



## **CITY OF INDIANOLA COUNCIL MEETING**

January 3, 2022

6:00 PM

City Council Chambers

Agenda

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Roll Call**
- 4. Public Comment**
  - A. Public Comment Form
- 5. Consent Agenda:**
  - A. Approval of Agenda
  - B. Approval of Claims
  - C. Approval of Minutes of the prior council meetings
- 6. Council Reports**
  - A. Presentation on HIRTA from Brooke Ramsey
- 7. Mayor's Report**
  - A. Community Update
- 8. Public Consideration**
  - A. Old Business
    1. Approval of Applications
      - a. Approval of Payment Application Number 9 from Langman Construction for the Influent Trunk Sewer and Outfall Sewer Project in the amount of \$327,624.64.
    2. Second consideration of an Ordinance amending the City Code of the City of Indianola, Iowa to amend noise regulations section 48.06.
    3. Second consideration of an Ordinance amending the City Code of the City of Indianola, Iowa to amend Peddlers, Solicitors and Transient Merchants Section 122.
    4. Resolution accepting the completion of the 2019 Drainage Improvements Project by TK Concrete and authorizing final payment in the amount of \$7,000.

5. 1010 North Jefferson Way Storm Sewer Easement
  - a. Public Hearing on a vacation of a 20' and a 42' storm sewer easement at 1010 North Jefferson Way.
  - b. First consideration of an Ordinance approving the vacation of a 20' and 42' storm sewer easement at 1010 North Jefferson Way

**B. New Business**

1. Setting dates for future public hearings
  - a. Resolution setting FY2022 Budget Amendment Public Hearing for February 7, 2022.
2. Boards and Commissions
  - a. Council Member appointments to council committees.
  - b. Receive and file the listing of Boards and Commissions Members.
  - c. Resolution appointing the City of Indianola representation to the Des Moines Metropolitan Planning Organization and Central Iowa Regional Transportation Planning Alliance.
3. Resolution approving membership to the Mid-Iowa Planning Alliance for Community Development (MIPA).
4. Resolution approving salaries.
5. Resolution referring a rezoning application for 2110 Country Club Road to the Planning and Zoning Commission.
6. Resolution referring a rezoning application for 60 acres of land southwest of the intersection of East Hillcrest Avenue and 143rd Avenue to the Planning and Zoning Commission.
7. Resolution approving an extension amendment to the interim operating agreement between the City of Indianola and Bird Rides, Inc.
8. Resolution approving the Hold Harmless Agreement between the City of Indianola, Iowa and the Warren County Conservation Board regarding property located at 15875 118th Avenue, Indianola, Iowa.

**9. Other Business**

- A. Discussion and Direction on City Manager Job Description
- B. Interim City Manager's Report – Charlie Dissell

**10. Adjourn**



## MEMORANDUM

**To:** Mayor and City Council  
**From:** Jackie Raffety, City Clerk/Asst. Finance Director  
**Date:** January 3, 2022  
**Subject:** Public Comment Form

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### **Introduction:**

### **Background:**

**Discussion:** • A maximum of twenty (20) minutes will be set aside for members of the public to address the Council on any item not on the agenda and on any subject over which the Council has the authority to act.

- Presentations will be limited to three (3) minutes to a maximum of (5) minutes.
- Preference will be given to individuals who did not speak at the previous council meeting's Open Forum.
- Individuals may not speak more than once during Open Forum.
- All speakers must address the entire Council and will not be permitted to engage in dialogue.
- Any individual addressing the Council will be asked by the presiding officer to clearly state his/her name and address prior to speaking before the Council or minimally during or after his/her presentation to the Council so that his/her name may be accurately recorded in the minutes of the meeting.
- Once completed, the public comment form becomes a public document.

<http://www.indianolaiowa.gov/FormCenter/City-Hall-9/Public-Comment-76>

*(Indianola City Council Rules of Procedure)*

### **Budget Impact:**

### **Recommendation:**

**Attachments:** 1. Public Comment In-person and electronic form



## CITY OF INDIANOLA PUBLIC COMMENT FORM

If you would like to address the Council during Open Forum (aka Public Comment) or during a Public Hearing, please complete and return this form to the Deputy City Clerk.

*Electronic submissions will be distributed to the Mayor and Council. Citizens attending the meeting will be called to the podium to speak.*

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Please complete the following information:

Your Name: \_\_\_\_\_

Your Address: \_\_\_\_\_

Organization (if applicable): \_\_\_\_\_

City Council Meeting Date: \_\_\_\_\_

Agenda Item or topic if not on the agenda: \_\_\_\_\_

Comment: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

### **Open Forum**

- A maximum of twenty (20) minutes will be set aside for members of the public to address the Council on any item not on the agenda and on any subject over which the Council has the authority to act.
- Presentations will be limited to three (3) minutes to a maximum of (5) minutes.
- Preference will be given to individuals who did not speak at the previous council meeting's Open Forum.
- Individuals may not speak more than once during Open Forum.
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- Once completed, this card becomes a public document.

*(Indianola City Council Rules of Procedure)*



## MEMORANDUM

**To:** Mayor and City Council

**From:**

**Date:** January 3, 2022

**Subject:** Approval of Claims

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**Recommendation:** Roll call is in order.

**Attachments:** 1. Vendor Report - City 01032022

| Vendor Name                                  | Description                         | Invoice Date | Net Invoice Amount | FUND            |
|----------------------------------------------|-------------------------------------|--------------|--------------------|-----------------|
| <b>A 6FT GEEK LLC</b>                        |                                     |              |                    |                 |
| A 6FT GEEK LLC                               | ROLLS OF PAPER TOWELS               | 12/08/2021   | 108.00             | FIRE FUND       |
| A 6FT GEEK LLC                               | JANITORIAL                          | 12/20/2021   | 4,100.00           | GENERAL FUND    |
| A 6FT GEEK LLC                               | ACTIVITY CENTER CLEANING - DEC 2021 | 12/20/2021   | 1,525.00           | PARK & RECREATI |
| Total A 6FT GEEK LLC:                        |                                     |              | 5,733.00           |                 |
| <b>AGRILAND FS INC</b>                       |                                     |              |                    |                 |
| AGRILAND FS INC                              | TORDON                              | 12/13/2021   | 40.93              | PARK & RECREATI |
| Total AGRILAND FS INC:                       |                                     |              | 40.93              |                 |
| <b>AHLERS &amp; COONEY P.C.</b>              |                                     |              |                    |                 |
| AHLERS & COONEY P.C.                         | CEMEN TECH DA LEGAL                 | 12/27/2021   | 615.00             | GENERAL FUND    |
| AHLERS & COONEY P.C.                         | DEYARMAN PROP DA                    | 12/27/2021   | 666.00             | GENERAL FUND    |
| AHLERS & COONEY P.C.                         | TS INVESTMENTS DA                   | 12/27/2021   | 905.00             | GENERAL FUND    |
| Total AHLERS & COONEY P.C.:                  |                                     |              | 2,186.00           |                 |
| <b>AIR-CON MECHANICAL CORP.</b>              |                                     |              |                    |                 |
| AIR-CON MECHANICAL CORP.                     | ACTIVITY CENTER MAINTENANCE CONTRA  | 12/28/2021   | 417.75             | PARK & RECREATI |
| AIR-CON MECHANICAL CORP.                     | AIR-CON QUARTERLY AGREEMENT         | 12/16/2021   | 1,252.75           | GENERAL FUND    |
| Total AIR-CON MECHANICAL CORP.:              |                                     |              | 1,670.50           |                 |
| <b>ALLENDER BUTZKE ENG INC</b>               |                                     |              |                    |                 |
| ALLENDER BUTZKE ENG INC                      | HERITAGE HILLS 11 DENSITY TESTING   | 12/13/2021   | 1,691.50           | STREET CAPITAL  |
| ALLENDER BUTZKE ENG INC                      | GEOTECH SERVICES HERITAGE HILL 11   | 12/28/2021   | 599.30             | STREET CAPITAL  |
| Total ALLENDER BUTZKE ENG INC:               |                                     |              | 2,290.80           |                 |
| <b>ALLSUP, PAT</b>                           |                                     |              |                    |                 |
| ALLSUP, PAT                                  | ALLSUP-CELL, DEC 2021               | 12/20/2021   | 50.00              | POLICE FUND     |
| Total ALLSUP, PAT:                           |                                     |              | 50.00              |                 |
| <b>AMAZON CAPITAL SERVICES</b>               |                                     |              |                    |                 |
| AMAZON CAPITAL SERVICES                      | DESK AND WALL CALENDARS             | 12/15/2021   | 83.48              | PARK & RECREATI |
| AMAZON CAPITAL SERVICES                      | PPE 4 LAYER MASK COVID-19           | 12/28/2021   | 697.94             | AMBULANCE FUN   |
| AMAZON CAPITAL SERVICES                      | SEEDS AND PLANTING SUPPLIES         | 12/20/2021   | 87.97              | PARK & RECREATI |
| AMAZON CAPITAL SERVICES                      | OFFICE SUPPLIES                     | 11/14/2021   | 50.39              | GENERAL FUND    |
| Total AMAZON CAPITAL SERVICES:               |                                     |              | 919.78             |                 |
| <b>AMERICAN SOCIETY OF COMPOSERS</b>         |                                     |              |                    |                 |
| AMERICAN SOCIETY OF COMP                     | LICENSE AGREEMENT                   | 12/27/2021   | 390.00             | GENERAL FUND    |
| Total AMERICAN SOCIETY OF COMPOSERS:         |                                     |              | 390.00             |                 |
| <b>AVESIS THIRD PARTY ADMINISTRATORS INC</b> |                                     |              |                    |                 |
| AVESIS THIRD PARTY ADMINIS                   | VISION - SEWER                      | 12/27/2021   | 42.90              | SEWER FUND      |
| AVESIS THIRD PARTY ADMINIS                   | EE LIABILITY                        | 12/27/2021   | 314.06             | GENERAL FUND    |
| AVESIS THIRD PARTY ADMINIS                   | VISION - FIRE                       | 12/27/2021   | 12.89              | FIRE FUND       |
| AVESIS THIRD PARTY ADMINIS                   | VISION - EMS                        | 12/27/2021   | 73.04              | AMBULANCE FUN   |
| AVESIS THIRD PARTY ADMINIS                   | VISION - P&R                        | 12/27/2021   | 30.87              | PARK & RECREATI |
| AVESIS THIRD PARTY ADMINIS                   | VISION - PARKS                      | 12/27/2021   | 21.45              | PARK & RECREATI |
| AVESIS THIRD PARTY ADMINIS                   | VISION - LIBRARY                    | 12/27/2021   | 36.00              | LIBRARY FUND    |
| AVESIS THIRD PARTY ADMINIS                   | VISION - HR                         | 12/27/2021   | 10.43              | GENERAL FUND    |

