

# **City Administrators Report**

June 20-July 1, 2024

## **Insurance:**

Kerin and I met with Melissa to review insurance updates. She mentioned in the last council meeting she was going to get us quotes on buying down or partially self-insuring. She recommends not doing this because of the cost. I agree as we would be spending money on doing so and if there was no catastrophic loss, we would be out the money. Kerin and I discussed it would be much better to have reserve funds in lieu in the event we would have such an event. At this point, we would expect to have 500k in reserves and would be anticipated to increase this to 750k when the wastewater plant goes online. This will take a little time but it will help limit the amount if this ever does happen and we need to turn the damage in to the insurance. The other item of concern we discussed was cyber-attacks. This is something I believe we need to plan on insuring. I do not worry as much about our administration system being attacked but do worry about the wastewater and water. This could potentially cripple our community if we were not unable to meet demands if this were to ever happen. Last year, we had a million-dollar policy with ICAP but they have since lowered this amount to \$250k. The new premium is \$20,900, providing \$2 million if we were ever attacked.

## **EV Charging Stations**

Joined a meeting about the EV Grants. The State is going after grants for EV Charging stations. They failed in the last attempt because of the criteria they were requesting. There are several communities interested in this grant including us. MIPA, the grant writers, believe they have a good shot of being awarded this year. The deadline is August 28<sup>th</sup> so we have some time to get the requirements accomplished for the grant. Brandon with HRG was also on the call. The requirements needed are a 20% match on the project; collecting rates from our provider, in our case this would be Alliant; letters of support; locations and a map of the area we would like them located, and a resolution of support. The areas that stick out would be the parking lot across from the Post Office, the southeast corner of the east parking lot in SCORE Park, and downtown. One of the things mentioned was high impact areas meaning locations with multi-family, so the parking lot across the post office would capture both the downtown and multi-family. SCORE Park doesn't necessarily fit in that category but it is right off the highway and we have activities year-round that we can pull off of.

## **Police**

With the recent departures and hopes of attracting more to our Police Department, Chris has been working on different strategies to recruit certified officers. He will be providing an action to the Council for this very reason. The Council has approved a \$5,000 bonus for any officer hired previously certified. The reason we offered this is because sending an officer to ILEA to be certified is close to \$10k per officer. Because we will be saving that in hiring a certified, he is going to ask to increase this amount to \$10k. The other benefit to hiring a certified is we do not lose the officer for several months to training. They will be training, just with one of our officers instead.

## **TRAINFO**

As I mentioned in our last Council Meeting, I met with a group of people to discuss train crossings in Story County. We will be getting more information to provide more detail on how we can create better communication on how to limit blockages and get the message out to people about the blockages. They do this by adding sensors to the tracks which would then allow real-time information for residents to view.

### **Utility Adjustment Policy**

You will see this in the packet and agenda. I have created a policy to allow the city to adjust the sewer portion of water bills if residents have a leak or broken pipes. This would also include if a person is filling up their pool for the summer. In the past, we have had citizens come in and ask for some relief due to a leaking faucet, broken pipes, or anything that has caused a higher-than-normal water bill. The Council has asked to have something in place so we can provide relief sooner rather than waiting for a council meeting. The policy does have certain requirements but does allow for certain reliefs.

### **Business Incentive Program**

This will be in the packet and agenda for Monday's meeting. Brenda, Emily and I met to discuss ways we would be able to attract new businesses downtown to provide more options for residents and visitors. We are mimicking Boone's program as it has been successful for them.

### **AV System**

We were informed earlier today (Monday) that they are still waiting on 6 items. As soon as Embark gets those items in, they will be ready to install and update our system. I believe this will solve some of the issues we have had in the past and provide more clarity for anyone tuning in outside the chambers.

### **Northview**

We will be seeing the development agreement on the agenda for the last meeting in July, they are updating the legal description currently on the document. They are also getting clarification on W. 1<sup>st</sup> Street to determine if they need to re-plot to the extent of excluding it from the agreement. Typically, there is an easement in place for the city right of way. In this case, we own this right-of-way and it is considered property of the city since it was deeded to us long ago. They are reaching out to the County and their attorney to see what the next step is. They are being told because we own the property, that the City would need to be part of the agreement as one of the owners so we are navigating ways through this.

### **F and G**

As mentioned in previous reports, we have had some things come up with this project. There will be some change orders, one has already come across the agenda. The next change order that will be on the next agenda will be for the stabilization aspect. Because there was no concrete under the asphalt, everyone (City, WHKS, Castor, InRoads) looked at different ways to have a supported sub-base for the new asphalt installed. The most effective solution is to install a stabilizer on the current sub-base allowing it to cure and harden as if it were concrete underneath to provide the base needed. After this is complete InRoads will be able to move on to the next step which is to install the asphalt. The curbs have been poured.



## MEMO

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To: Nevada Mayor and City Council

From: Brandon Mickelson, PE

Subject: Monthly Project Update from HR Green, June 2024

Date: July 2, 2024

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### **On-Call Engineering Services – 40100100**

HR Green provided the following on-call services:

- Attended City Council and CIRTPA meetings.
- Northview Subdivision Review
- Oak Park Estates Trail Concept and Cost Estimate for Grant Application
- EV Charging Application CIRTPA/Des Moines MPO Information/Correspondence

### **US 30/580<sup>th</sup> Interchange Well Water Main Relocation Project – 2302726**

This project consists of the relocation of Nevada's 16" Well Water Main in the vicinity of the new US 30/580<sup>th</sup> Avenue Interchange from the intersection of US 30 and Sand Hill Trail east to 580<sup>th</sup> Avenue and then north along the existing 580<sup>th</sup> Avenue right-of-way to the north end of the interchange project. The Iowa DOT will be responsible for all costs associated with this project, including construction, design, and construction phase services.

Construction of the water main relocation started on April 8 at the end of the project on 580<sup>th</sup> Street, north of US 30, and proceeded south. Good progress was being made initially, but frequent rainfall has slowed the project. All pipes, fittings and valves have been installed for the new water main section along 580<sup>th</sup> Avenue. The pipe has been pressure tested, gone through chlorine disinfection and passed bacterial tests. The crew has cut and capped the south tie-in of this section and removed the old water main and fittings. The crew has finished the long stretch of pipe between sandhill trail and 580<sup>th</sup> Ave, which won't be closed until the end of July. They put in a temporary hydrant on that end and tested that stretch of pipe. They have moved over to the last tapping valve (WV-2 and are working backwards from this point until they meet up to the other side of 580<sup>th</sup>. The 500' stretch of casing along 580<sup>th</sup> was welded and installed last week, and about half of the pipe in this section has been pushed into the casing. An unmarked fiber optic line was hit on Thursday as well, so that provided another hurdle to the project, though the line was fully fixed and is now marked on DOT map. With extreme heat the past few weeks and recent wet weather events work has been slowed slightly.

