
NEVADA CITY COUNCIL - TUESDAY, NOVEMBER 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 Tuesday, November 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: Melissa Muschick, Henry Corbin, Dane Nealson, Steve Skaggs, Sandy Ehrig. Absent: Jason Sampson.

Staff Present: Erin Clanton, Jordan Cook, Kerin Wright, Erin Mousel, Brandon Mickelson, Harold See, Ray Reynolds, Rhonda Maier, Marlys Barker, Chris Brandes, Tim Hansen, Mike Roth.

Also in attendance were: Mike & Jill Post, Mike Sauer, Eric Henry, Jim Samuelson, Andy Kelly, Jane Heintz, Preston & Amber Gable, Charlie Good, Brandon Koehler, Luke Spence, Andy, Asher, & Mirasol Swanson, Brian Hanson.

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

4. PUBLIC HEARING(S)

A. Dispose of Property

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 **October 31, 2024**. The public hearing is **for the sale of real property**.

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

2. Resolution No. 037 (2024/2025): Resolution Approving Sale of Property to Nevada Economic Development Council, Inc. and Approving Real Estate Purchase and Sale Agreement

Motion by Steve Skaggs, seconded by Henry Corbin, to **adopt Resolution No. 037 (2024/2025)**. After due consideration and discussion the roll was called. Aye:

Skaggs, Corbin, Nealson, Ehrig, Muschick. 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 Henry Corbin, to **approve the following consent agenda items:**

- A. Approve Minutes of the Regular Meeting held on October 28, 2024
- B. Approve Payment of Cash Disbursements, including Check Numbers 87299-87375 and Electronic Numbers 1751-1759 (Inclusive) Totaling \$562,475.29 (See attached list) and the First Interstate Card Purchases for the November 19, 2024 Statement, total \$6,266.22
- C. Accept and File Annual Urban Renewal Report for FY23/24
- D. Approve Conservation Reserve Program Contract
- E. Approve Renewal of Class "C" Retail Alcohol License for Deniz Gracy LLC d/b/a/ El Mezcalito, 1200 6th Street, Effective November 18, 2024
- F. Receive Recommendation from Planning & Zoning Commission on Rezoning of 1622 8th Street and Set Public Hearing for November 25, 2024 at 6:00 p.m. and Authorize Publication of Notice
- G. Approve the Cancellation of the Nevada City Council's second regular meeting of December, 2024

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

6. MAYOR'S RE-APPOINTMENT

- A. Board of Adjustment – Sharon Johnson

Motion by Sandy Ehrig, seconded by Dane Nealson, to **approve reappointment of Sharon Johnson to the Board of Adjustment.** After due consideration and discussion the roll was called. Aye: Ehrig, Nealson, Skaggs, Muschick, Corbin. Nay: None. The Mayor declared the motion carried.

7. OLD BUSINESS

- A. Ordinance No. 1061 (2024/2025): An Ordinance Amending Chapter 165, Section 08 (Use Types) of the City Code by Adding Language Pertaining to Breweries and Amending Table 165.09-2 (Permitted Uses), third and final reading

Motion by Dane Nealson, seconded by Melissa Muschick, to **approve Ordinance No. 1061 (2024/2025), third and final reading.** After due consideration and discussion the roll was called. Aye: Nealson, Muschick, Corbin, Skaggs, Ehrig. Nay: None. The Mayor declared the motion carried.

- B. Approve Change Order No. 2 for WWTF Improvements – Phase 3 from Boomerang in the amount of \$9,819.16

Motion by Steve Skaggs, seconded by Sandy Ehrig, to **approve Change Order No. 2 for WWTF Improvements – Phase 3 from Boomerang in the amount of \$9,819.16.**

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

- C. Consideration of Pay Request No. 30 for WWTF Improvements – Phase 3 from Boomerang in the amount of \$71,430.15

Motion by Sandy Ehrig, seconded by Steve Skaggs, to **approve Pay Request No. 30 for WWTF Improvements – Phase 3 from Boomerang in the amount of \$71,430.15.** After due consideration and discussion the roll was called. Aye: Ehrig, Skaggs, Muschick, Corbin, Nealon. Nay: None. The Mayor declared the motion carried.