| Vendor Name                                  | Description                    | Invoice Date | Net Invoice Amount | FUND              |
|----------------------------------------------|--------------------------------|--------------|--------------------|-------------------|
| AVESIS THIRD PARTY ADMINIS                   | VISION - IT                    | 12/27/2021   | 10.43              | GENERAL FUND      |
| AVESIS THIRD PARTY ADMINIS                   | VISION - FINANCE/CLERK         | 12/27/2021   | 30.28              | GENERAL FUND      |
| AVESIS THIRD PARTY ADMINIS                   | VISION - COMM DEV              | 12/27/2021   | 19.85              | GENERAL FUND      |
| AVESIS THIRD PARTY ADMINIS                   | VISION - STREETS               | 12/27/2021   | 49.21              | ROAD USE TAX FU   |
| AVESIS THIRD PARTY ADMINIS                   | VISION - POLICE                | 12/27/2021   | 162.77             | POLICE FUND       |
| Total AVESIS THIRD PARTY ADMINISTRATORS INC: |                                |              | 814.18             |                   |
| <b>BERNIE LOWE &amp; ASSOCIATES INC</b>      |                                |              |                    |                   |
| BERNIE LOWE & ASSOCIATES I                   | 411 MED CLAIM                  | 12/27/2021   | 255.91             | POLICE FUND       |
| Total BERNIE LOWE & ASSOCIATES INC:          |                                |              | 255.91             |                   |
| <b>BERTSCH, CHRISTINE</b>                    |                                |              |                    |                   |
| BERTSCH, CHRISTINE                           | ACTIVITY CENTER DEPOSIT RETURN | 12/14/2021   | 550.00             | PARK & RECREATI   |
| Total BERTSCH, CHRISTINE:                    |                                |              | 550.00             |                   |
| <b>BOB'S CUSTOM TROPHIES</b>                 |                                |              |                    |                   |
| BOB'S CUSTOM TROPHIES                        | NAME PLATES                    | 12/17/2021   | 17.00              | POLICE FUND       |
| Total BOB'S CUSTOM TROPHIES:                 |                                |              | 17.00              |                   |
| <b>BRICK GENTRY P.C.</b>                     |                                |              |                    |                   |
| BRICK GENTRY P.C.                            | CODE ENFORCEMENT LEGAL FEES    | 12/25/2021   | 720.00             | GENERAL FUND      |
| BRICK GENTRY P.C.                            | COM DEV LEGAL FEES             | 12/25/2021   | 45.00              | GENERAL FUND      |
| BRICK GENTRY P.C.                            | BRICK GENTRY LAW WCCB LODGE    | 12/26/2021   | 15.00              | FIRE FUND         |
| BRICK GENTRY P.C.                            | GENERAL LEGAL SERVICES         | 12/26/2021   | 5,850.00           | GENERAL FUND      |
| BRICK GENTRY P.C.                            | LEGAL SERVICE FEES             | 12/25/2021   | 645.00             | GENERAL FUND      |
| BRICK GENTRY P.C.                            | KADING ISSUE LEGAL             | 12/26/2021   | 195.00             | CITY LIAB INS RES |
| BRICK GENTRY P.C.                            | PROSECUTIONS                   | 12/25/2021   | 690.00             | GENERAL FUND      |
| BRICK GENTRY P.C.                            | PD UNION CONTRACT NEGOTIATIONS | 12/25/2021   | 60.00              | POLICE FUND       |
| BRICK GENTRY P.C.                            | LEGAL SERVICE FEES             | 12/25/2021   | 1,185.00           | SEWER FUND        |
| Total BRICK GENTRY P.C.:                     |                                |              | 9,405.00           |                   |
| <b>BSN SPORTS</b>                            |                                |              |                    |                   |
| BSN SPORTS                                   | FLAG FOOTBALL LEAGUE EQUIPMENT | 12/08/2021   | 888.19             | PARK & RECREATI   |
| Total BSN SPORTS:                            |                                |              | 888.19             |                   |
| <b>BUSSANMAS, ASHLEY</b>                     |                                |              |                    |                   |
| BUSSANMAS, ASHLEY                            | ACTIVITY CENTER DEPOSIT REFUND | 12/22/2021   | 300.00             | PARK & RECREATI   |
| Total BUSSANMAS, ASHLEY:                     |                                |              | 300.00             |                   |
| <b>BUTCHER, MARK</b>                         |                                |              |                    |                   |
| BUTCHER, MARK                                | EMT TESTING M BUTCHER          | 12/27/2021   | 198.00             | AMBULANCE FUN     |
| Total BUTCHER, MARK:                         |                                |              | 198.00             |                   |
| <b>CELLULAR ADVANTAGE INC</b>                |                                |              |                    |                   |
| CELLULAR ADVANTAGE INC                       | UPGRADE 2 PHONES AND CASE      | 12/15/2021   | 487.47             | SEWER FUND        |
| Total CELLULAR ADVANTAGE INC:                |                                |              | 487.47             |                   |
| <b>CENTRAL IOWA FASTENERS</b>                |                                |              |                    |                   |
| CENTRAL IOWA FASTENERS                       | CAN LINERS                     | 12/16/2021   | 61.99              | PARK & RECREATI   |

| Vendor Name                             | Description                      | Invoice Date | Net Invoice Amount | FUND            |
|-----------------------------------------|----------------------------------|--------------|--------------------|-----------------|
| CENTRAL IOWA FASTENERS                  | ROLL TOWELS                      | 12/16/2021   | 72.41              | PARK & RECREATI |
| Total CENTRAL IOWA FASTENERS:           |                                  |              | 134.40             |                 |
| <b>CINTAS CORPORATION</b>               |                                  |              |                    |                 |
| CINTAS CORPORATION                      | FIRST AID SUPPLIES               | 12/16/2021   | 2.99               | PARK & RECREATI |
| CINTAS CORPORATION                      | WRRD FIRST AID SUPPLIES          | 12/28/2021   | 40.63              | SEWER FUND      |
| Total CINTAS CORPORATION:               |                                  |              | 43.62              |                 |
| <b>CNM OUTDOOR EQUIPMENT</b>            |                                  |              |                    |                 |
| CNM OUTDOOR EQUIPMENT                   | CHAIN SAW, CHAINS, OIL           | 12/27/2021   | 467.62             | ROAD USE TAX FU |
| CNM OUTDOOR EQUIPMENT                   | REPAIRS ON 025 CHAINSAW, BAR OIL | 12/15/2021   | 68.13              | PARK & RECREATI |
| Total CNM OUTDOOR EQUIPMENT:            |                                  |              | 535.75             |                 |
| <b>CONFLUENCE INC.</b>                  |                                  |              |                    |                 |
| CONFLUENCE INC.                         | INDIANOLA CODE UPDATES PHASE 2   | 12/28/2021   | 650.95             | GENERAL FUND    |
| Total CONFLUENCE INC.:                  |                                  |              | 650.95             |                 |
| <b>CONTECH ENGINEERED SOLUTIONS LLC</b> |                                  |              |                    |                 |
| CONTECH ENGINEERED SOLU                 | MCCORD PARK CULVERT REPAIR       | 12/28/2021   | 695.80             | PARK & RECREATI |
| Total CONTECH ENGINEERED SOLUTIONS LLC: |                                  |              | 695.80             |                 |
| <b>CONVERGINT TECHNOLOGIES LLC</b>      |                                  |              |                    |                 |
| CONVERGINT TECHNOLOGIES                 | HID PROX CARDS                   | 12/09/2021   | 748.00             | GENERAL FUND    |
| Total CONVERGINT TECHNOLOGIES LLC:      |                                  |              | 748.00             |                 |
| <b>CRAIG'S AUTOMOTIVE</b>               |                                  |              |                    |                 |
| CRAIG'S AUTOMOTIVE                      | VEHICLE REPAIR                   | 12/08/2021   | 780.00             | POLICE FUND     |
| CRAIG'S AUTOMOTIVE                      | VEHICLE REPAIR-CAR 171           | 12/05/2021   | 1,034.90           | POLICE FUND     |
| CRAIG'S AUTOMOTIVE                      | SERVICE VEHICLES                 | 11/23/2021   | 341.00             | POLICE FUND     |
| Total CRAIG'S AUTOMOTIVE:               |                                  |              | 2,155.90           |                 |
| <b>CROSS, CHUCK</b>                     |                                  |              |                    |                 |
| CROSS, CHUCK                            | WELLNESS PROGRAM CCROSS          | 12/28/2021   | 25.00              | FIRE FUND       |
| Total CROSS, CHUCK:                     |                                  |              | 25.00              |                 |
| <b>DES MOINES REGISTER MEDIA</b>        |                                  |              |                    |                 |
| DES MOINES REGISTER MEDIA               | NUISANCE ABATEMENT               | 11/30/2021   | 81.83              | GENERAL FUND    |
| DES MOINES REGISTER MEDIA               | ORD 1681                         | 11/30/2021   | 40.03              | GENERAL FUND    |
| DES MOINES REGISTER MEDIA               | ORD 1680                         | 11/30/2021   | 359.60             | GENERAL FUND    |
| DES MOINES REGISTER MEDIA               | PH NOTICE - PHILLIPS FLOORS D.A. | 11/30/2021   | 60.94              | GENERAL FUND    |
| DES MOINES REGISTER MEDIA               | ORD 1678                         | 11/30/2021   | 48.61              | GENERAL FUND    |
| DES MOINES REGISTER MEDIA               | ORD 1676                         | 11/30/2021   | 35.20              | GENERAL FUND    |
| DES MOINES REGISTER MEDIA               | ORD 1675                         | 11/30/2021   | 84.53              | GENERAL FUND    |
| DES MOINES REGISTER MEDIA               | PH NOTICE - 1909 S K REZONE      | 11/30/2021   | 21.98              | GENERAL FUND    |
| DES MOINES REGISTER MEDIA               | PH NOTICE - AMEND 6              | 11/30/2021   | 536.20             | GENERAL FUND    |
| DES MOINES REGISTER MEDIA               | ORD 1677                         | 11/30/2021   | 99.01              | GENERAL FUND    |
| DES MOINES REGISTER MEDIA               | PH NOTICE - CEMEN TECH DA        | 11/30/2021   | 67.37              | GENERAL FUND    |
| DES MOINES REGISTER MEDIA               | ORD 1679                         | 11/30/2021   | 33.06              | GENERAL FUND    |
| DES MOINES REGISTER MEDIA               | 11152021 CC MINUTES              | 11/30/2021   | 430.92             | GENERAL FUND    |
| DES MOINES REGISTER MEDIA               | PH NOTICE - WARDS PRECINCTS      | 11/30/2021   | 28.77              | GENERAL FUND    |

| Vendor Name                            | Description               | Invoice Date | Net Invoice Amount | FUND            |
|----------------------------------------|---------------------------|--------------|--------------------|-----------------|
| DES MOINES REGISTER MEDIA              | 11012021 CC MINUTES       | 11/30/2021   | 357.99             | GENERAL FUND    |
| DES MOINES REGISTER MEDIA              | 11082021 CC MINUTES       | 11/30/2021   | 42.71              | GENERAL FUND    |
| DES MOINES REGISTER MEDIA              | ORD 1674                  | 11/30/2021   | 33.59              | GENERAL FUND    |
| DES MOINES REGISTER MEDIA              | ORD 1673                  | 11/30/2021   | 50.75              | GENERAL FUND    |
| DES MOINES REGISTER MEDIA              | ORD 1672                  | 11/30/2021   | 40.56              | GENERAL FUND    |
| Total DES MOINES REGISTER MEDIA:       |                           |              | 2,453.65           |                 |
| <b>DES MOINES STAMP MFG</b>            |                           |              |                    |                 |
| DES MOINES STAMP MFG                   | NAME TAGS                 | 12/14/2021   | 29.00              | POLICE FUND     |
| Total DES MOINES STAMP MFG:            |                           |              | 29.00              |                 |
| <b>DIGITECH</b>                        |                           |              |                    |                 |
| DIGITECH                               | NOVEMBER INVOICE          | 12/06/2021   | 2,349.65           | AMBULANCE FUN   |
| Total DIGITECH:                        |                           |              | 2,349.65           |                 |
| <b>DOWNEY TIRE PROS</b>                |                           |              |                    |                 |
| DOWNEY TIRE PROS                       | REPAIR LOADER TIRES       | 09/09/2021   | 137.94             | ROAD USE TAX FU |
| DOWNEY TIRE PROS                       | REPAIR LOADER TIRES       | 11/04/2021   | 147.93             | ROAD USE TAX FU |
| DOWNEY TIRE PROS                       | REPAIR LOADER TIRES       | 11/09/2021   | 234.47             | ROAD USE TAX FU |
| DOWNEY TIRE PROS                       | 338 GRASS TRUCK TIRE      | 12/14/2021   | 307.49             | FIRE FUND       |
| DOWNEY TIRE PROS                       | REPAIR LOADER TIRES       | 12/15/2021   | 234.93             | ROAD USE TAX FU |
| Total DOWNEY TIRE PROS:                |                           |              | 1,062.76           |                 |
| <b>ELECTRONIC ENGINEERING CO</b>       |                           |              |                    |                 |
| ELECTRONIC ENGINEERING C               | NEW 246 LIFELINE          | 11/30/2021   | 477.11             | VEHICLE RESERV  |
| Total ELECTRONIC ENGINEERING CO:       |                           |              | 477.11             |                 |
| <b>ELIXIR RX SOLUTIONS</b>             |                           |              |                    |                 |
| ELIXIR RX SOLUTIONS                    | 411 RX                    | 12/15/2021   | 64.66              | POLICE FUND     |
| Total ELIXIR RX SOLUTIONS:             |                           |              | 64.66              |                 |
| <b>EMERGENCY MEDICAL PRODUCTS INC</b>  |                           |              |                    |                 |
| EMERGENCY MEDICAL PRODU                | IV TUBING FOR SOLUTIONS   | 12/10/2021   | 179.50             | AMBULANCE FUN   |
| Total EMERGENCY MEDICAL PRODUCTS INC:  |                           |              | 179.50             |                 |
| <b>EXCEL LAWNS &amp; LANDSCAPE LLC</b> |                           |              |                    |                 |
| EXCEL LAWNS & LANDSCAPE L              | PARKS                     | 12/14/2021   | 11,522.00          | PARK & RECREATI |
| EXCEL LAWNS & LANDSCAPE L              | VMAC                      | 12/14/2021   | 763.00             | POOL (MEMORIAL) |
| EXCEL LAWNS & LANDSCAPE L              | LIBRARY                   | 12/14/2021   | 312.00             | LIBRARY FUND    |
| Total EXCEL LAWNS & LANDSCAPE LLC:     |                           |              | 12,597.00          |                 |
| <b>FIRE SERVICE TRAINING BUREAU</b>    |                           |              |                    |                 |
| FIRE SERVICE TRAINING BURE             | FF ESSENTIAL MANUAL       | 12/02/2021   | 358.00             | FIRE FUND       |
| Total FIRE SERVICE TRAINING BUREAU:    |                           |              | 358.00             |                 |
| <b>FREIGHTLINER - DES MOINES</b>       |                           |              |                    |                 |
| FREIGHTLINER - DES MOINES              | BRAKE CHAMBER FOR UNIT 26 | 12/27/2021   | 80.58              | ROAD USE TAX FU |