It was originally estimated the water main relocation would take seven to ten weeks to complete. HR Green is providing full-time construction observation services and is coordinating this effort with the Iowa DOT. Iowa DOT will be responsible for all costs associated with the construction phase services to be provided by HR Green for the project.

### **Sponsored Projects - 191900**

#### **Nevada Sponsored Project Final Design – 191900.03**

- Three 3 bid packages are moving ahead to final design.
  - Project A – West Indian Creek (Lincoln Way to E Ave)
  - Project B – Tributary to West Indian Creek

- Projects ABC – Vegetation Contract
- We held the pre-construction meeting for Project C – Harrington Park on 6/5/24.
- Permit Applications are under active review – Projects A and B only
  - USACE permit issued
  - DNR floodplain permit comments also being addressed (resubmittal sent to DNR on 6/3/24)
- Acquisition documents for easements have been generated and transmitted to the City for the City's use in acquiring the easements.
- Next steps
  - Final permits to be received (Projects A, B, and vegetation contract)
  - Design moving toward 100% milestone for remaining 3 bid packages (Projects A, B and vegetation contract)
  - Harrington Park (Project C) construction will be starting in July

### **GIS Services – 181696**

- GIS Equipment
  - Discussed with Charlie about not having to pay for GPS Real-Time Subscriptions as they can get this through the Iowa DOT for free.

### **Wastewater Treatment Facility – 160473**

- Phase 1, Site Preparation:
  - Work was completed as of 5/14/21.
- Phase 2, WWTF Plant:
  - Held construction progress meeting with WBCI on 6/24.
  - Next construction progress meeting is scheduled for 7/24.
  - On 5/21, a tornado impacted the WWTF site causing damage to multiple buildings and the site. WBCI has contacted their insurance carrier and adjusters were on-site on 5/29. HRG has been coordinating with WBCI regarding next steps and WBCI will be providing updates when available. WBCI is still "in-control" of the site and claim(s) would be made against the Builder's Risk insurance policy. Temporary roofing repairs and temporary Admin Building garage doors were installed by WBCI on 5/23. WBCI has not provided an updated project schedule showing impacts from the tornado damage. WBCI is expecting final report on damages from their insurance carrier very soon.
  - Current work items underway includes: Clean-up from tornado damage; Interior work items for Administration Building, Headworks Building, Secondary Treatment Building, Chemical Storage Building, UV Building, Biosolids Processing Building, Digesters, Biosolids Storage Tanks, Biosolids Pump Station, and Return Pump Station; site work; contractors finished as much as possible by 6/21 due to tornado damage; no contractors were on-site the week of 6/24
  - HRG completed preliminary electrical and controls walkthroughs on 4/23 & 4/24; completed preliminary mechanical walkthrough on 5/2.
  - Progress schedule shows project is behind schedule to meet updated contract completion date; however, delays with Phase 3 completion will result in the inability to complete process startups and place the facility into operation until late 2024 assuming Phase 3 meets its scheduled startup date (see below). HRG developed considerations related to revised Substantial Completion terms and presented to WBCI; HRG has not received a response from WBCI at this time.
  - HRG is awaiting updated pricing for build out of the WWTF well from WBCI and will provide a recommendation to the City for approval to proceed
- Phase 3, Lift Station:
  - Held construction progress meeting with Boomerang on 6/19.
  - Next construction progress meeting is scheduled for 7/24.
  - Work performed this period includes:

- CMU wall installation
- Metal stairs installation in the Pump Room
- Install of roof hollow core planks and topping slab
- Placement of hydropneumatic surge tanks
- Miscellaneous electrical and plumbing piping install
- Wall pour issues update:
  - Major wall pour completed on 10/4. HRG is working with Boomerang for remedy on defective work from wall pour. Boomerang's subconsultant (Terracon) has completed wall scanning effort and provided a summary report regarding voids (visual and subsurface). Additional issues with concrete cover over reinforcement was noted in Terracon report. HRG formally responded with comments on the Terracon report and requested Boomerang to provide formal response regarding plan to remedy and impact to schedule. Boomerang has hired a third-party structural engineer (Shuck-Britson) to assist them with further investigation and development of remedies to the defective work. Boomerang and their third-party structural engineer completed an on-site review/investigation on 2/13. They developed preliminary proposed remedies and submitted to HRG for review on 2/21. HRG review proposed remedies and provided feedback on 3/2. Boomerang submitted updated final proposed remedies on 3/27. HRG reviewed the updated remedies, met with City staff to review and discuss our recommendations on 3/28, and formally responded to Boomerang on 4/4. Decision and response to Boomerang is to allow commencing with proposed remedies with conditions to retain Shuck-Britson to assist with repair and providing a 10-year warranty bond on all repairs. Both conditions would be at no cost to the City. Boomerang's formal response accepting the City's conditions was received on 4/26; however no preliminary schedule to complete repairs accompanied their response. Boomerang has continued working on wall repairs within the screen room and screen room stairwell areas (interior and exterior); most repairs to the lower walls are complete. Boomerang and Shuck-Britson were on-site 2/26 to review wall patches that appeared to be "defective"; Boomerang completed rework of numerous patches under the direction/observation of Shuck-Britson; wall patching work has been completed.
  - HRG is tracking labor effort related to defective wall pour activities separately from other construction administration/observation efforts so there is a record of related engineering costs to withhold/offset from project payment to Boomerang.
- Upper Wall & ground floor slab pour issues update:
  - HRG completed site visit for full observation of upper wall and ground floor slab pour on 9/28/23; HRG issued formal notice of defective work to Boomerang on 9/29/23; Boomerang has been completing wall repairs following the same repair procedures as the lower wall repairs; Boomerang developed and submitted a repair plan for the suspended slab and upper walls on 11/22/23 with additional information submitted on 11/28/23; HRG reviewed the repair plan and return comments/questions to Boomerang on 12/4/23 for further clarification; Boomerang responded to HRG's comments/questions on 12/15; Conference call with HRG, Boomerang, SBI, and City was held on 12/22 to further discuss repair proposal; City gave final direction for approval of repair proposal and HRG issued formal notice to Boomerang on 12/26; Boomerang has scheduled a meeting with City and HRG on Jan. 2<sup>nd</sup> to discuss City's condition of approval to provide a 10-year warranty on repair work; Boomerang and Shuck-Britson were on-site 2/26 to review wall patches that appeared to be "defective"; Boomerang completed rework of numerous patches under the direction/observation of Shuck-Britson; Boomerang has removed and reset all floor hatches in the Service Area to correct per plan elevation. Boomerang has ground the floor slab to the correct

