer's Market, 5/31/2024 – 6/4/2024
 - a. Approve Five Day License for 5/31/2024 – 6/4/2024

Motion by Jason Sampson, seconded by Sandy Ehrig, to **approve Five Day Special Class C Retail Alcohol License, Cloud Wine, LLC, d/b/a Lucky Wife Wine Slushies, 6th Street for Downtown Farmer's Market, 5/31/2024–6/4/2024.** After due consideration and discussion the roll was called. Aye: Sampson, Ehrig, Muschick, Corbin, Skaggs. Nay: None. The Mayor declared the motion carried.

- b. Approve Five Day License for 6/14/2024 – 6/18/2024

Motion by Melissa Muschick, seconded by Steve Skaggs, to **approve Five Day Special Class C Retail Alcohol License, Cloud Wine, LLC, d/b/a Lucky Wife Wine Slushies, 6th Street for Downtown Farmer's Market, 6/4/2024-6/18/2024.** After due consideration and discussion the roll was called. Aye: Muschick, Skaggs, Ehrig, Corbin, Sampson. Nay: None. The Mayor declared the motion carried.

- B. Approve Amendment to Master Agreement with HR Green, Inc., for Municipal Engineering Services for 19th Street Trail, Construction Phase Services not to exceed \$18,500

Motion by Steve Skaggs, seconded by Henry Corbin, to **approve Amendment to Master Agreement with HR Green, Inc., for Municipal Engineering Services for 19th Street Trail, Construction Phase Services not to exceed \$18,500.** After due consideration and discussion

the roll was called. Aye: Skaggs, Corbin, Sampson, Ehrig, Muschick. Nay: None. The Mayor declared the motion carried.

C. Approve T-Mobile Geotab for Fleet Management

Motion by Jason Sampson, seconded by Sandy Ehrig, to **approve the quote from T-Mobile Geotab for Fleet Management in the amount of \$1,386.00 annually.** After due consideration and discussion the roll was called. Aye: Sampson, Ehrig, Muschick, Corbin, Skaggs. Nay: None. The Mayor declared the motion carried.

10. **CLOSED SESSION:** Closed Session pursuant to authority found in Iowa Code 21.5 (1) (c) to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation.

Motion by Jason Sampson, seconded by Sandy Ehrig, to **approve going INTO closed session.** After due consideration and discussion the roll was called. Aye: Sampson, Ehrig, Muschick, Corbin, Skaggs. Nay: None. The Mayor declared the motion carried.

Motion by Jason Sampson, seconded by Sandy Ehrig, to **approve going OUT OF closed session.** After due consideration and discussion the roll was called. Aye: Sampson, Ehrig, Muschick, Corbin, Skaggs. Nay: None. The Mayor declared the motion carried.

11. Discussion and appropriate follow-up on Closed Session pursuant to authority found in Iowa Code 21.5 (1) (c) to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation.

There was no action of the council.

12. ADJOURNMENT

There being no further business to come before the meeting, motion by Jason Sampson, seconded by Sandy Ehrig, to **adjourn the meeting.** Following voice vote, the Mayor declared the motion carried at 7:33 p.m. the meeting adjourned.

Brett Barker, Mayor

ATTEST:

Kerin Wright, City Clerk

Published: _____
Council Approved: _____