| Vendor Name                                        | Description                          | Invoice Date | Net Invoice Amount | FUND            |
|----------------------------------------------------|--------------------------------------|--------------|--------------------|-----------------|
| Total FREIGHTLINER - DES MOINES:                   |                                      |              | 80.58              |                 |
| <b>GALLS LLC</b>                                   |                                      |              |                    |                 |
| GALLS LLC                                          | UNIFORM JACKETS                      | 12/08/2021   | 616.64             | FIRE FUND       |
| GALLS LLC                                          | UNIFORM JACKET                       | 12/16/2021   | 331.68             | AMBULANCE FUN   |
| Total GALLS LLC:                                   |                                      |              | 948.32             |                 |
| <b>GREATER DM CONVENTION &amp; VISITORS BUREAU</b> |                                      |              |                    |                 |
| GREATER DM CONVENTION &                            | JUL-SEP 2021 H/M TAX CONTRIBUTION    | 12/14/2021   | 21,488.81          | GENERAL FUND    |
| Total GREATER DM CONVENTION & VISITORS BUREAU:     |                                      |              | 21,488.81          |                 |
| <b>HACH COMPANY</b>                                |                                      |              |                    |                 |
| HACH COMPANY                                       | LAB SUPPLIES                         | 12/14/2021   | 1,181.09           | SEWER FUND      |
| HACH COMPANY                                       | LAB SUPPLIES                         | 12/20/2021   | 86.10              | SEWER FUND      |
| Total HACH COMPANY:                                |                                      |              | 1,267.19           |                 |
| <b>HART, NORMAN</b>                                |                                      |              |                    |                 |
| HART, NORMAN                                       | WELLNESS - OCT - NOV 2021            | 12/20/2021   | 50.00              | SEWER FUND      |
| Total HART, NORMAN:                                |                                      |              | 50.00              |                 |
| <b>HILL CONTRACTING</b>                            |                                      |              |                    |                 |
| HILL CONTRACTING                                   | MOATS RESTROOM CONSTRUCTION - PAY A  | 12/27/2021   | 20,867.00          | CAPITAL PROJECT |
| Total HILL CONTRACTING:                            |                                      |              | 20,867.00          |                 |
| <b>HR GREEN INC</b>                                |                                      |              |                    |                 |
| HR GREEN INC                                       | WRRF CONST ENG                       | 12/21/2021   | 86,738.67          | WWTP FACILITY C |
| Total HR GREEN INC:                                |                                      |              | 86,738.67          |                 |
| <b>HY-VEE</b>                                      |                                      |              |                    |                 |
| HY-VEE                                             | BIOMETRIC SCREENINGS - FINANCE/CLERK | 12/27/2021   | 45.00              | GENERAL FUND    |
| HY-VEE                                             | BIOMETRIC SCREENING - COMM DEV       | 12/27/2021   | 57.00              | GENERAL FUND    |
| HY-VEE                                             | BIOMETRIC SCREENING -STREETS         | 12/27/2021   | 360.00             | ROAD USE TAX FU |
| HY-VEE                                             | BIOMETRIC SCREENING -POLICE          | 12/27/2021   | 540.00             | POLICE FUND     |
| HY-VEE                                             | BIOMETRIC SCREENING -FIRE            | 12/27/2021   | 270.00             | FIRE FUND       |
| HY-VEE                                             | BIOMETRIC SCREENING -P & R`          | 12/27/2021   | 90.00              | PARK & RECREATI |
| HY-VEE                                             | BIOMETRIC SCREENING -PARKS           | 12/27/2021   | 270.00             | PARK & RECREATI |
| HY-VEE                                             | BIOMETRIC SCREENING - SEWER          | 12/27/2021   | 282.00             | SEWER FUND      |
| HY-VEE                                             | BIOMETRIC SCREENING MILEAGE          | 12/27/2021   | 71.29              | GENERAL FUND    |
| Total HY-VEE:                                      |                                      |              | 1,985.29           |                 |
| <b>INDOFF INCORPORATED</b>                         |                                      |              |                    |                 |
| INDOFF INCORPORATED                                | OFFICE EQUIPMENT                     | 12/16/2021   | 366.20             | GENERAL FUND    |
| Total INDOFF INCORPORATED:                         |                                      |              | 366.20             |                 |
| <b>INFOMAX OFFICE SYSTEMS INC.</b>                 |                                      |              |                    |                 |
| INFOMAX OFFICE SYSTEMS IN                          | PRINTER CONTRACT                     | 12/20/2021   | 3,346.70           | GENERAL FUND    |
| Total INFOMAX OFFICE SYSTEMS INC.:                 |                                      |              | 3,346.70           |                 |

| Vendor Name                            | Description                           | Invoice Date | Net Invoice Amount | FUND            |
|----------------------------------------|---------------------------------------|--------------|--------------------|-----------------|
| <b>IOWA LAW ENFORCEMENT ACADEMY</b>    |                                       |              |                    |                 |
| IOWA LAW ENFORCEMENT AC                | TRAINING                              | 12/08/2021   | 625.00             | POLICE FUND     |
| Total IOWA LAW ENFORCEMENT ACADEMY:    |                                       |              | 625.00             |                 |
| <b>IOWA MEDICAID ENTERPRISE</b>        |                                       |              |                    |                 |
| IOWA MEDICAID ENTERPRISE               | GEMT SERVICE FEE                      | 12/15/2021   | 4,458.02           | AMBULANCE FUN   |
| Total IOWA MEDICAID ENTERPRISE:        |                                       |              | 4,458.02           |                 |
| <b>IOWA ONE CALL</b>                   |                                       |              |                    |                 |
| IOWA ONE CALL                          | WRRD LOCATES                          | 12/17/2021   | 424.80             | SEWER FUND      |
| Total IOWA ONE CALL:                   |                                       |              | 424.80             |                 |
| <b>IOWA PRISON INDUSTRIES</b>          |                                       |              |                    |                 |
| IOWA PRISON INDUSTRIES                 | TRAFFIC SIGNS                         | 12/28/2021   | 1,125.70           | ROAD USE TAX FU |
| IOWA PRISON INDUSTRIES                 | TRAFFIC SIGNS                         | 12/28/2021   | 8.50               | ROAD USE TAX FU |
| Total IOWA PRISON INDUSTRIES:          |                                       |              | 1,134.20           |                 |
| <b>IOWA SIGNAL INC.</b>                |                                       |              |                    |                 |
| IOWA SIGNAL INC.                       | TRAFFIC SIGNAL /SIGN REPAIR DUE TO ST | 12/27/2021   | 495.00             | ROAD USE TAX FU |
| Total IOWA SIGNAL INC.:                |                                       |              | 495.00             |                 |
| <b>IOWA STORMWATER ED. PARTNERSHIP</b> |                                       |              |                    |                 |
| IOWA STORMWATER ED. PART               | TRAINING WORKSHOP FOR AP              | 12/20/2021   | 125.00             | ROAD USE TAX FU |
| Total IOWA STORMWATER ED. PARTNERSHIP: |                                       |              | 125.00             |                 |
| <b>ITRON INC.</b>                      |                                       |              |                    |                 |
| ITRON INC.                             | ITRON 2022                            | 12/12/2021   | 2,603.02           | SEWER FUND      |
| Total ITRON INC.:                      |                                       |              | 2,603.02           |                 |
| <b>JESS' LOCK AND KEY</b>              |                                       |              |                    |                 |
| JESS' LOCK AND KEY                     | DOG PARK LOCK REPAIR                  | 12/15/2021   | 60.00              | PARK & RECREATI |
| Total JESS' LOCK AND KEY:              |                                       |              | 60.00              |                 |
| <b>JJS GLOBAL VENTURES , INC.</b>      |                                       |              |                    |                 |
| JJS GLOBAL VENTURES , INC.             | COMMAND TENT HVAC                     | 11/23/2021   | 6,563.00           | VEHICLE RESERV  |
| Total JJS GLOBAL VENTURES , INC.:      |                                       |              | 6,563.00           |                 |
| <b>KARL CHEVROLET</b>                  |                                       |              |                    |                 |
| KARL CHEVROLET                         | SPECIALIZED EQUIPMENT                 | 12/27/2021   | 465.71             | POLICE FUND     |
| Total KARL CHEVROLET:                  |                                       |              | 465.71             |                 |
| <b>KELLER'S GARAGE</b>                 |                                       |              |                    |                 |
| KELLER'S GARAGE                        | 330 SENSOR REPLACED                   | 12/07/2021   | 263.51             | AMBULANCE FUN   |
| Total KELLER'S GARAGE:                 |                                       |              | 263.51             |                 |
| <b>KEYSTONE LABORATORIES INC</b>       |                                       |              |                    |                 |
| KEYSTONE LABORATORIES IN               | MONTHLY LAB TESTS                     | 12/22/2021   | 11.50              | SEWER FUND      |

| Vendor Name                         | Description                           | Invoice Date | Net Invoice Amount | FUND            |
|-------------------------------------|---------------------------------------|--------------|--------------------|-----------------|
| Total KEYSTONE LABORATORIES INC:    |                                       |              | 11.50              |                 |
| <b>KIYA KODA HUMANE SOCIETY</b>     |                                       |              |                    |                 |
| KIYA KODA HUMANE SOCIETY            | MONTHLY CONTRACTED SERVICES           | 12/29/2021   | 4,000.00           | POLICE FUND     |
| Total KIYA KODA HUMANE SOCIETY:     |                                       |              | 4,000.00           |                 |
| <b>LANGMAN CONSTRUCTION INC</b>     |                                       |              |                    |                 |
| LANGMAN CONSTRUCTION INC            | TRUNK SEWER PAY APP 9                 | 12/27/2021   | 327,624.64         | WWTP FACILITY C |
| Total LANGMAN CONSTRUCTION INC:     |                                       |              | 327,624.64         |                 |
| <b>LEGACY FIRE APPARATUS</b>        |                                       |              |                    |                 |
| LEGACY FIRE APPARATUS               | E331 PUMP TRANSFER CASE REBUILD       | 12/01/2021   | 900.45             | FIRE FUND       |
| Total LEGACY FIRE APPARATUS:        |                                       |              | 900.45             |                 |
| <b>LUNDE, SEAN</b>                  |                                       |              |                    |                 |
| LUNDE, SEAN                         | WELLNESS PROGRAM REIMBURSEMENT        | 12/27/2021   | 15.00              | FIRE FUND       |
| Total LUNDE, SEAN:                  |                                       |              | 15.00              |                 |
| <b>MATHESON TRI-GAS INC</b>         |                                       |              |                    |                 |
| MATHESON TRI-GAS INC                | EMS OXYGEN                            | 12/15/2021   | 253.37             | AMBULANCE FUN   |
| Total MATHESON TRI-GAS INC:         |                                       |              | 253.37             |                 |
| <b>MCCOY HARDWARE INC</b>           |                                       |              |                    |                 |
| MCCOY HARDWARE INC                  | BATTERIES                             | 12/15/2021   | 16.19              | PARK & RECREATI |
| MCCOY HARDWARE INC                  | SPRAY PAINT                           | 12/20/2021   | 4.67               | PARK & RECREATI |
| MCCOY HARDWARE INC                  | BATTERIES AND PACKING TAPE            | 12/28/2021   | 21.04              | SEWER FUND      |
| Total MCCOY HARDWARE INC:           |                                       |              | 41.90              |                 |
| <b>MID AMERICAN ENERGY CO.</b>      |                                       |              |                    |                 |
| MID AMERICAN ENERGY CO.             | ACTIVITY CENTER UTILITIES - SEPT 2021 | 09/20/2021   | 23.43              | PARK & RECREATI |
| MID AMERICAN ENERGY CO.             | ACTIVITY CENTER UTILITIES - OCT 2021  | 10/19/2021   | 55.14              | PARK & RECREATI |
| MID AMERICAN ENERGY CO.             | ACTIVITY CENTER UTILITIES - NOV 2021  | 11/18/2021   | 422.89             | PARK & RECREATI |
| MID AMERICAN ENERGY CO.             | UTILITIES                             | 12/15/2021   | 12.68              | GENERAL FUND    |
| MID AMERICAN ENERGY CO.             | 07741-18004 65/69 LIFT                | 12/17/2021   | 81.50              | SEWER FUND      |
| MID AMERICAN ENERGY CO.             | 09750-87035 WESLEY LIFT               | 12/17/2021   | 42.24              | SEWER FUND      |
| MID AMERICAN ENERGY CO.             | UTILITIES 206 N 1ST                   | 12/27/2021   | 313.84             | FIRE FUND       |
| MID AMERICAN ENERGY CO.             | ACTIVITY CENTER UTILITIES - DEC 2021  | 12/20/2021   | 706.44             | PARK & RECREATI |
| MID AMERICAN ENERGY CO.             | 69750-52006 QM3 LIFT                  | 12/20/2021   | 58.54              | SEWER FUND      |
| MID AMERICAN ENERGY CO.             | UTILITIES - GAS                       | 12/27/2021   | 2,324.51           | GENERAL FUND    |
| Total MID AMERICAN ENERGY CO.:      |                                       |              | 4,041.21           |                 |
| <b>NAPA AUTO PARTS</b>              |                                       |              |                    |                 |
| NAPA AUTO PARTS                     | MEDIC 247 MAINTENANCE                 | 12/18/2021   | 320.37             | AMBULANCE FUN   |
| Total NAPA AUTO PARTS:              |                                       |              | 320.37             |                 |
| <b>NORWALK READY-MIXED CONCRETE</b> |                                       |              |                    |                 |
| NORWALK READY-MIXED CON             | CONCRETE FOR STORM SEWER MCCORD       | 12/27/2021   | 138.00             | STORMWATER UTI  |