- plan elevation; HRG and City staff noted three minor wall patching issues in the screen room and notified Boomerang to address on 6/19.
    - HRG is tracking labor effort related to defective upper wall & ground floor slab pour activities separately from other construction administration/observation efforts so there is a record of related engineering costs to withhold/offset from project payment to Boomerang.
  - Boomerang's systems integrator subconsultant (Jetco) informed all parties at the 10/18/23 progress meeting about a new significant delay related to delivery of the project's electrical gear (Motor Control Centers). The systems integrator has presented an alternative electrical gear arrangement as a means to mitigate this issue. HRG evaluated this alternative, impacts to the project schedule, and cost impacts and presented this information to City staff in a virtual meeting on 11/16/23; City staff decided to reject the proposed substitution; Boomerang was formally notified of this decision on 11/17/23 and an updated progress schedule was requested; On 12/13 Jetco provided an updated MCC delivery ship date of 6/21/24 from the factory; Boomerang provided an updated construction progress schedule at the 4/24 progress meeting showing MCC delivery on-site at 6/28/24
  - Boomerang was investigating if a temporary bypass pumping arrangement is an option to allow startup of Phase 2 work until Phase 3 is operational. On 10/24/23 HRG, Boomerang, and City staff discussed a temporary bypass pumping arrangement in detail and the general outcome of the discussion was this is not a feasible option due to multiple different factors
  - Based on HRG's observations, the last received progress schedule (6/19/24), and the electrical gear delivery delay, Boomerang appears to be at least 65 weeks behind schedule to meet the current contract substantial completion milestone/date (June 9, 2023) based on a lift station startup date of 9/12/24. The current construction progress schedule shows the project's final completion milestone/date (original: September 30, 2023) as 10/24.
- Phase 4, Force Main and Trunk Sewer:
  - The project was declared Substantially Complete as of 4/12/24.
  - Future construction progress meetings will be schedule on an "as-needed" basis until the project is fully complete.
  - Abandonment of existing 8" gravity sewer is complete less the final ~300' due to potential service line connection conflict which is being investigated. There is apparently an active service line connection from the condo units on the south side of Highway 30 that are preventing this sewer line to be completely removed. The City will need to work with the property owner(s) to relocate their sewer service connection to another part of the collection system as the 8-inch gravity sewer in the Highway 30 right-of-way will ultimately need to be removed completely.
  - Fiber optic cabling installation work commenced the week of 12/4/23 with reinstallation of damaged/destroyed conduit and handholes within the IDOT S14 project work area followed by aerial fiber optic cable installation. Note that end connections cannot be completed until Phases 2 & 3 will allow. The City will need to determine how/if to assess the IDOT for reinstallation of fiber optic conduit and handholes damaged as part of the IDOT S14 project by the IDOT's contractor.

#### **2024 Street Improvements, Division 1, Street Reconstruction – 2303452**

- Construction on Stage 1 has commenced (I Ave from 8<sup>th</sup> Street to 9<sup>th</sup> Street and 9<sup>th</sup> Street from H Ave to I Ave). Pavement has been removed and underground utility installation/replacement is in progress. Underground utility work is nearly complete for Stage 1. Utility work has begun for 9<sup>th</sup> Street from H Avenue to G Avenue. Frequent rainfall has slowed project progress.

**North Well Field Exploration - 2303590**

- Northway (well drilling sub) is drilling test wells to confirm aquifer characteristics and water quality.
- Upon completion of the test wells, HR Green to incorporate test well data and results along with draft documents above and recommended improvements into a final Report.

**19<sup>th</sup> Street Trail – 2402192**

- This project consists of a 10' wide trail along 19<sup>th</sup> Street from South G Ave to Lincoln Highway.
- A preconstruction meeting for the project was held on Monday 7/24/24 and it is anticipated that construction will begin in the middle to late July. More information will be provided once a specific start date is identified.



# NEVADA PUBLIC SAFETY DEPARTMENT

1209 6<sup>th</sup> Street – P.O. Box 530 Nevada, Iowa 50201 Tele: 515-382-4593



*Chris Brandes*  
Public Safety Director  
Chief of Police

**To:** Mayor and City Council  
**From:** Chris Brandes, Public Safety Director/Chief of Police  
**Date:** Monday, July 1, 2024  
**Ref:** Report for City Council Meeting for Monday, July 8, 2024

## Staffing

Madison Dick's last day was June 26<sup>th</sup>. She accepted a position with the Ankeny Police Department.

Matt Celentano has requested to move to a part time officer effective July 12<sup>th</sup>. He has accepted a position with the Department of Inspections, Appeals, and Licensing. Matt has committed to working one shift per month to assist with staffing considerations.

The hiring process continues. Currently, four candidates are still in consideration for the open positions. A new hiring process will begin in early July.

## Activity

The police department has either responded to or self-initiated 430 calls for service in the month of May. Traffic stops remain the highest calls for service with Medical Assists and General Info being the next highest.

We hosted the summer bicycle, sidewalk chalk, and hotdog event on June 15<sup>th</sup> from 10AM to 2PM. It rained from 10AM to 1:30PM that day but we were still able to provide approximately 80 hotdogs, 15 bicycle helmets, and saw multiple bicycles be repaired.