- D. Approve Pay Request No. 7 for 2024 Street Improvements Project from Con-Struct Inc. in the amount of \$419,216.06

Motion by Henry Corbin, seconded by Dane Nealon, to **approve Pay Request No. 7 for 2024 Street Improvements Project from Con-Struct Inc. in the amount of \$419,216.06.** After due consideration and discussion the roll was called. Aye: Corbin, Nealon, Skaggs, Ehrig, Muschick. Nay: None. The Mayor declared the motion carried.

- E. Approve Pay Request No. 2 for 19th Street Trail Project – Division 2 from Con-Struct Inc. in the amount of \$159,816.60

Motion by Dane Nealon, seconded by Melissa Muschick, to **approve Pay Request No. 2 for 19th Street Trail Project – Division 2 from Con-Struct Inc. in the amount of \$159,816.60.** After due consideration and discussion the roll was called. Aye: Nealon, Muschick, Corbin, Skaggs, Ehrig. Nay: None. The Mayor declared the motion carried.

- F. Approve amended Change Order to Replace Carriage Walks for F Avenue and G Avenue Project, from Milam Concrete & Construction in the amount of \$7,850.00

Motion by Steve Skaggs, seconded by Sandy Ehrig, to **approve amended Change Order to Replace Carriage Walks for F Avenue and G Avenue Project, from Milam Concrete & Construction in the amount of \$7,850.00.** After due consideration and discussion the roll was called. Aye: Skaggs, Ehrig, Muschick, Corbin, Nealon. Nay: None. The Mayor declared the motion carried.

- G. Approve Pay Request No. 3 from Con-Struct for the SRF Sponsored Project, Harrington Park in the amount of \$3,131.24

Motion by Melissa Muschick, seconded by Henry Corbin, to **approve Pay Request No. 3 from Con-Struct for the SRF Sponsored Project, Harrington Park in the amount of \$3,131.24.** After due consideration and discussion the roll was called. Aye: Muschick, Corbin, Nealon, Skaggs, Ehrig. Nay: None. The Mayor declared the motion carried.

- H. Resolution No. 038 (2024/2025): A Resolution Approving the Amended Financial Policy 2024 for the City Council for City of Nevada, Iowa

Motion by Steve Skaggs, seconded by Sandy Ehrig, to **adopt Resolution No. 038 (2024/2025).** After due consideration and discussion the roll was called. Aye: Skaggs, Ehrig, Muschick, Corbin, Nealon. Nay: None. The Mayor declared the motion carried.

8. NEW BUSINESS

- A. Resolution No. 039 (2024/2025): A Resolution to Approve Fire Department 28E Agreement Mutual Assistance for Polk County Area Fire/Rescue Services

Motion by Melissa Muschick, seconded by Dane Neelson, to **adopt Resolution No. 039 (2024/2025)**. After due consideration and discussion the roll was called. Aye: Muschick, Neelson, Skaggs, Ehrig, Corbin. Nay: None. The Mayor declared the motion carried.

- B. Approve Class C Retail Alcohol License for Backcountry Winery, LLC d/b/a/ The Well Brewery + Market, 1117 6th Street, Effective November 14, 2024

Motion by Dane Neelson, seconded by Melissa Muschick, to **approve Class C Retail Alcohol License for Backcountry Winery, LLC d/b/a/ The Well Brewery + Market, 1117 6th Street, Effective November 14, 2024**. After due consideration and discussion the roll was called. Aye: Neelson, Muschick, Corbin, Skaggs, Ehrig. Nay: None. The Mayor declared the motion carried.

- C. Approval of Architectural and Engineering Services for Splash Pad Project

Motion by Dane Neelson, seconded by Melissa Muschick, to **approve Option 1: Retain JEO Consulting to provide architectural and engineering services for the splash pad project at a cost of \$133,000.00**. After due consideration and discussion the roll was called. Aye: Neelson, Muschick, Corbin, Skaggs, Ehrig. Nay: None. The Mayor declared the motion carried.

- D. Approve Purchase of Trimble Receivers for Locating and GIS Mapping

Motion by Melissa Muschick, seconded by Henry Corbin, to **approve Option 1: Purchase of two (2) GIS trimble R2 receivers and accessories at a cost of \$16,366.46 from Seiler Geospatial**. After due consideration and discussion the roll was called. Aye: Muschick, Corbin, Neelson, Skaggs, Ehrig. Nay: None. The Mayor declared the motion carried.