| Vendor Name                                      | Description                        | Invoice Date | Net Invoice Amount | FUND            |
|--------------------------------------------------|------------------------------------|--------------|--------------------|-----------------|
| Total NORWALK READY-MIXED CONCRETE:              |                                    |              | 138.00             |                 |
| <b>O'REILLY AUTO PARTS</b>                       |                                    |              |                    |                 |
| O'REILLY AUTO PARTS                              | EQUIPMENT REPAIR PARTS             | 12/10/2021   | 28.64              | ROAD USE TAX FU |
| O'REILLY AUTO PARTS                              | ANTIFREEZE                         | 12/21/2021   | 41.97              | PARK & RECREATI |
| Total O'REILLY AUTO PARTS:                       |                                    |              | 70.61              |                 |
| <b>PEOPLES BANK</b>                              |                                    |              |                    |                 |
| PEOPLES BANK                                     | HOLMES LOAN INTEREST               | 12/27/2021   | 73.54              | DOWNTOWN BIZ I  |
| Total PEOPLES BANK:                              |                                    |              | 73.54              |                 |
| <b>PITNEY BOWES</b>                              |                                    |              |                    |                 |
| PITNEY BOWES                                     | QUARTERLY RENTAL                   | 12/08/2021   | 153.57             | GENERAL FUND    |
| Total PITNEY BOWES:                              |                                    |              | 153.57             |                 |
| <b>RAFFETY, JACKIE</b>                           |                                    |              |                    |                 |
| RAFFETY, JACKIE                                  | RAFFETY CELL, NOV-DEC 2021         | 12/13/2021   | 100.00             | GENERAL FUND    |
| Total RAFFETY, JACKIE:                           |                                    |              | 100.00             |                 |
| <b>RCN COMMUNICATIONS, LLC</b>                   |                                    |              |                    |                 |
| RCN COMMUNICATIONS, LLC                          | ANTENNA'S FOR 333 AND 246          | 12/12/2021   | 508.09             | FIRE FUND       |
| Total RCN COMMUNICATIONS, LLC:                   |                                    |              | 508.09             |                 |
| <b>REDITECH</b>                                  |                                    |              |                    |                 |
| REDITECH                                         | MONTHLY SERVICES                   | 12/17/2021   | 9,215.00           | GENERAL FUND    |
| Total REDITECH:                                  |                                    |              | 9,215.00           |                 |
| <b>SAFE BUILDING COMPLIANCE &amp; TECHNOLOGY</b> |                                    |              |                    |                 |
| SAFE BUILDING COMPLIANCE                         | SAFE BUILD INSPECTIONS             | 11/30/2021   | 250.00             | GENERAL FUND    |
| Total SAFE BUILDING COMPLIANCE & TECHNOLOGY:     |                                    |              | 250.00             |                 |
| <b>SANDRY FIRE SUPPLY LLC</b>                    |                                    |              |                    |                 |
| SANDRY FIRE SUPPLY LLC                           | 20"PPV FAN                         | 12/14/2021   | 4,705.00           | FIRE FUND       |
| SANDRY FIRE SUPPLY LLC                           | 336 HAND TOOL LOCKING DEVICE       | 12/27/2021   | 90.05              | FIRE FUND       |
| SANDRY FIRE SUPPLY LLC                           | PPE FF GLOVES                      | 12/27/2021   | 288.15             | FIRE FUND       |
| Total SANDRY FIRE SUPPLY LLC:                    |                                    |              | 5,083.20           |                 |
| <b>SHI INTERNATIONAL CORP</b>                    |                                    |              |                    |                 |
| SHI INTERNATIONAL CORP                           | COUNCIL LAPTOPS & CASES (X4)       | 12/15/2021   | 1,388.00           | GENERAL FUND    |
| SHI INTERNATIONAL CORP                           | 3 YR WARRENTY COUNCIL LAPTOPS (X4) | 12/28/2021   | 636.40             | GENERAL FUND    |
| Total SHI INTERNATIONAL CORP:                    |                                    |              | 2,024.40           |                 |
| <b>SHULL, DOUG</b>                               |                                    |              |                    |                 |
| SHULL, DOUG                                      | MONTHLY CONTRACTED SERVICES        | 12/29/2021   | 83.33              | GENERAL FUND    |
| Total SHULL, DOUG:                               |                                    |              | 83.33              |                 |

| Vendor Name                                | Description                         | Invoice Date | Net Invoice Amount | FUND            |
|--------------------------------------------|-------------------------------------|--------------|--------------------|-----------------|
| <b>SMITH, REED</b>                         |                                     |              |                    |                 |
| SMITH, REED                                | EMT TRAINING                        | 12/15/2021   | 198.00             | AMBULANCE FUN   |
| Total SMITH, REED:                         |                                     |              | 198.00             |                 |
| <b>SPRINGER PROFESSIONAL HOME SERVICES</b> |                                     |              |                    |                 |
| SPRINGER PROFESSIONAL HO                   | ACTIVITY CENTER PEST CONTROL        | 12/01/2021   | 64.00              | PARK & RECREATI |
| Total SPRINGER PROFESSIONAL HOME SERVICES: |                                     |              | 64.00              |                 |
| <b>T.R.M. DISPOSAL LLC</b>                 |                                     |              |                    |                 |
| T.R.M. DISPOSAL LLC                        | ACCT #1506 TRASH                    | 12/27/2021   | 93.00              | GENERAL FUND    |
| T.R.M. DISPOSAL LLC                        | GARBAGE BILL                        | 12/27/2021   | 18.00              | POLICE FUND     |
| T.R.M. DISPOSAL LLC                        | ACCT #583 NORTH PLANT               | 12/27/2021   | 90.00              | SEWER FUND      |
| T.R.M. DISPOSAL LLC                        | ACCT #583 SOUTH PLANT               | 12/27/2021   | 59.00              | SEWER FUND      |
| Total T.R.M. DISPOSAL LLC:                 |                                     |              | 260.00             |                 |
| <b>TK ELEVATOR CORPORATION</b>             |                                     |              |                    |                 |
| TK ELEVATOR CORPORATION                    | ELEV MAINT AGREEMENT                | 12/13/2021   | 328.74             | GENERAL FUND    |
| Total TK ELEVATOR CORPORATION:             |                                     |              | 328.74             |                 |
| <b>TOYNE INC</b>                           |                                     |              |                    |                 |
| TOYNE INC                                  | E331 COOLANT TANK                   | 12/27/2021   | 106.95             | FIRE FUND       |
| Total TOYNE INC:                           |                                     |              | 106.95             |                 |
| <b>TRUBANK</b>                             |                                     |              |                    |                 |
| TRUBANK                                    | DOWNTOWN BIZ INTEREST - DANLEE      | 12/16/2021   | 62.71              | DOWNTOWN BIZ I  |
| TRUBANK                                    | DOWNTOWN BIZ INTEREST - TLCD        | 12/16/2021   | 78.59              | DOWNTOWN BIZ I  |
| Total TRUBANK:                             |                                     |              | 141.30             |                 |
| <b>U.S. CELLULAR</b>                       |                                     |              |                    |                 |
| U.S. CELLULAR                              | CELL PHONE - PARK                   | 12/27/2021   | 38.46              | PARK & RECREATI |
| U.S. CELLULAR                              | CELL PHONE FIRE                     | 12/27/2021   | 301.50             | AMBULANCE FUN   |
| U.S. CELLULAR                              | CELL PHONE STREET                   | 12/27/2021   | 96.23              | ROAD USE TAX FU |
| U.S. CELLULAR                              | CELL PHONE SEWER                    | 12/27/2021   | 113.89             | SEWER FUND      |
| U.S. CELLULAR                              | CELL PHONE COM DEV                  | 12/27/2021   | 182.72             | GENERAL FUND    |
| Total U.S. CELLULAR:                       |                                     |              | 732.80             |                 |
| <b>USA BLUE BOOK</b>                       |                                     |              |                    |                 |
| USA BLUE BOOK                              | PRESSURE GAUGE AND SLUDGE JUDGE     | 12/03/2021   | 235.50             | SEWER FUND      |
| USA BLUE BOOK                              | PRESSURE GAUGES FOR LIFT STATION    | 12/03/2021   | 103.47             | SEWER FUND      |
| USA BLUE BOOK                              | PRESSURE GAUGES FOR LIFT STATIONS   | 12/03/2021   | 219.43             | SEWER FUND      |
| USA BLUE BOOK                              | PRESSURE GAUGES FOR LIFT STATIONS   | 12/08/2021   | 103.47             | SEWER FUND      |
| Total USA BLUE BOOK:                       |                                     |              | 661.87             |                 |
| <b>VENDNOVATION LLC</b>                    |                                     |              |                    |                 |
| VENDNOVATION LLC                           | VENDONATION SOFTWARE                | 12/16/2021   | 1,200.00           | AMBULANCE FUN   |
| Total VENDNOVATION LLC:                    |                                     |              | 1,200.00           |                 |
| <b>WELLS FARGO CCER</b>                    |                                     |              |                    |                 |
| WELLS FARGO CCER                           | Adobe Acropro SubsSoftware contract | 11/27/2021   | 14.99              | POLICE FUND     |