Respectfully submitted,

Chris Brandes  
Public Safety Director  
Chief of Police



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City Clerk  
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July 2, 2024

TO: Mayor - City Council Members  
City Administrator Jordan Cook

FROM: Kerin Wright, City Clerk

The League held a webinar regarding the recent 2024 legislative session. Attached is the Leagues publication on the changes. Some of the minor changes:

- HF2398, which alters the bonds/insurance regulations
- SF2331, changes the language in publication requirements
- SF2096, no gender balance requirements for boards/commissions
- HF2648, created a new temporary Class C special retail license

The biggest change was SF2442, this bill made several different changes to the previous HF718. The Property Tax Notification Statement that was sent out by the county this year will have some language changes to help property owners understand the statement better. Allows for an extension of TIF with approval from other taxing entities. Created an additional tier for the Consolidated General Fund Levy ratcheting mechanism that determines whether we have a cap on our levy rate. It is anticipated that more changes to HF718 will be coming in the 2025 legislative year.

The Nevada Community Historical Society has submitted their annual membership numbers for their matching payment from the City. The payment is on the claims list. This is the last payment of the current contract. A new agreement will be prepared to be presented for consideration in an upcoming meeting.

Working on several grant awards, reimbursement requests, supplemental documents needed for:

- The final disbursement request and Final Reporting for the Field House CAT Grant has been submitted.
- Participated in a conference call with IEDA regarding the MicroEnterprise Grant and the steps going forward and several GAX requests.
- Submitting additional information and invoices for the Upper Story Camelot Grant for reimbursement requirements

Preparing the End of Year (EOY) FY24 Transfers for approval at the next council meeting, July 22<sup>nd</sup>.

Kerin Wright  
City Clerk/Finance Director



# NEW LAWS OF INTEREST TO CITIES 2024 LEGISLATIVE SESSION

The 2024 Legislative Session adjourned *Sine Die* on April 20, which ended the 90th General Assembly. Legislators were eager to hit the campaign trail with several primary contests and open seats across the state.

The themes that marked the 2024 session are familiar from years past: taxes, education reform, enhancing public safety resources, and reduced bureaucracy and scope of state and local government. While we did see a “property tax bill” with the passage of SF 2442, the goal was not to minimize the revenues of local governments but rather to make corrections and to soften the impacts passed from HF 718 in the 2023 session. Please visit the League’s website to gain a more granular understanding of the changes from HF 718 and SF 2442.

In comparison to recent years, 2024 was a relatively uneventful year for city governments in the Capitol. This is not to minimize the preemption bills that did pass, but an acknowledgment that the policies were often limited to the practices of a few cities or contained enough exceptions to the preemption that they were workable or relatively innocuous. Additionally, numerous bills were to the direct and explicit benefit of cities in areas of civil service hiring, publication requirements, and nuisance abatement.

Interestingly, a bill was vetoed by Governor Reynolds which would have been included in this document. HF 2539 dealt with open meetings and records violations, but did not become law due to the Governor’s veto. In her statement, the Governor pointed to the removal of training provisions, included in previous iterations of the bill, and a lack of clarity in a new exception to the definition of meetings as justification for her veto. We will expect to see this topic considered again in 2025.

As we transition from understanding the past to affecting the future, it is critical that we see the legislature and legislation as constantly changing. Turnover and changes in perspective are the only guarantees.

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Please utilize this document as a conversation or relationship starter with your state elected officials and build a dialogue to improve laws that pertain to cities. And remember, the best time to get to know your legislator is not when you need to ask for a favor.

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## Reader's Guide to New Laws Summaries

This Special Report outlines legislation passed during the 2024 legislative session that affects cities and is categorized in subject areas for easier reading. The sample entry below explains what type of information this report contains.

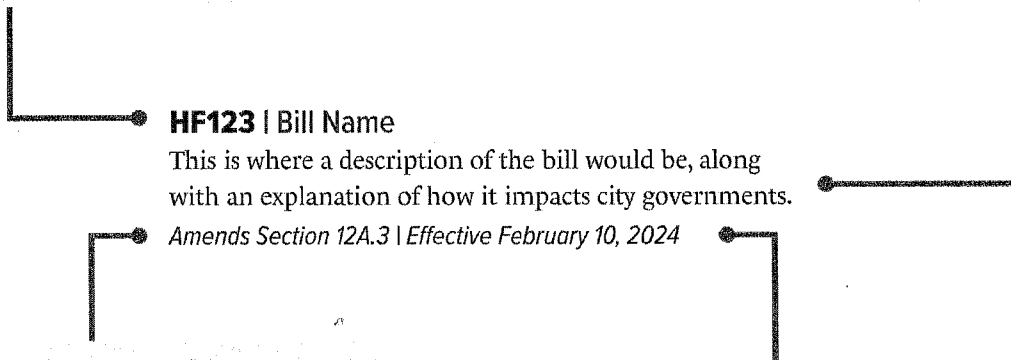
*Note: The report is intended as a reference guide to new laws that may interest your community. This report should not act as a substitute for the actual final enrolled legislation, nor should it substitute for advice from an attorney.*

### Reminder:

The text of each bill is accessible from the General Assembly's website: [www.legis.iowa.gov](http://www.legis.iowa.gov)

Indicates the bill number and the League's title for the bill. HF means the bill originated in the House and SF means the bill originated in the Senate.

The digest provides information on the entire bill or a portion of the legislation that impacts cities. Note that a "Section" reference here refers to sections of the enrolled bill.



Indicates the Section or Chapter in the Code of Iowa that has been amended.

Indicates the effective date.

## Legislation Passed In 2024

### Administration

#### **HF 2398** | Public Official Bonds or Insurance

Allows a public officer, such as a mayor or city clerk, to hold an insurance policy in lieu of a bond as required in *Code of Iowa* Chapter 64. Alters the provisions which regulate the failure to give bond so that suspension from office is first and removal from office can take place after a reasonable timeframe.

*Creates Section 64.3 and amends Section 64.25 | Effective July 1, 2024*

#### **SF 2331** | Publication Requirements

Creates new regulations and requirements on Newspapers of Record in regards to accepting and publishing governmental notices that includes posting online, restrictions on charging local governments for proof of publishing, as well as the ability for cities to publish on their own website in the event a newspaper refuses to publish. Alters language about when a city clerk has to provide a meeting summary following a meeting of the council to a newspaper to be published.

*Amends Section 372.13 and numerous Sections of Chapter 618 | Multiple effective dates*

#### **SF 2205** | Civil Service Hiring

Allows a city council to temporarily suspend the hiring regulations found in *Code of Iowa* Section 400.11 Subsection 1 paragraph "a". Prevents an officer who has been certified in the Iowa Law Enforcement Academy from having to retake the Civil Service Entrance Examination if they have previously passed the examination and have not had a break in employment as a law enforcement officer of more than 180 days.