- E. Professional Service Agreement Amendment No. 2 to the Nevada Wastewater Treatment Facility (WWTF) Improvements – Phase 3 Construction Phase Services Contract with HR Green, Inc.

Motion by Skaggs, seconded by Ehrig, to **approve Professional Service Agreement Amendment No. 2 to the Nevada Wastewater Treatment Facility (WWTF) Improvements – Phase 3 Construction Phase Services Contract with HR Green, Inc.** After due consideration and discussion the roll was called. Aye: Skaggs, Ehrig, Muschick, Corbin, Neelson. Nay: None. The Mayor declared the motion carried.

- F. Resolution No. 040 (2024/2025): A Resolution Approving Wastewater Agreement between City of Nevada, Iowa and Verbio Nevada LLC

Motion by Dane Neelson, seconded by Melissa Muschick, to **adopt Resolution No. 040 (2024/2025)**. After due consideration and discussion the roll was called. Aye: Neelson, Muschick, Corbin, Skaggs, Ehrig. Nay: None. The Mayor declared the motion carried.

- G. Resolution No. 041 (2024/2025): Resolution Approving Amended Development Agreement with Workit, LLC

Motion by Steve Skaggs, seconded by Melissa Muschick, to **adopt Resolution No. 041 (2024/2025)**. After due consideration and discussion the roll was called. Aye: Skaggs, Muschick, Corbin, Neelson, Ehrig. Nay: None. The Mayor declared the motion carried.

- H. Resolution No. 042 (2024/2025): A Resolution Approving Iowa DNR Treatment Agreement Form between the City of Nevada – Water Pollution Control Facility and Burke Corporation

Motion by Sandy Ehrig, seconded by Henry Corbin, to **adopt Resolution No. 042 (2024/2025)**. After due consideration and discussion the roll was called. Aye: Ehrig, Corbin, Neelson, Skaggs, Muschick. Nay: None. The Mayor declared the motion carried.

- I. Resolution No. 043 (2024/2025): A Resolution Approving a Contract Amendment between Iowa Economic Development Authority, ALMACO, and the City of Nevada for the Extension of Contract #22-HQJP-004

Motion by Sandy Ehrig, seconded by Melissa Muschick, to **adopt Resolution No. 043 (2024/2025)**. After due consideration and discussion the roll was called. Aye: Ehrig, Muschick, Corbin, Neelson. Nay: None. Abstain: Skaggs. The Mayor declared the motion carried.

- J. Resolution No. 044 (2024/2025): A Resolution Accepting Minor Subdivision for Samuelson Downtown Subdivision, Nevada, Story County, Iowa

Motion by Sandy Ehrig, seconded by Dane Neelson, to **adopt Resolution No. 044 (2024/2025)**. After due consideration and discussion the roll was called. Aye: Ehrig, Neelson, Skaggs, Muschick, Corbin. Nay: None. The Mayor declared the motion carried.

- K. Resolution No. 045 (2024/2024): A Resolution Accepting Major Subdivision Final Plat for Northview Plat 1, Nevada, Story County, Iowa

Motion by Melissa Muschick, seconded by Henry Corbin, to **adopt Resolution No. 045 (2024/2025)**. After due consideration and discussion the roll was called. Aye: Muschick, Corbin, Neelson, Skaggs, Ehrig. Nay: None. The Mayor declared the motion carried.

- L. Resolution No. 046 (2024/2025): A Resolution Authorizing Payment of User Increase in Wastewater Cost from General Reserves

Motion by Steve Skaggs, seconded by Sandy Ehrig, to **adopt Resolution No. 046 (2024/2025)**. After due consideration and discussion the roll was called. Aye: Skaggs, Ehrig, Muschick, Corbin, Neelson. Nay: None. The Mayor declared the motion carried.

- M. Discussion and Appropriate Follow-up Regarding Digital Sign on City Hall Campus

Council discussed options for the digital sign in front of City Hall on the corner of 6th Street and Lincoln Highway. Members of the public also gave input. City Administrator will take suggestions and do additional research.

9. ADJOURNMENT

There being no further business to come before the meeting, motion by Dane Neilson, seconded by Sandy Ehrig, to **adjourn the meeting**. Following voice vote, the Mayor declared the motion carried at 6:43 p.m. the meeting adjourned.

Brett Barker, Mayor

ATTEST:

Kerin Wright, City Clerk

Published: _____
Council Approved: _____