| Vendor Name      | Description                                       | Invoice Date | Net Invoice Amount | FUND            |
|------------------|---------------------------------------------------|--------------|--------------------|-----------------|
| WELLS FARGO CCER | Wal-Mart #1491office supplies                     | 11/23/2021   | 12.08              | POLICE FUND     |
| WELLS FARGO CCER | Vistapr Vistaprint.Combus cards - Schumacher      | 11/23/2021   | 94.73              | POLICE FUND     |
| WELLS FARGO CCER | Sq Jp Party Rentals Family Night Obstacle Cou     | 11/22/2021   | 550.00             | PARK & RECREATI |
| WELLS FARGO CCER | Hy-Vee Gas Indianola 5271 Gas for Chainsaw        | 11/22/2021   | 9.07               | SEWER FUND      |
| WELLS FARGO CCER | Tlf Candis Flowers Plant for Metcalf dads servc   | 11/22/2021   | 40.00              | GENERAL FUND    |
| WELLS FARGO CCER | Fleet Farm Cstore 3310 Kerosene for Heaters       | 11/16/2021   | 58.75              | SEWER FUND      |
| WELLS FARGO CCER | Quill Corporationoffice supplies                  | 11/04/2021   | 312.20             | POLICE FUND     |
| WELLS FARGO CCER | Caseys Pizza 2097 teen program supplies           | 11/10/2021   | 34.30              | LIBRARY FUND    |
| WELLS FARGO CCER | Caseys Pizza 2097 teen program supplies           | 11/10/2021   | 28.15              | LIBRARY FUND    |
| WELLS FARGO CCER | Bound Tree Medical Llc EMS Supplies for Ambu      | 11/17/2021   | 94.05              | AMBULANCE FUN   |
| WELLS FARGO CCER | Target 00008037 Family Night Supplies             | 11/19/2021   | 198.76             | PARK & RECREATI |
| WELLS FARGO CCER | Ia Dept Of Agriculture Pesticide Applicators Lice | 11/19/2021   | 30.00              | PARK & RECREATI |
| WELLS FARGO CCER | Eb Vtscadafest 2022 TVT Scada Training            | 11/19/2021   | 1,000.00           | SEWER FUND      |
| WELLS FARGO CCER | Hy-Vee Indianola 1271 Charge for city event ref   | 11/19/2021   | 58.99              | GENERAL FUND    |
| WELLS FARGO CCER | Hy-Vee Indianola 1271 Food Purchase - Work t      | 11/16/2021   | 205.80             | FIRE FUND       |
| WELLS FARGO CCER | Hy-Vee Indianola 1271 Refund of taxes charged     | 11/16/2021   | 2.97-              | FIRE FUND       |
| WELLS FARGO CCER | Wm Supercenter #1491 Annual meeting supplie       | 11/16/2021   | 4.78               | LIBRARY SPECIAL |
| WELLS FARGO CCER | Wm Supercenter #1491 Family programming           | 11/16/2021   | 11.14              | LIBRARY FUND    |
| WELLS FARGO CCER | Hy-Vee Indianola 1271 Friends of the Library Ex   | 11/16/2021   | 88.12              | LIBRARY SPECIAL |
| WELLS FARGO CCER | Warren County OilL P for North Plant              | 11/09/2021   | 1,889.50           | SEWER FUND      |
| WELLS FARGO CCER | Dairy Queen #44790 Dinner during Certified Pla    | 11/09/2021   | 11.81              | PARK & RECREATI |
| WELLS FARGO CCER | Target.Com Special Collections - games            | 11/09/2021   | 22.90              | LIBRARY FUND    |
| WELLS FARGO CCER | Target.Com Friends of the library supplies        | 11/09/2021   | 17.00              | LIBRARY SPECIAL |
| WELLS FARGO CCER | Target.Com teen program supplies                  | 11/09/2021   | 10.00              | LIBRARY FUND    |
| WELLS FARGO CCER | Target.Com Special Collections - games            | 11/09/2021   | 6.08               | LIBRARY FUND    |
| WELLS FARGO CCER | Mailchimp marketing                               | 11/13/2021   | 56.70              | LIBRARY FUND    |
| WELLS FARGO CCER | Keurig Green Mountain Activity Center Coffee P    | 11/24/2021   | 240.69             | PARK & RECREATI |
| WELLS FARGO CCER | Bound Tree Medical Llc EMS Supplies for Ambu      | 11/15/2021   | 1,925.70           | AMBULANCE FUN   |
| WELLS FARGO CCER | Bound Tree Medical Llc Refund for EMS supplie     | 11/08/2021   | 599.27-            | AMBULANCE FUN   |
| WELLS FARGO CCER | Expedia 72194201896805 Flight Insurance for       | 11/08/2021   | 33.88              | SEWER FUND      |
| WELLS FARGO CCER | Expedia 72194201896805 Expedia Booking Fe         | 11/08/2021   | 3.89               | SEWER FUND      |
| WELLS FARGO CCER | Bound Tree Medical Llc MAGNESIUM SULFAT           | 11/24/2021   | 106.90             | AMBULANCE FUN   |
| WELLS FARGO CCER | United 0167676140770 Flight for VTScada Cla       | 11/08/2021   | 176.70             | SEWER FUND      |
| WELLS FARGO CCER | American Air0017676142016 Flight for VTScad       | 11/08/2021   | 286.70             | SEWER FUND      |
| WELLS FARGO CCER | Wal-Mart #1491 Childrens programming, memo        | 11/08/2021   | 20.04              | LIBRARY SPECIAL |
| WELLS FARGO CCER | Book Outlet Book                                  | 11/08/2021   | 3.36               | LIBRARY FUND    |
| WELLS FARGO CCER | Book Outlet Bookwalk                              | 11/08/2021   | 33.08              | LIBRARY FUND    |
| WELLS FARGO CCER | Dairy Queen #44790 Dinner during Certified Pla    | 11/08/2021   | 9.52               | PARK & RECREATI |
| WELLS FARGO CCER | Hy-Vee Indianola 1271 memorial for Charles Gi     | 11/08/2021   | 150.00             | LIBRARY SPECIAL |
| WELLS FARGO CCER | Bound Tree Medical Llc STERILE WATER 10M          | 11/05/2021   | 56.75              | AMBULANCE FUN   |
| WELLS FARGO CCER | Bound Tree Medical Llc NITROGLYCERIN LIN          | 11/05/2021   | 285.98             | AMBULANCE FUN   |
| WELLS FARGO CCER | Usps Po 1843650625 Friends of the Library ad      | 11/02/2021   | 174.00             | LIBRARY SPECIAL |
| WELLS FARGO CCER | Iowa Library Association Iowa Library Associatio  | 11/02/2021   | 15.00              | LIBRARY FUND    |
| WELLS FARGO CCER | Targe 00019398 Beggars Night Candy City eve       | 10/29/2021   | 21.54              | FIRE FUND       |
| WELLS FARGO CCER | Mercyone Clive0001577625x amiodarone5x epi        | 10/29/2021   | 83.65              | AMBULANCE FUN   |
| WELLS FARGO CCER | TheisenS #21 Brush facility gate repair           | 11/29/2021   | 259.99             | GENERAL FUND    |
| WELLS FARGO CCER | Wm Supercenter #1491 Zone Snacks Activity C       | 11/29/2021   | 43.80              | PARK & RECREATI |
| WELLS FARGO CCER | Adobe Creative Cloud Adobe Monthly Fees Oct       | 10/31/2021   | 52.99              | PARK & RECREATI |
| WELLS FARGO CCER | Stew Hansen Dodge City Medic 248 sensor cha       | 11/12/2021   | 475.17             | AMBULANCE FUN   |
| WELLS FARGO CCER | Epasales Pipe Plug and Hose                       | 11/12/2021   | 449.93             | SEWER FUND      |
| WELLS FARGO CCER | Holiday Inn Express Hotel during Certified Playg  | 11/11/2021   | 356.01             | PARK & RECREATI |
| WELLS FARGO CCER | Lakeshore Learning Mater Memorials                | 11/06/2021   | 291.91             | LIBRARY SPECIAL |
| WELLS FARGO CCER | Wm Supercenter #1491 Programming - Family         | 10/30/2021   | 19.44              | LIBRARY FUND    |
| WELLS FARGO CCER | Fleet Farm 5900 New Heater for Headworks Bld      | 11/03/2021   | 349.99             | SEWER FUND      |
| WELLS FARGO CCER | Wm Supercenter #1491 Friends of the Library E     | 11/18/2021   | 9.80               | LIBRARY SPECIAL |
| WELLS FARGO CCER | Bound Tree Medical Llc *MFG B/O* EPINEPHR         | 11/11/2021   | 185.60             | AMBULANCE FUN   |
| WELLS FARGO CCER | Trex Mart # 3Fuel for Work Truck during Certifie  | 11/11/2021   | 38.00              | PARK & RECREATI |
| WELLS FARGO CCER | Deyarman Ford Of Indianola Marker light for Me    | 11/23/2021   | 14.46              | AMBULANCE FUN   |

| Vendor Name                | Description                                  | Invoice Date | Net Invoice Amount | FUND            |
|----------------------------|----------------------------------------------|--------------|--------------------|-----------------|
| WELLS FARGO CCER           | Wal-Mart #1491 Zone Supplies                 | 11/04/2021   | 39.72              | PARK & RECREATI |
| WELLS FARGO CCER           | Wal-Mart #1491 Office Supplies               | 11/04/2021   | 62.34              | PARK & RECREATI |
| WELLS FARGO CCER           | Bound Tree Medical Llc EMS Supplies for Ambu | 11/26/2021   | 35.00              | AMBULANCE FUN   |
| WELLS FARGO CCER           | Overdrive Dist Ebooks                        | 11/20/2021   | 2,000.00           | LIBRARY FUND    |
| WELLS FARGO CCER           | Sangoma Us Inc Monthly SIP charges           | 11/07/2021   | 46.38              | GENERAL FUND    |
| Total WELLS FARGO CCER:    |                                              |              | 12,615.57          |                 |
| <b>YMCA OF GREATER DSM</b> |                                              |              |                    |                 |
| YMCA OF GREATER DSM        | EMPLOYER EXPENSES                            | 12/27/2021   | 350.00             | GENERAL FUND    |
| YMCA OF GREATER DSM        | EE LIBABILITY                                | 12/27/2021   | 1,067.50           | GENERAL FUND    |
| Total YMCA OF GREATER DSM: |                                              |              | 1,417.50           |                 |
| Grand Totals:              |                                              |              | 577,748.44         |                 |

City Council: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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## MEMORANDUM

**To:** Mayor and City Council  
**From:**  
**Date:** January 3, 2022  
**Subject:** Approval of Minutes of the prior council meetings

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**Recommendation:** Roll call is in order.

**Attachments:**

1. 12202021 Minutes
2. 12222021 Special Meeting Minutes



**CITY OF INDIANOLA COUNCIL  
MEETING**

December 20, 2021

6:00 PM

City Council

Chambers Minutes

The Indianola City Council met in regular session at 6:00 p.m. on December 20, 2021 in the City Hall Council Chambers. Mayor Pam Pepper called the meeting to order and on roll call the following members were present: John Parker, Bob Kling, Gwen Schroder, Greta Southall, Greg Marchant. Absent: Heather Hulen.

Mayor Pepper recognized out-going Council Members Bob Kling, Greta Southall and Greg Marchant for their service. Out-going Mayor Pam Pepper was recognized for her service by Council Member Greta Southall.

In public comment, Monica Thompson, 303 W Salem, asked for a traffic and pedestrian study at the intersection of B Street and Salem Avenue to determine if a four-way stop is needed.

Agenda item 5B - Approval of Claims was pulled from the consent agenda. Council Member Kling moved to approve the Consent Agenda and Southall seconded it. On roll call, the vote was AYES: Parker, Kling, Schroder, Southall, and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

- Approval of Agenda
- Resolution approving monthly transfers.
- Approval of Minutes of the prior council meetings
- Setting dates for future public hearings
  - Resolution setting a public hearing on the vacation of a 20' and a 42' storm sewer easement.
  - Resolution setting a public hearing regarding a request to rezone property located at 404 South Jefferson Way.
- Approval of Applications
  - Approval of a renewal liquor license for the Indianola Country Club.
  - Approval of a renewal liquor license for Ohio Martinez, LLC dba Fiesta Jalepenos Mexican Restaurant.
  - Approval of Payment Application Number 5 from Vanderpool Construction for the South Plant Lift Station Improvements project in the amount of \$259,621.61.
  - Approval of Payment Application Number 18 from Williams Brothers Construction, Inc for the Water Resource Recovery Facility in the amount of \$891,145.50.
  - Approval of Payment Application Number 6 from Absolute Concrete for the Streetscape Project in the amount of \$140,251.48
- Resolution approving the purchase of a forklift for the Water Resource Recovery Department.
- Resolution approving a Professional Services Agreement with ACCO Unlimited Corporation for sand filter media replacement.

- Resolution approving the purchase of a wheel loader for the Public Works Department.
- Resolution authorizing the Mayor to execute the Iowa Opioid Allocation Memorandum of Understanding on behalf of the City of Indianola.
- Approval of refuse hauling rates for 2022.
- Approval of utility write-offs for April - September 2021.
- Third consideration of a request from Diligent Development to rezone property located at 1909 South K Street from A-1 Zoning District to R-1 Zoning District.
- Third consideration of an Ordinance amending recycling rates.
- Resolution approving salaries.

Council Member Marchant moved to approve Agenda Item 5B - Approval of Claims. Council Member Southall seconded it. On roll call, the vote was AYES: Kling, Schroder, Southall, and Marchant. NAYS: None. ABSTAIN: Parker due to a conflict of interest.

Doug Shull presented the Treasurer's Report for November 2021, stating the fund investments grew due to the Square, South K St and Hillcrest Ave projects. Council Member Southall moved to approve the Treasurer's Report for November and Kling seconded it. On roll call, the vote was AYES: Parker, Kling, Schroder, Southall, and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Councilman Kling stated the Metro Advisory Committee had received reports from congressional delegates and Polk County. Future topics will include firework ordinances and civil discourse in metro communities.

Council Member Schroder moved to approve the appointment of Bob Kling to the Indianola Public Arts Commission to fill a vacant seat for a term effective January 1, 2022 - July 1, 2023. Council Member Parker seconded it. On roll call, the vote was AYES: Parker, Schroder, Southall, and Marchant. NAYS: None. ABSTAIN: Kling. Whereas the Mayor declared the motion passed.

Council Member Southall moved to approve the appointment of Cortney Marmon to the Planning and Zoning Commission to fill a vacant seat for a term beginning July 1, 2021 and ending July 1, 2026. Council Member Schroder seconded it. On roll call, the vote was AYES: Parker, Kling, Schroder, Southall, and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Council Member Schroder moved to approve the appointment of Mimi Kelly-Meyer to the Planning and Zoning Commission to fill a vacant seat for a term beginning July 1, 2021 and ending July 1, 2026. Council Member Parker seconded it. On roll call, the vote was AYES: Parker, Kling, Schroder, Southall, and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Council Member Kling moved to approve the re-appointment of Josh Rabe to the Planning and Zoning Commission for a term beginning February 1, 2022 and ending July 1, 2022. Council Member Southall seconded it. On roll call, the vote was AYES: Parker, Kling, Schroder, Southall, and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Council Member Kling moved to approve the re-appointment of Josh Rabe to the Planning and Zoning Commission for a term beginning July 1, 2022 and ending July 1, 2027. Council Member Schroder seconded it. On roll call, the vote was AYES: Parker, Kling, Schroder, Southall, and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Mayor Pepper thanked the outgoing Council Members for their service and welcomed the new members. She then stated she is rescinding her request to have Adam Voigts and Mike Rozga removed from the IMU Board of Trustees and listed her concerns with the organization.