*Amends Section 400.8 and creates Section 400.12A | Effective July 1, 2024*

#### **SF 2096** | Gender Balance of Appointed Boards

Strikes the requirement that locally appointed boards and commissions make an effort to maintain gender balance.

*Strikes Section 69.16A | Effective July 1, 2024*

#### **HF 2101** | Purchase of Water Utility

Alters the threshold that triggers IUB oversight of the sale of a municipally owned water, sanitary sewer, or storm water utility from \$500k to \$3m. Organizes the requirements the city must fulfill in order to sell these utilities in one section of code.

*Amends Section 476.84 | Effective July 1, 2024*

#### **HF 2186** | Agency Sales of Unused Highways

Changes the requirements of a governmental body in notifying a prior landowner when a highway is vacated under *Code of Iowa* Chapter 306.

*Amends Section 306.23 | Effective July 1, 2024*

#### **HF 2581** | Underground Excavation Locate Notice

For the purpose of underground facility locating requirements within *Code of Iowa* Chapter 480, defines "48-hour period" as well as "Locator". Adds two individuals who are Locators to the board of directors of the notification center. Alters, updates, and changes the notification center responsibilities. Creates new enforcement and oversight provisions of Chapter 480.

*Amends or creates numerous Sections in Chapter 480 | Effective July 1, 2024*

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## Preemption

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### HF 2556 | Firearm Preemption Violations

Creates a new set of court assessed fines that can be levied against a local government in the event that the local government violates the preemption found in *Code of Iowa* Section 724.28: Prohibition of Regulation by Political Subdivisions. The fines cannot be levied unless the political subdivision knowingly participates in violating this section.

*Amends Section 724.28 | Effective January 1, 2025*

### HF 2276 | Zoning of Maternity Homes

Requires local governments to consider maternity homes as residential and prohibits the requirement of special permit or use to be granted for placement in all residentially zoned areas. Does contain an allowance of restrictions based on density of maternity homes.

*Creates Section 414.27 | Effective July 1, 2024*

### HF 2388 | Residential Facade Preemption

Preempts a local government from passing or administering an ordinance that would prohibit or limit the use of a specific cladding or finish materials on facade restrictions that are more stringent than the State Building Code. Does specify that these restrictions can be utilized in historic districts, on buildings that are designated as an historic landmark, in Common Interest Communities, or through local government overlay districts.

*Amends Section 414.1 | Effective July 1, 2024*

### HF 2319 | Guaranteed Income Preemption

Preempts a local government from making payments to an individual under a guaranteed income program, which is defined as regular and periodic cash payments without strings attached but does not preempt payments to individuals for the completion of training or education. Allows programs in existence to remain until January 1, 2025.

*Amends Section 364.3 | Effective May 1, 2024*

### SF 455 | Topsoil and Construction Site Permits

Preempts a city from regulating topsoil requirements at construction sites in a more restrictive manner than found in the National Pollutant Discharge Elimination System (NPDES) General Permit #2. Allows for more stringent restrictions on topsoil requirements so long as the local government pays for the difference in cost of study, engineering, and implementation of the more stringent standards. Allows a local government to request the Department of Natural Resources inspect a construction site for compliance with the NPDES General Permit #2.

*Amends Section 364.3 | Effective July 1, 2024*

### HF 2175 | Iowa Cell Citing Act Repeal Date

Extends the repeal of the Iowa Cell Citing Act from 2025 to 2035.

*Amends Section 8C.9 | Effective July 1, 2024*

### HF 2279 | Franchise Agreements of Merchant Lines

Division 1 requires a city to conduct a hearing to consider specific franchise agreement requests and outlines the justification for denial. Creates a “deemed approved” section in the event a city does not act within a certain timeframe. Applies only to merchant lines, as defined in 478.6A, which have been granted a franchise by the Iowa Utility Board prior to the effective date of the bill. Repeals this preemption on January 1, 2026.

*Amends Section 364.2 | Effective July 1, 2024*

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## Revenues, Permits, Fees

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### **SF 2442 | Property Tax Change Omnibus**

This tax omnibus bill makes many changes that relate to various taxes. Alters thresholds within the Targeted Jobs Withholding Tax Credit. Allows a city that fails to file necessary information regarding property taxes with the Department of Management by the deadline to certify a levy that is not more than the previous year's budget. Changes the date that cities must report budget and levy information related to the Property Tax Notification Statement to the Department of Management from March 15 to March 5. Alters the information contained in the Property Tax Notification Statement which is mailed to each property owner. Allows a city which has a levy rate of \$0 for the prior fiscal year to certify a Budget Year General Fund Levy up to \$8.10. Allows for a limited extension of a Tax Increment Finance division of revenue with the approval of all taxing entities whose revenues would be affected. Creates a new tier of Consolidated General Fund Levy ratcheting which is based on the non-TIF taxable valuation growth that is between 2.75% and 4% growth. Incrementally changes the rollback applied to pipeline and cable property until it is equal to the commercial rollback.

*Amends numerous Sections in Chapters 8, 24, 384, 403, 422, 425, and 441 | Multiple effective dates*

### **SF 574 | MEGA Economic Development Program**

Creates the Major Economic Growth Attraction (MEGA) Program for the purposes of attracting large economic development projects in the fields of advanced manufacturing, biosciences, or research and development to the State of Iowa. Administered within the Iowa Economic Development Authority. Limits the property tax exemption and local incentives to 20 years and cannot include school district taxes.

*Creates numerous Sections in Chapter 15 | Effective May 10, 2024*

### **SF 345 | Tobacco Device Retailer Permit**

Creates a new permit for the sale of "tobacco devices" which requires application to the city and approval by the Department of Revenue for brick and mortar retail. Application for this permit will mimic the tobacco retail permit and be approved by the city using the Department of Revenue's online permit portal. Requires a city to report the suspension or revocation of a permit to the Department of Revenue within 30 days.

*Creates Chapter 453E | Effective January 1, 2025*

### **HF 2648 | New Alcohol Licenses**

Creates a new temporary class C special retail license within *Code of Iowa* Chapter 123. Limits the number of temporary class C licenses that may be granted to an individual in a calendar year. Clarifies that this new license can be held without forgoing or otherwise temporarily transferring a class A native distilled spirits license.