Council Member Parker moved to open the Public Hearing on the proposal to enter into a Development Agreement with DeYarman Properties, LLC and DeYarman Ford Indianola, Inc. Council Member Southall seconded it. On roll call, the vote was AYES: Parker, Kling, Schroder, Southall, and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Community and Economic Development Director/Interim City Manager Charlie Dissell explained the improvements and the items in the Development Agreement. No other comments were offered.

Council Member Marchant moved, and Parker seconded to close the Public Hearing. On roll call, the vote was AYES: Parker, Kling, Schroder, Southall, and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Council Member Kling moved to approve Resolution 2021-293 approving and authorizing execution of a Development Agreement by and among the City of Indianola, DeYarman Properties, LLC and DeYarman Ford Indianola, Inc. Council Member Southall seconded it. On roll call, the vote was AYES: Parker, Kling, Schroder, Southall, and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Council Member Southall moved to approve the third consideration of an Ordinance regarding a request from JK Management LLC for a right-of-way vacation and conveyance of the portion of the north/south alley that lies west of Lots 15 and 16 of the Plat of Jones and Windles Addition to Indianola, Warren County, Iowa. Council Member Schroder seconded it. In discussion, Dissell reviewed the timeline of the request, noting that an adjacent property owner does not support the request. He recommended denying the third consideration and referring the request back to staff to work with the requester, who is aware of this issue. On roll call, the vote was AYES: None. NAYS: Parker, Kling, Schroder, Southall, and Marchant. Whereas the Mayor declared the motion failed.

Council Member Kling moved to approve the first consideration of an Ordinance amending the City Code of the City of Indianola, Iowa to amend noise regulations section 48.06. Council Member Southall seconded it. In discussion, Jackie Raffety, Asst. Finance Dir/City Clerk stated the amendment to the Ordinance allows for noise permit applications to be submitted in a timely manner rather than at least 10 days before the event. On roll call, the vote was AYES: Parker, Kling, Schroder, Southall, and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Council Member Marchant moved to approve the first consideration of an Ordinance amending the City Code of the City of Indianola, Iowa to amend Peddlers, Solicitors and Transient Merchants Section 122. Council Member Southall seconded it. In discussion, Raffety stated the biggest change is regulating ice cream vendors in the same manner as mobile food vendors. On roll call, the vote was AYES: Parker, Kling, Schroder, Southall, and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Council Member Kling moved to approve Resolution 2021-294 setting a public hearing and letting dates for wayfinding and placemaking monuments as part of the City Square Reconstruction Project (Streetscape Project). Council Member Parker seconded it. In discussion, Dissell explained a component of the Streetscape Project includes wayfinding and placemaking monuments. The original bid came in high because the contractor was unable to secure a subcontractor. Rebidding this will allow the City to find a contractor that will most likely be within the estimates. This resolution only sets a public hearing and letting date. The February 7th meeting will include more action items. On roll call, the vote was AYES: Parker, Council Member Kling, Council Member Schroder, Council Member Southall, Council Member Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Council Member Schroder moved to receive and file correspondence from the December 3, 2021 weekly update from interim City Manager, Charlie Dissell. Southall seconded it. Question was called for and on voice vote the Mayor declared the motion carried unanimously.

Council Member Southall moved to adjourn at 6:40 p.m. Council Member Marchant seconded it. Question was called for and on voice vote, the Mayor declared the motion carried unanimously.

City Clerk Jackie Raffety administered the Oath of Office to incoming Council Members Ron Dalby, Christina Beach, and Steve Richardson. Judge Kevin Parker administered the Oath of Office to Mayor-elect Stephanie Erickson. The four will take office on January 1, 2022.

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Pam Pepper, Mayor

ATTEST:

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Jackie Raffety, City Clerk



## **CITY OF INDIANOLA COUNCIL MEETING**

December 22, 2021

1:00 PM

City Council Chambers

Minutes

The Indianola City Council met in special session at 1:00 p.m. on December 22, 2021 in the City Hall Council Chambers. Mayor Pam Pepper called the meeting to order and on roll call the following members were present: Heather Hulen, John Parker, Bob Kling, Gwen Schroder, Greg Marchant. Absent: Greta Southall.

Council Member Parker moved to approve Resolution 2021-295 authorizing the Mayor to sign a Memorandum of Agreement between the City of Indianola and Warren County regarding Indianola Precinct 5. Council Member Kling seconded it. Interim City Manager Charlie Dissell provided an explanation of the agreement. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Council Member Schroder moved to adjourn the meeting at 1:04 p.m. Council Member Kling seconded it. Question was called for and on voice vote, the Mayor declared the motion carried unanimously.

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Pam Pepper, Mayor

ATTEST:

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Jackie Raffety, City Clerk



# MEMORANDUM

**To:** Mayor and City Council  
**From:**  
**Date:** January 3, 2022  
**Subject:** Presentation on HIRTA from Brooke Ramsey

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**Recommendation:**

**Attachments:** 1. HIRTA



## Heart of Iowa Regional Transit Agency HIRTA Public Transit

Boone, Dallas, Jasper, Madison, Marion, Story, and Warren Counties

11/12/2021

City of Indianola  
Ryan Waller, City Administrator  
PO Box 299  
Indianola, IA 50125

The Heart of Iowa Regional Transit Agency (HIRTA) is the public transit provider for your city and we want to continue working to enhance your community by increasing its livability, mobility and economic footprint.

Mobility is a fundamental right and an essential need in order for the communities we serve maintain a high quality of life. Public transportation offers many benefits, including:

- Mobility to Seniors and Persons with Disabilities
- Access to Healthcare and Jobs
- Safe and Reliable Transportation
- Improved Air Quality/Environmental Benefits

HIRTA currently receives limited funding through Federal, State and County sources. **Our federal funds require a 50% local match** and the funding we receive from the County is not enough to make up that local match. Historically, HIRTA used contract revenues as the local match, largely through Iowa Medicaid Enterprise reimbursements; however, those funds drastically reduced, and with the pandemic, most other contracted services ceased altogether. At this time, none of the contracted providers are back to full capacity, which means their funding to us is not either.

Public transportation is an essential service, especially through this pandemic. We have continued to operate, serving those most in need. We had a reduction in the number of riders, however, we had increased expenses with sanitation protocols and equipment to the vehicles, and Personal Protective Equipment (PPE) for drivers and riders, the cost per trip was much higher, and our fixed costs, like insurance, leased space, etc., continued.

In addition to operations, capital (vehicle) replacement needs exist. While largely funded through Federal sources, capital replacements always require a 15-20% local match. Iowa has the 2nd oldest fleet in the nation and HIRTA has the 2nd oldest fleet in Iowa.

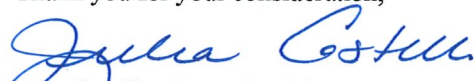
As we strive to maintain service headed into FY2023, HIRTA is requesting operating assistance of \$2 per capita (based on 2020 census) and local capital match of 25¢ per capita. **This is \$31,665 for operating assistance and \$3,958 for local capital match for your community.**

HIRTA cannot continue to subsidize the full cost of transportation services for your city, nor do we receive enough funding from the county to cover the cost of service we provide within your city.

If you would like a HIRTA representative to speak at Council, please contact Brooke Ramsey at [bramsey@ridehirta.com](mailto:bramsey@ridehirta.com) or by phone at 515-309-9282.

**We want to continue serving your community however without dedicated funding for HIRTA's services from the City, those we currently serve, including those who are transit dependent will face major service reductions.** This means they will not have access to medical and social service appointments and other life sustaining needs, work or shopping, which affect the local and state economy.

Thank you for your consideration,

  
Julia Castillo, Executive Director



## MEMORANDUM

**To:** Mayor and City Council  
**From:** Jackie Raffety, City Clerk/Asst. Finance Director  
**Date:** January 3, 2022  
**Subject:** Approval of Payment Application Number 9 from Langman Construction for the Influent Trunk Sewer and Outfall Sewer Project in the amount of \$327,624.64.

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**Introduction:** Langman Construction has submitted Payment Application Number 9.

**Background:** As of this Pay Application, Langman Construction has been paid 68.0% of the contract.

**Discussion:** Items included in this application include:

- construction survey
- clearing and grubbing
- topsoil onsite
- trench foundation
- concrete encasement
- construction testing
- approximately 500 linear feet of 42-inch sewer
- 140 linear feet of 36" DIP
- 3,280 linear feet of 6" PVC force main
- 82 linear feet of 6" DIP force main
- 6-inch fittings
- tracer system
- 1 manhole
- outfall headwall foundation
- traffic control
- SWPPP
- silt fence
- stabilized construction entrance
- air release valve stations
- creek crossing
- a portion of the air release vent deduct from Change Order #1 is included in this Payment Application.

**Budget Impact:** \$327,624.64

**Recommendation:** HR Green and City Staff have reviewed the application and recommend payment.  
Simple motion is in order.

**Attachments:** 1. ltr-122721-Trunk\_Sewer\_Langman\_Pay\_Request9



▷ 5525 Merle Hay Road | Suite 200 | Johnston, IA 50131

Main 515.278.2913 + Fax 515.278.1846

▷ [HRGREEN.COM](http://HRGREEN.COM)

December 27, 2021

Mr. Rick Graves  
City of Indianola WPC  
P.O. Box 299  
Indianola, IA 50125

Re: WRRF INFLUENT TRUNK SEWER & OUTFALL PROJECT  
Contractor's Application for Payment No. 9

Dear Rick:

Attached is an electronic copy of Payment Application No. 9 from Langman Construction Inc. for the WRRF Influent Trunk Sewer and Outfall Sewer project. Items included in this application include construction survey, clearing and grubbing, topsoil onsite, trench foundation, concrete encasement, construction testing, approximately 500 linear feet of 42-inch sewer, 140 linear feet of 36" DIP, 3,280 linear feet of 6" PVC force main, 82 linear feet of 6" DIP force main, 6-inch fittings, tracer system, 1 manhole, outfall headwall foundation, traffic control, SWPPP, silt fence, stabilized construction entrance, air release valve stations, and creek crossing. Additionally, a portion of the air release vent deduct from Change Order #1 is included in this Payment Application.

The total request for Payment Application No. 9 is \$327,624.64. As of this Pay Application, Langman Construction has been paid 68.0% of the contract. We have reviewed and recommend full partial payment of Payment Application No. 9 as submitted by Langman Construction. Please execute the pay application and distribute copies to all parties.

Sincerely,  
HR Green, Inc.

A handwritten signature in blue ink that reads 'Joseph Frankl'.

Joseph Frankl, P.E.  
Project Manager

Cc: Andy Lent, City Clerk  
File

Enclosures

J:\2021\210240\Construction\Payment\Pay\_Estimates\#9\ltr-122221-Trunk\_Sewer\_Langman\_Pay\_Request9.docx

# APPLICATION AND CERTIFICATION FOR PAYMENT

AIA DOCUMENT G702

Page 1 of 7 Pages

TO OWNER: City of Indianola PROJECT: WRRF Influent Trunk Sewer & Outfall Sewer APPLICATION NO: 8 Distribution to:  
 110 N. 1st Street 11870 Hoover Street  
 Indianola, IA 50125 Indianola, IA 50125  
 FROM Langman Construction, Inc. ARCHITECT: HR Green, Inc.  
 CONTRACTOR 220-34th Avenue 5525 Merle Hay Road, Suite 200  
 Rock Island, IL 61201  
 PERIOD TO: December 22, 2021  
 PROJECT NOS:

CONTRACT FOI General Construction

CONTRACT DATE: March 16, 2021

## CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract.  
 Continuation Sheet, AIA Document G703, is attached.

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

1. ORIGINAL CONTRACT SUM \$6,603,000.00  
 2. NET CHANGE BY CHANGE ORDERS (\$40,102.24)  
 3. CONTRACT SUM TO DATE (Line 1 ± 2) \$6,562,897.76  
 4. TOTAL COMPLETED & STORED TO \$4,694,775.53  
 DATE (Column L on G703)  
 5. RETAINAGE:  
 a. 5 % of Completed Work \$202,414.03  
 (Column J on G703)  
 b. 5 % of Stored Material \$32,324.75  
 (Column K on G703)  
 Total Retainage (Lines 5a + 5b or  
 Total in Column N of G703) \$234,738.78  
 6. TOTAL EARNED LESS RETAINAGE \$4,460,036.75  
 (Line 4 Less Line 5 Total)  
 7. LESS PREVIOUS CERTIFICATES FOR  
 PAYMENT (Line 6 from prior Certificate) \$4,132,412.11  
 8. CURRENT PAYMENT DUE \$327,624.64  
 9. BALANCE TO FINISH, INCLUDING RETAINAGE \$2,102,861.01  
 (Line 3 less Line 6)

CONTRACTOR: Langman Construction, Inc.

By: Brian Gaul Date: December 22, 2021

## ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED . . . . . \$ 327,624.64

(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)

ARCHITECT: Joseph Frankl By: Joseph Frankl Date: 12/27/21

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

| CHANGE ORDER SUMMARY                               | ADDITIONS | DEDUCTIONS    |
|----------------------------------------------------|-----------|---------------|
| Total changes approved in previous months by Owner |           |               |
| Total approved this Month                          |           | (\$40,102.24) |
| TOTALS                                             | \$0.00    | (\$40,102.24) |
| NET CHANGES by Change Order                        |           | (\$40,102.24) |

# CONTINUATION SHEET

AIA DOCUMENT G703

Page 2 of 7 Pages

AIA Document G702, APPLICATION AND CERTIFICATION FOR PAYMENT, containing

Contractor's signed certification is attached.

In tabulations below, amounts are stated to the nearest dollar.

Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO:

8

APPLICATION DATE: 12/22/2021

PERIOD TO: 12/22/2021

ARCHITECT'S PROJECT NO:

| A<br>ITEM<br>NO. | B<br>DESCRIPTION OF WORK                                                        | C<br>ITEM<br>QUANTITY | D<br>UNITS | E<br>UNIT<br>PRICE | F<br>TOTAL VALUE<br>OF ITEM | G<br>PREVIOUS<br>QUANTITIES | H<br>ESTIMATED<br>QUANTITY<br>INSTALLED<br>THIS PERIOD | I<br>QUANTITIES<br>TO DATE | J<br>VALUE OF<br>WORK<br>THIS PERIOD | K<br>VALUE OF WORK<br>INSTALLED<br>TO DATE | L<br>MATERIALS<br>PRESENTLY<br>STORED<br>(NOT IN<br>H) | M<br>TOTAL<br>COMPLETED<br>AND STORED<br>TO DATE<br>(H+I) | N<br>%<br>(L ÷ F) | O<br>BALANCE<br>TO FINISH<br>(F - L) | P<br>RETAINAGE<br>(IF VARIABLE<br>RATE) |
|------------------|---------------------------------------------------------------------------------|-----------------------|------------|--------------------|-----------------------------|-----------------------------|--------------------------------------------------------|----------------------------|--------------------------------------|--------------------------------------------|--------------------------------------------------------|-----------------------------------------------------------|-------------------|--------------------------------------|-----------------------------------------|
| 1                | Mobilization                                                                    | 1.00                  | LS         | \$849,000.00       | \$849,000.00                | 1.00                        |                                                        | 1.00                       |                                      | \$849,000.00                               |                                                        | \$849,000.00                                              | 100.00%           |                                      | \$42,450.00                             |
| 2                | Construction Survey                                                             | 1.00                  | LS         | \$20,000.00        | \$20,000.00                 | 0.58                        | 0.08                                                   | 0.66                       | \$1,600.00                           | \$13,200.00                                |                                                        | \$13,200.00                                               | 66.00%            | \$6,800.00                           | \$660.00                                |
| 3                | Clearing and Grubbing                                                           | 1.00                  | LS         | \$100,000.00       | \$100,000.00                | 0.85                        | 0.15                                                   | 1.00                       | \$15,000.00                          | \$100,000.00                               |                                                        | \$100,000.00                                              | 100.00%           |                                      | \$5,000.00                              |
| 4                | Topoil, Onsite                                                                  | 34046.00              | CY         | \$2.00             | \$68,092.00                 | 8511.50                     | 2723.68                                                | 11235.18                   | \$5,447.36                           | \$22,470.36                                |                                                        | \$22,470.36                                               | 33.00%            | \$45,621.64                          | \$1,123.52                              |
| 5                | Subgrade Preparation                                                            | 4520.00               | SY         | \$1.35             | \$6,102.00                  |                             |                                                        |                            |                                      |                                            |                                                        |                                                           | 0.00%             | \$6,102.00                           | \$0.00                                  |
| 6                | Subbase, Modified, 6"                                                           | 3010.00               | TON        | \$25.50            | \$76,755.00                 | 1739.54                     |                                                        | 1739.54                    |                                      | \$44,358.27                                |                                                        | \$44,358.27                                               | 57.79%            | \$32,396.73                          | \$2,217.91                              |
| 7                | Removal of Known Box Culvert, 4x5RCB                                            | 30.00                 | LF         | \$65.00            | \$1,950.00                  | 30.00                       |                                                        | 30.00                      |                                      | \$1,950.00                                 |                                                        | \$1,950.00                                                | 100.00%           |                                      | \$97.50                                 |
| 8                | Removal of Known CMP Culvert, 24"                                               | 56.00                 | LF         | \$10.00            | \$560.00                    | 56.00                       |                                                        | 56.00                      |                                      | \$560.00                                   |                                                        | \$560.00                                                  | 100.00%           |                                      | \$28.00                                 |
| 9                | Rock Removal                                                                    | 500.00                | CY         | \$0.01             | \$5.00                      |                             |                                                        |                            |                                      |                                            |                                                        |                                                           | 0.00%             | \$5.00                               | \$0.00                                  |
| 10               | Trench Foundation                                                               | 1000.00               | TON        | \$21.00            | \$21,000.00                 |                             | 24.48                                                  | 24.48                      | \$514.08                             | \$514.08                                   |                                                        | \$514.08                                                  | 2.45%             | \$20,485.92                          | \$25.70                                 |
| 11               | Concrete Encasement                                                             | 100.00                | LF         | \$400.00           | \$40,000.00                 | 20.00                       | 55.00                                                  | 75.00                      | \$22,000.00                          | \$30,000.00                                |                                                        | \$30,000.00                                               | 75.00%            | \$10,000.00                          | \$1,500.00                              |
| 12               | Construction Testing                                                            | 1.00                  | LS         | \$3,000.00         | \$3,000.00                  | 0.48                        | 0.08                                                   | 0.56                       | \$240.00                             | \$1,680.00                                 |                                                        | \$1,680.00                                                | 56.00%            | \$1,320.00                           | \$84.00                                 |
| 13               | Gravity Outfall Sewer, Trenched,PVC, 30" Diameter                               | 30.00                 | LF         | \$263.00           | \$7,890.00                  |                             |                                                        |                            |                                      |                                            | \$1,914.60                                             | \$1,914.60                                                | 24.27%            | \$5,975.40                           | \$95.73                                 |
| 14               | Gravity Outfall Sewer, Trenched,PVC, 42" Diameter                               | 2942.00               | LF         | \$271.00           | \$797,282.00                |                             |                                                        |                            |                                      |                                            | \$370,544.90                                           | \$370,544.90                                              | 46.48%            | \$426,737.10                         | \$18,527.25                             |
| 15               | Gravity Trunk Sewer, Trenched, PVC,36" Diameter, Normal Bury                    | 1969.00               | LF         | \$238.00           | \$468,622.00                |                             |                                                        |                            |                                      |                                            | \$181,797.77                                           | \$181,797.77                                              | 38.79%            | \$286,824.23                         | \$9,089.89                              |
| 16               | Gravity Trunk Sewer, Trenched, PVC, 36" Diameter, Deep Bury, Structure1259-Stru | 766.00                | LF         | \$330.00           | \$252,780.00                |                             |                                                        |                            |                                      |                                            | \$70,724.78                                            | \$70,724.78                                               | 27.98%            | \$182,055.22                         | \$3,536.24                              |
| 17               | Gravity Trunk Sewer, Trenched, PVC, 36" Diameter, Deep Bury, Station 20+50-Stru | 379.00                | LF         | \$295.00           | \$111,805.00                |                             |                                                        |                            |                                      |                                            | \$21,512.89                                            | \$21,512.89                                               | 19.24%            | \$90,292.11                          | \$1,075.64                              |
| 18               | Gravity Trunk Sewer, Trenched, PVC,42" Diameter, Normal Bury                    | 5963.00               | LF         | \$271.00           | \$1,615,973.00              | 5463.58                     | 499.42                                                 | 5963.00                    | \$135,343.65                         | \$1,615,973.00                             | \$0.00                                                 | \$1,615,973.00                                            | 100.00%           |                                      | \$80,798.65                             |
| 19               | Gravity Trunk Sewer, Trenched, PVC, 42" Diameter, Deep Bury, Structure1273-127  | 644.00                | LF         | \$383.00           | \$246,652.00                | 644.00                      |                                                        | 644.00                     |                                      | \$246,652.00                               | \$0.00                                                 | \$246,652.00                                              | 100.00%           |                                      | \$12,332.60                             |
| 20               | Gravity Trunk Sewer, Trenched, PVC, 42" Diameter, Deep Bury, Structure1283-128  | 977.00                | LF         | \$304.00           | \$297,008.00                | 977.00                      |                                                        | 977.00                     |                                      | \$297,008.00                               | \$0.00                                                 | \$297,008.00                                              | 100.00%           |                                      | \$14,850.40                             |
| 21               | Gravity Outfall Sewer, Trenched, DIP, 42" Diameter                              | 76.00                 | LF         | \$600.00           | \$45,600.00                 |                             |                                                        |                            |                                      |                                            |                                                        |                                                           | 0.00%             | \$45,600.00                          | \$0.00                                  |
| 22               | Gravity Trunk Sewer, Trenched, DIP, 36" Diameter                                | 143.00                | LF         | \$530.00           | \$75,790.00                 |                             | 140.00                                                 | 140.00                     | \$74,200.00                          | \$74,200.00                                |                                                        | \$74,200.00                                               | 97.90%            | \$1,590.00                           | \$3,710.00                              |
| 23               | Gravity Trunk Sewer, Trenched, DIP, 42" Diameter                                | 101.00                | LF         | \$600.00           | \$60,600.00                 | 101.00                      |                                                        | 101.00                     |                                      | \$60,600.00                                |                                                        | \$60,600.00                                               | 100.00%           |                                      | \$3,030.00                              |
| 24               | Irrigation Force Main, Trenched, Unrestrained PVC, 6"                           | 10423.00              | LF         | \$20.00            | \$208,460.00                | 4425.00                     | 3279.02                                                | 7704.02                    | \$65,580.49                          | \$154,080.49                               |                                                        | \$154,080.49                                              | 73.91%            | \$54,379.51                          | \$7,704.02                              |
| 25               | Irrigation Force Main, Trenched, Restrained PVC, 6"                             | 392.00                | LF         | \$45.00            | \$17,640.00                 |                             |                                                        |                            |                                      |                                            |                                                        |                                                           | 0.00%             | \$17,640.00                          | \$0.00                                  |
| 26               | Irrigation Force Main, Trenched, Restrained PVC, 4"                             | 284.00                | LF         | \$40.00            | \$11,360.00                 |                             |                                                        |                            |                                      |                                            |                                                        |                                                           | 0.00%             | \$11,360.00                          | \$0.00                                  |
| 27               | Irrigation Force Main, Trenched, Restrained DIP, 6"                             | 107.00                | LF         | \$100.00           | \$10,700.00                 | 25.00                       | 82.00                                                  | 107.00                     | \$8,200.00                           | \$10,700.00                                |                                                        | \$10,700.00                                               | 100.00%           |                                      | \$535.00                                |
| 28               | Storm Sewer, Trenched, RCP, 30"                                                 | 83.00                 | LF         | \$135.00           | \$11,205.00                 |                             |                                                        |                            |                                      |                                            |                                                        |                                                           | 0.00%             | \$11,205.00                          | \$0.00                                  |
| 29               | Storm Sewer, Trenched, RCP, 36"                                                 | 39.00                 | LF         | \$170.00           | \$6,630.00                  |                             |                                                        |                            |                                      |                                            |                                                        |                                                           | 0.00%             | \$6,630.00                           | \$0.00                                  |
| 30               | Storm Sewer, Trenched, RCAP, 42" (53" X 32") ARCH                               | 20.00                 | LF         | \$245.00           | \$4,900.00                  |                             |                                                        |                            |                                      |                                            |                                                        |                                                           | 0.00%             | \$4,900.00                           | \$0.00                                  |
| 31               | Pipe Culvert, Trenched, RCAP, 72" (88" X 54") ARCH                              | 29.00                 | LF         | \$510.00           | \$14,790.00                 | 29.00                       |                                                        | 29.00                      |                                      | \$14,790.00                                |                                                        | \$14,790.00                                               | 100.00%           |                                      | \$739.50                                |
| 32               | Pipe Culvert, Trenched, RCP, 24"                                                | 50.00                 | LF         | \$120.00           | \$6,000.00                  | 50.00                       |                                                        | 50.00                      |                                      | \$6,000.00                                 |                                                        | \$6,000.00                                                | 100.00%           |                                      | \$300.00                                |
| 33               | RCP Apron, Type II, 24"                                                         | 2.00                  | EA         | \$900.00           | \$1,800.00                  | 2.00                        |                                                        | 2.00                       |                                      | \$1,800.00                                 |                                                        | \$1,800.00                                                | 100.00%           |                                      | \$90.00                                 |
| 34               | RCP Apron, Type II, 36"                                                         | 2.00                  | EA         | \$1,300.00         | \$2,600.00                  |                             |                                                        |                            |                                      |                                            |                                                        |                                                           | 0.00%             | \$2,600.00                           | \$0.00                                  |
| 35               | RCAP Apron, 4030.223 , 42" ARCH                                                 | 2.00                  | EA         | \$2,000.00         | \$4,000.00                  |                             |                                                        |                            |                                      |                                            |                                                        |                                                           | 0.00%             | \$4,000.00                           | \$0.00                                  |
| 36               | RCAP Apron, Iowa DOT DR-202, 72" ARCH                                           | 2.00                  | EA         | \$3,800.00         | \$7,600.00                  | 2.00                        |                                                        | 2.00                       |                                      | \$7,600.00                                 |                                                        | \$7,600.00                                                | 100.00%           |                                      | \$380.00                                |
| 37               | RCP Apron Footing, 36"                                                          | 2.00                  | EA         | \$500.00           | \$1,000.00                  |                             |                                                        |                            |                                      |                                            |                                                        |                                                           | 0.00%             | \$1,000.00                           | \$0.00                                  |
| 38               | RCAP Apron Footing, 42"                                                         | 2.00                  | EA         | \$2,000.00         | \$4,000.00                  |                             |                                                        |                            |                                      |                                            |                                                        |                                                           | 0.00%             | \$4,000.00                           | \$0.00                                  |
| 39               | 6" 11.25" DI MJ Bend                                                            | 18.00                 | EA         | \$375.00           | \$6,750.00                  | 4.00                        | 5.00                                                   | 9.00                       | \$1,875.00                           | \$3,375.00                                 |                                                        | \$3,375.00                                                | 50.00%            | \$3,375.00                           | \$168.75                                |
| 40               | 6" 22.5" DI MJ Bend                                                             | 9.00                  | EA         | \$370.00           | \$3,330.00                  | 5.00                        | 1.00                                                   | 6.00                       | \$370.00                             | \$2,220.00                                 |                                                        | \$2,220.00                                                | 66.67%            | \$1,110.00                           | \$111.00                                |
| 41               | 6" 45" DI MJ Bend                                                               | 12.00                 | EA         | \$382.00           | \$4,584.00                  | 5.00                        | 2.00                                                   | 7.00                       | \$764.00                             | \$2,674.00                                 |                                                        | \$2,674.00                                                | 58.33%            | \$1,910.00                           | \$133.70                                |
| 42               | 6"X4" DI MJ TEE                                                                 | 1.00                  | EA         | \$500.00           | \$500.00                    |                             |                                                        |                            |                                      |                                            |                                                        |                                                           | 0.00%             | \$500.00                             | \$0.00                                  |
| 43               | 6" DI MJ Sleeve, Connect to Existing Force Main                                 | 1.00                  | EA         | \$1,000.00         | \$1,000.00                  | 1.00                        |                                                        | 1.00                       |                                      | \$1,000.00                                 |                                                        | \$1,000.00                                                | 100.00%           |                                      | \$50.00                                 |
| 44               | 4" DI MJ Sleeve, Connect to Existing Force Main                                 | 1.00                  | EA         | \$900.00           | \$900.00                    |                             |                                                        |                            |                                      |                                            |                                                        |                                                           | 0.00%             | \$900.00                             | \$0.00                                  |
| 45               | 6" DI MJ CAP                                                                    | 1.00                  | EA         | \$375.00           | \$375.00                    |                             |                                                        |                            |                                      |                                            |                                                        |                                                           | 0.00%             | \$375.00                             | \$0.00                                  |
| 46               | Tracer System                                                                   | 1.00                  | LS         | \$4,000.00         | \$4,000.00                  | 0.16                        | 0.34                                                   | 0.50                       | \$1,360.00                           | \$2,000.00                                 |                                                        | \$2,000.00                                                | 50.00%            | \$2,000.00                           | \$100.00                                |
| 47               | 6" Gate Valve with Valve Box                                                    | 1.00                  | EA         | \$850.00           | \$850.00                    |                             |                                                        |                            |                                      |                                            |                                                        |                                                           | 0.00%             | \$850.00                             | \$0.00                                  |
| 48               | 4" Gate Valve with Valve Box                                                    | 1.00                  | EA         | \$710.00           | \$710.00                    |                             |                                                        |                            |                                      |                                            |                                                        |                                                           | 0.00%             | \$710.00                             | \$0.00                                  |
| 49               | Connection to Existing Manhole                                                  | 1.00                  | EA         | \$7,000.00         | \$7,000.00                  | 1.00                        |                                                        | 1.00                       |                                      | \$7,000.00                                 |                                                        | \$7,000.00                                                | 100.00%           |                                      | \$350.00                                |
| 50               | Sanitary Manhole, SW-301, 60"Diameter                                           | 8.00                  | EA         | \$12,700.00        | \$101,600.00                |                             |                                                        |                            |                                      |                                            |                                                        |                                                           | 0.00%             | \$101,600.00                         | \$0.00                                  |
| 51               | Sanitary Manhole, SW-301, 72"Diameter                                           | 27.00                 | EA         | \$16,600.00        | \$448,200.00                | 16.00                       | 1.00                                                   | 17.00                      | \$16,600.00                          | \$282,200.00                               |                                                        | \$282,200.00                                              | 62.96%            | \$166,000.00                         | \$14,110.00                             |
| 52               | Sanitary Manhole, SW-301, >25"Deep, 72" Diameter                                | 2.00                  | EA         | \$28,500.00        | \$57,000.00                 | 2.00                        |                                                        | 2.00                       |                                      | \$57,000.00                                |                                                        | \$57,000.00                                               | 100.00%           |                                      | \$2,850.00                              |