*Amends numerous Sections in Chapter 123 | Effective July, 1 2024*

### **HF 2397 | Emergency Medical Service Transport Reimbursement**

Allows emergency medical transport services to transport a person experiencing a mental health crisis to a mental health access center and directs the Department of Health and Human Services to reimburse for this service at rates similar to transportation to hospital emergency departments.

*Creates Section 147A.19 | Effective July 1, 2024*

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## Public Safety and Pension

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### **HF 2681 | Automated Traffic Enforcement (ATE)**

Creates a regulatory framework for the usage and a requirement that cities must obtain a permit from the Department of Transportation in order to operate an automated traffic enforcement system. Defines this “system” as a camera that works in conjunction with a speed measuring device to issue citations sent through the mail. Bans the use of mobile ATE units for cities below 20k in population. Allows an existing system to make an application to the DOT and continue to operate, but creates a moratorium for any system not placed prior to January 1, 2024. This moratorium lasts until 2026. Restricts the usage of dollars generated from an ATE system to public safety or transportation infrastructure costs.

*Creates Chapter 321P | Multiple effective dates*

### **HF 2680 | MFPRSI Benefits**

Enhances the benefits within the Municipal Fire and Police Retirement System of Iowa, Chapter 411. Strikes the definite time and place language within *Code of Iowa* Chapter 411 and replaces it with “arising out of or in the course of the employment.” Stipulates that a mental incapacity that will be considered compensable under Chapter 411 will have to be demonstrated to be a readily identifiable work event manifesting from a sudden and traumatic experience that is unusual for firefighters or police. Allows for the conversion of ordinary disability to accidental disability. Clarifies that cities shall provide physical and mental medical attention and can utilize group health insurance to do so. Allows vested members to make claims related to employment up to three years after the last date of employment, subject to restrictions.

*Amends numerous Sections of Chapter 400 and 411 | Effective January 1, 2024*

### **HF 2661 | Sheriff Pension, Officer Relocation Grants, Enhanced Penalty for Assaulting an Officer**

Enhances the pension benefits for Sheriff and Sheriff Deputies for retirements that occur after July 1 of 2024. Creates the crime of felonious assault of an officer and prevents bail from being awarded to a defendant who is charged with murdering a police officer. Creates an income tax credit for officers who move to Iowa.

*Amends Sections 97B.49C, 811.1, and creates 422.12P | Multiple effective dates*

### **HF 2531 | Public Safety Nuisance and Adult Cabaret**

Creates a new definition of “nuisance” in *Code of Iowa* Chapter 657 that pertains to the business license of “adult establishments.” Provides local governments additional tools, that mirror *Code of Iowa* Section 123.56, to mitigate threats to public safety that arise from these businesses.

*Creates Section 657.12 | Effective July 1, 2024*

### **SF 2161 | Enhanced Penalty for Filing False Reports**

Enhances penalties for false reporting in an effort to curb the practice of “swatting” or false reporting crimes with the intent of triggering an overwhelming police response.

*Amends Section 718.6 | Effective July 1, 2024*

**HF 2592 | Brady Giglio List**

Creates the right for an officer to petition the courts in regards to the officer's placement on the "Brady-Giglio" list. Grants the court jurisdiction to review evidence and hear arguments in a closed hearing. Sets "preponderance of the evidence" as the burden of proof for *Code of Iowa* Chapter 80F.

*Amends Section 80F.1 and adds Section 80F.3 | Effective July 1, 2024*

**HF 2163 | Public Safety Telecommunicator**

Updates the definition of officer within the Rights of Peace Officers and Public Safety and Emergency Response Personnel (80F) by removing the term Communications Officer and replacing it with Public Safety Telecommunicator.

*Amends Sections 80F.1 and 622.10 | Effective July 1, 2024*

**HF 572 | Remotely Piloted Aircraft Restrictions**

Creates intrusion and surveillance offense for use of a remote piloted aircraft above personal or business property. Specifically carves out local government purposes from this offense.

*Creates Chapter 715D | Effective July 1, 2024*

**HF 2190 | Seized Asset Through Warrant Requirements**

Allows a magistrate to require a peace officer to produce a list of seized assets as part of a search warrant rather than providing the assets themselves.

*Amends Section 808.4 | Effective July 1, 2024*

**HF 2315 | Fingerprinting Procedure by Police**

Alters the requirements on Chiefs of Police for taking fingerprints to include those individuals who were issued a citation in lieu of continued custody and requires this to occur within two days of an initial court appearance.

*Amends Sections 690.2, 692.13, and 692.15 | Effective July 1, 2024*

**HF 2325 | Tobacco Permit Conditions**

Requires a tobacco or nicotine retailer defined in *Code of Iowa* Section 453A.1 or 453A.42, who allows the products to be consumed on the premises, to allow police officers to search the premises without a warrant.

*Creates Section 453A.13A | Effective July 1, 2024*



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## Miscellaneous

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### **SF 2385 | Boards and Commission Omnibus**

Eliminates the Public Employment Relations Board and transfers duties and responsibilities to the Iowa Employment Appeal Board. Requires governmental bodies allow hybrid or electronic participation to official meetings.

*Amends numerous Sections of 8A and 21 | Numerous effective dates*

### **HF 2308 | Federal Emergency Proclamations**

Expands which emergency declarations made by the President of the United States allow local and state governments to draw down contingency fund grants in order meet the needs not provided by other means.

*Amends Sections 29C.6 and 29C.20 | Effective July 1*

### **SF 2095 | Religious Freedom Restoration Act**

Creates the Religious Freedom Restoration Act (RFRA). Specifically, RFRA states that a compelling governmental interest of the highest order, an action that is unable to be achieved in less burdensome means, must exist in order to infringe on an individual's free exercise of religion.

*Amends Sections 364 and creates Chapter 675 | Effective April 2, 2024*



# NEVADA PUBLIC SAFETY DEPARTMENT

1209 6<sup>th</sup> Street – P.O. Box 530 Nevada, Iowa 50201 Tele: 515-382-4593



*Chris Brandes*  
Public Safety Director  
Chief of Police

TO: Chris Brandes, Public Safety Director  
FROM: Ray Reynolds, Director of Fire and EMS  
DATE: July 1, 2024  
REF: Activity report for Trustees, City Council and Honorable Mayor.

Calls to date in 2024:	371
Calls to date same time last year (2023):	412
Fires for June 2024:	2
EMS for June 2024:	36
Good intent for June 2024:	16
Weather events for June 2024:	1
Community events for June 2024:	7
Current roster number of members:	46
Narcan used this month:	0

### Membership:

Madison Dicks left both the police department and fire department to accept another job with the City of Ankeny. She is moving out of the area.

### Fleet management

As the new UHP command truck is brought into the fleet we will be selling 864 the medical vehicle. This vehicle was purchased by the association and given to the city. We will return the older attack truck 710 and tanker 510 to the townships. This will reduce our fleet to current operational needs once the new engine arrives. These are the remaining rural vehicles purchased by the four townships a few decades ago. The township has agreed to allow old engine 310 to be used in the industrial corridor as Lincolnway Energy, Key Coop, Mid-states Materials, and Verbio combined efforts to purchase the vehicle for use in that area. We will provide the engine and title to them once the new engine arrives. The county has adopted a policy of paging three departments for all structure fires. This policy has helped to get more apparatus on scene thereby eliminating the need for so many vehicles in our fleet. Also, because the new engine will carry 1,500 gallons of water on the initial fire attack, the need for multiple tankers is not required.



Tanker 510 (2,000 gallon) w/pump



Medical truck 864

## Training Burn

On Sunday June 30, 2024, nine fire departments participated in live fire training on a home sold for area redevelopment. Fire departments practiced techniques to enter the burning structure to perform second floor rescue. The drills also focused on transitional and direct fire attacks. Because many departments surrounding Nevada (except Ames) have minimal volunteer staffing, lessons learned taught tactics to do the most with the least resources. Transitional fire attack involves targeted water application on a fire from the outside and rapid progressing into the building. The day ended with a fire behavior demonstration and eventually with the house being burned to the ground. We conducted over 20 evolutions for departments.





### **Executive Fire Officer (EFO)**

The National Fire Academy accepts 40 applications for EFO for the first class of the year out of 500 people who apply. Executive Fire Officer is the premier certification for any fire officer. It is similar to attending the FBI Academy for law enforcement executives. I was selected to attend EFO and my 2-week on-campus time will be August 18-30. Deputy Chief Chris Melton will have command of the department while I attend the National Fire Academy. This is a two-year program that requires many research papers, advanced leadership development courses, and a drafting a major fire research project regarding a topic currently impacting our community. This has been a fire service goal of mine for some time.

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The Nevada Street Dept has been working on the following

- ❖ Street sweeping
- ❖ Vehicle maintenance
- ❖ Locates
- ❖ Patching holes
- ❖ Assisted other Dept as needed
- ❖ Street projects are moving along
- ❖ Graded gravel roads
- ❖ Will be painting starting after the 4<sup>th</sup>
- ❖ Starting on storm intake repairs
- ❖ Had the salt pile treated with chloride for winter
- ❖ Scott Walkner will be starting with our department 7/8
- ❖ Mowing ditches and guard rails



July - 2024

To: Mayor, Brett Barker  
Nevada City Council  
City Administrator, Jordan Cook

From: Tim Hansen, Director of Parks and Recreation

Re: Monthly Information Report

- Field House Project:
  - Still working with the contractor on the turf seams.
  - Replacement of the south wall panels that were damaged during construction are scheduled to be replaced the week of July 22<sup>nd</sup> -26<sup>th</sup>. A couple of windows that have been leaking will also be removed and reset at that time as well.
- SRF Sponsored Project: Easements needed for project areas along West Indian Creek are complete and there is a resolution on the agenda accepting them.
- Harrington Park project is scheduled to begin mid-July.
- 19<sup>th</sup> Street trail project is scheduled to begin mid- July.
- Grant application for funding a trail connection from 6<sup>th</sup> Street to 8<sup>th</sup> Street has been submitted to the County. Awards won't be announced until late fall.
- Staff put up two (2) memorial benches. One at Kiwanis and one at the south end of 5<sup>th</sup> Street by the pedestrian bridge.
- New bridge planks are ordered. Staff will begin replacing damaged/worn bridge planks on two (2) of our pedestrian bridges over Indian Creek later this month.
- The 2<sup>nd</sup> of 4 sessions of swimming lessons is complete.
- Planning fall programming and activities as well as continuing summer programs at the Field House.
- New columbarium at the cemetery should be coming this month.
- Hattery bathrooms have been locked due to vandalism. We have had to do repairs on them multiple times this year. Currently, we are opening them for park reservations only.
- Staff, City Council, Safety, and Nevada Foundation meetings.

If you have any questions, please feel free to contact me at 382-4352 (Office), 291-0747 (Cell), or by email at [thansen@cityofnevadaaiowa.org](mailto:thansen@cityofnevadaaiowa.org).

July 8th / 2024

## Water Pollution Control Council Report

- Regular operation, monitoring & maintenance of the wastewater treatment plant, lift station, and remote flow basin.
- Sludge pump valve maintenance, Digester building
- Ordered parts for bar screen brake

July 8th, 2024 Council Meeting

To: Mayor, City Council and Administrator

From: Shawn Ludwig, Water Superintendent

## Water Department Council Report

- Busy with Plant maintenance
- Reading meters.
- Doing locates
- Work with contractor on project around the Elementary.
- Scott Walkner has transferred to the St. Department.



For: July 8, 2024 Council Meeting

To: Mayor  
Nevada City Council  
City Administrator

From: Erin Coughlin, Library Director

**Nevada Public Library  
Council Report**

- Summer at the library is off to a great start! In June, we had over 5,100 people come through our doors. That's over 1500 more than our monthly average for FY 2023-24. We've had over 1400 people at our June programs, and last year the entire summer's total was 1700. More than 350 kids are signed up for the reading program so far this year.
- I'm working on year-end stats and will include in a future report to the council.
- We have the American Red Cross hosting a blood drive in the library meeting room on July 11<sup>th</sup> at 11:30 AM, and we may host these regularly if we can reach a partnership agreement with the Red Cross.
- We are working with the 10 other Story County Libraries to have a booth at the Story County Fair on July 18<sup>th</sup> and 19<sup>th</sup> from 10 AM – 4 PM.
- American Library Association President Emily Drabinski featured the Nevada Public Library in her opening speech at the annual ALA conference in June. Sam Helmick, outgoing Iowa Library Association president, reported on this on Facebook. (See photo below).



Sam Helmick

3 days ago · 🌐

...

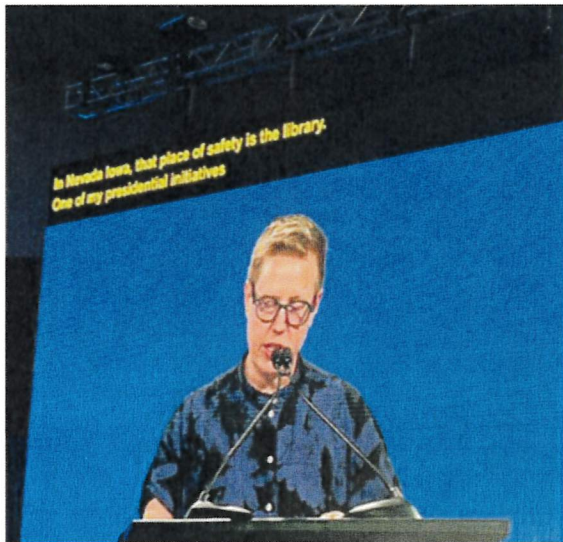
Thank you, [Emily Drabinski](#), for celebrating and uplifting the hard work and transformative impact of [#Iowa](#) libraries in your opening remarks at [#ALAAC24](#).

It has been an honor to be part of your [American Library Association](#) Presidential journey as [Iowa Library Association](#) President (and on ALA Executive Board) as well as to share and learn amazing stories of our profession! ❤️

The grant which provided a lift chair into the [Nevada Public Library](#) basement/community shelter was the story she shared.

<https://www.ala.org/.../ala-announces-240-recipients...>

[#LibrariesTransform](#) [#Iowa](#) [#ALAAC24](#)



View the full list of grant recipients. Below is a selection of funded proposals:

- When a derecho storm hit Nevada, Iowa in 2020, the library's basement was used as a city-wide storm shelter. As community members waited out the storm, those with mobility issues had trouble safely navigating the stairs to the library basement. **Nevada (Iowa) Public Library** plans to get input from community members and use grant funding to install a chair lift to the basement staircase so everyone can be safe from severe weather events.

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LIBRARY BOARD OF TRUSTEES MONDAY, JUNE 17, 2024, 5:00 P.M.

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Chairperson Allison Severson presided and convened the regular meeting of Nevada Library Board of Trustees on Monday, June 17, 2024 at 5:00 p.m. at the Nevada Public Library, 631 K Avenue, Nevada, Iowa. The agenda was posted on the official bulletin board in compliance with the open-meeting law.

The roll was called indicating that the following named Trustees were present and absent. Present: Emily Fulton, Priscilla Gammon, Tim McLaughlin, Theresa Presley, Allison Severson, and James Woodard. Absent: Lynn Lathrop.

Others in attendance were Library Director Erin Coughlin, and Donna Mosinski.

Motion by Board Member Tim McLaughlin, seconded by Board Member Theresa Presley, to approve the agenda as posted. The roll being called, the following named members voted. Ayes:

McLaughlin, Presley, Severson, Woodard, Fulton, and Gammon. Nays: None. Chairperson Allison Severson declared the motion carried.

There was no one present who wished to address the Board at this time.

Motion by Board Member James Woodard, seconded by Board Member Tim McLaughlin, to approve the following ***consent agenda*** items as submitted:

- (1) Approve **minutes** of the May 20, 2024 regular meeting
- (2) Approve June 2024 **claims** totaling \$15,488.37 (see attached list)
- (3) Accept and place on file the Director's **memo** dated June 14, 2024
- (4) Accept and place on file May 2024 financial report

The roll being called, the following named board members voted. Ayes: Woodard, McLaughlin, Presley, Severson, Fulton, and Gammon. Nays: None. Chairperson Allison Severson declared the motion carried.

Motion by Board Member Tim McLaughlin, seconded by Board Member Emily Fulton, to increase the Student Intern Clerk wages by \$0.25 per hour on July 1, 2024 for those clerks that have been employed longer than 90 days at the library. The roll being called, the following named members voted. Ayes: McLaughlin, Fulton, Gammon, Presley, and Woodard. Nays: Severson. Chairperson Allison Severson declared the motion carried.

Motion by Board Member James Woodard, seconded by Board Member Tim McLaughlin, to elect Allison Severson as Chair, Theresa Presley as Vice-Chair, and Priscilla Gammon as Secretary. The roll being called, the following named members voted. Ayes: Woodard, McLaughlin, Presley, Severson, Fulton, and Gamon. Nays: None. Chairperson Allison Severson declared the motion carried.

The Committee Appointments are as follows:

Technology: Tim McLaughlin, Jim Woodard, and Priscilla Gammon

Gift: Jim Woodard, Priscilla Gammon, and Emily Fulton

Strategic Plan: Lynn Lathrop, Allison Severson, and Theresa Presley

Budget: Tim McLaughlin, Allison Severson, and Lynn Lathrop

Erin discussed the draft of the Strategic Plan. She has reviewed it with the State Library and made some changes. She will bring it back to the board to look at again in July and then for final approval in August.

Library Director Erin Coughlin reported on:

- There have been between 330 and 350 kids sign up for the Sumer Learning Challenge.
- Erin has applied for an Arts Midwest GIG Fund Grant to start a Midwest Artist series.
- There will be an Eagle Scout project going on in Patton Park later on in the year.

For Continuing Education, Erin reviewed Chapters 3 and 10 in the Iowa Library Trustee's Handbook. They discussed those chapters for 12 minutes.

James Woodard left at 5:51 p.m.

Motion by Board Member Tim McLaughlin, seconded by Board Member Theresa Presley, to approve a 5% increase in wage for Library Director Erin Coughlin beginning July 1, 2024. The roll being called, the following named members voted. Ayes: McLaughlin, Presley, Severson, Fulton, and Gammon. Nays: None. Chairperson Allison Severson declared the motion carried.

The next meeting will be held at 5:00 p.m. Monday, July 15, 2024.

There being no further business to come before the Board, it was moved by Board Member Tim McLaughlin, seconded by Board Member Emily Fulton, to ***adjourn the meeting***. The roll being called, the following board members voted. Ayes: McLaughlin, Fulton, Gammon, Presley, Severson. Nays: None. Chairperson Allison Severson declared the motion carried. At 6:08 p.m. she adjourned the meeting.

ATTEST:

\_\_\_\_\_  
Priscilla Gammon, Secretary

\_\_\_\_\_  
Allison Severson, Chairperson

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ATTORNEY AND COUNSELOR AT LAW



Marsha Hegland  
Angelo Stefani