# CONTINUATION SHEET

AIA DOCUMENT G703

Page 3 of 7 Pages

AIA Document G702, APPLICATION AND CERTIFICATION FOR PAYMENT, containing

Contractor's signed certification is attached.

In tabulations below, amounts are stated to the nearest dollar.

Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO: 8

APPLICATION DATE: 12/22/2021

PERIOD TO: 12/22/2021

ARCHITECT'S PROJECT NO:

| A<br>ITEM<br>NO. | B<br>DESCRIPTION OF WORK                                     | C<br>ITEM<br>QUANTITY | D<br>UNITS | E<br>UNIT<br>PRICE | F<br>TOTAL VALUE<br>OF ITEM | G<br>PREVIOUS<br>QUANTITIES | H<br>ESTIMATED<br>QUANTITY<br>INSTALLED<br>THIS PERIOD | I<br>QUANTITIES<br>TO DATE | J<br>VALUE OF<br>WORK<br>THIS PERIOD | K<br>VALUE OF WORK<br>INSTALLED<br>TO DATE | L<br>MATERIALS<br>PRESENTLY<br>STORED<br>(NOT IN<br>H) | M<br>TOTAL<br>COMPLETED<br>AND STORED<br>TO DATE<br>(H+I) | N<br>%<br>(L ÷ F) | O<br>BALANCE<br>TO FINISH<br>(F - L) | P<br>RETAINAGE<br>(IF VARIABLE<br>RATE) |
|------------------|--------------------------------------------------------------|-----------------------|------------|--------------------|-----------------------------|-----------------------------|--------------------------------------------------------|----------------------------|--------------------------------------|--------------------------------------------|--------------------------------------------------------|-----------------------------------------------------------|-------------------|--------------------------------------|-----------------------------------------|
| 53               | Sanitary Manhole, SW-302, 7' X 7'                            | 1.00                  | EA         | \$27,700.00        | \$27,700.00                 |                             |                                                        |                            |                                      |                                            |                                                        |                                                           | 0.00%             | \$27,700.00                          | \$0.00                                  |
| 54               | Sanitary Manhole, SW-303, 84" Diameter                       | 1.00                  | EA         | \$35,200.00        | \$35,200.00                 |                             |                                                        |                            |                                      |                                            |                                                        |                                                           | 0.00%             | \$35,200.00                          | \$0.00                                  |
| 55               | Storm Manhole, SW-401, 84" Diameter                          | 1.00                  | EA         | \$10,600.00        | \$10,600.00                 |                             |                                                        |                            |                                      |                                            |                                                        |                                                           | 0.00%             | \$10,600.00                          | \$0.00                                  |
| 56               | Outfall Headwall                                             | 1.00                  | EA         | \$30,000.00        | \$30,000.00                 |                             | 0.50                                                   | 0.50                       | \$15,000.00                          | \$15,000.00                                |                                                        | \$15,000.00                                               | 50.00%            | \$15,000.00                          | \$750.00                                |
| 57               | Class A Road Surfacing, 3"                                   | 842.00                | TON        | \$30.00            | \$25,260.00                 | 763.64                      |                                                        | 763.64                     | \$22,909.20                          | \$22,909.20                                |                                                        | \$22,909.20                                               | 90.69%            | \$2,350.80                           | \$1,145.46                              |
| 58               | Traffic Control                                              | 1.00                  | LS         | \$4,500.00         | \$4,500.00                  | 0.48                        | 0.08                                                   | 0.56                       | \$360.00                             | \$2,520.00                                 |                                                        | \$2,520.00                                                | 56.00%            | \$1,980.00                           | \$126.00                                |
| 59               | Hydraulic Seeding, Fertilizing, andBFM Mulching, Type 2 Mix  | 4.10                  | ACRE       | \$3,200.00         | \$13,120.00                 |                             |                                                        |                            |                                      |                                            |                                                        |                                                           | 0.00%             | \$13,120.00                          | \$0.00                                  |
| 60               | Hydraulic Seeding, Fertilizing, andBFM Mulching, Type 5 Mix  | 7.80                  | ACRE       | \$2,650.00         | \$20,670.00                 | 0.77                        |                                                        | 0.77                       | \$2,040.50                           | \$2,040.50                                 |                                                        | \$2,040.50                                                | 9.87%             | \$18,629.50                          | \$102.03                                |
| 61               | Hydraulic Seeding, Fertilizing, andBFM Mulching, Native Mix  | 14.70                 | ACRE       | \$3,750.00         | \$55,125.00                 |                             |                                                        |                            |                                      |                                            |                                                        |                                                           | 0.00%             | \$55,125.00                          | \$0.00                                  |
| 62               | Hydraulic Seeding, Fertilizing, andBFM Mulching, Wetland Mix | 3.40                  | ACRE       | \$4,000.00         | \$13,600.00                 |                             |                                                        |                            |                                      |                                            |                                                        |                                                           | 0.00%             | \$13,600.00                          | \$0.00                                  |
| 63               | Plants, Trees                                                | 0.05                  | ACRE       | \$40,000.00        | \$2,000.00                  |                             |                                                        |                            |                                      |                                            |                                                        |                                                           | 0.00%             | \$2,000.00                           | \$0.00                                  |
| 64               | SWPPP Preparation                                            | 1.00                  | LS         | \$1,905.99         | \$1,905.99                  | 1.00                        |                                                        | 1.00                       | \$1,905.99                           | \$1,905.99                                 |                                                        | \$1,905.99                                                | 100.00%           |                                      | \$95.30                                 |
| 65               | SWPPP Management                                             | 1.00                  | LS         | \$4,500.00         | \$4,500.00                  | 0.48                        | 0.08                                                   | 0.56                       | \$360.00                             | \$2,520.00                                 |                                                        | \$2,520.00                                                | 56.00%            | \$1,980.00                           | \$126.00                                |
| 66               | Filter Sock, Installation, Maintenance, and Removal          | 7000.00               | LF         | \$1.50             | \$10,500.00                 | 524.00                      |                                                        | 524.00                     | \$786.00                             | \$786.00                                   |                                                        | \$786.00                                                  | 7.49%             | \$9,714.00                           | \$39.30                                 |
| 67               | Temporary RECP, Type 2.C                                     | 930.00                | SY         | \$1.30             | \$1,209.00                  |                             |                                                        |                            |                                      |                                            |                                                        |                                                           | 0.00%             | \$1,209.00                           | \$0.00                                  |
| 68               | Rip-Rap, Class E, Stream Crossings                           | 368.00                | TON        | \$60.00            | \$22,080.00                 |                             |                                                        |                            |                                      |                                            |                                                        |                                                           | 0.00%             | \$22,080.00                          | \$0.00                                  |
| 69               | Rip-Rap, Class D, Stream Bank Stabilization                  | 275.00                | TON        | \$60.00            | \$16,500.00                 |                             |                                                        |                            |                                      |                                            |                                                        |                                                           | 0.00%             | \$16,500.00                          | \$0.00                                  |
| 70               | Rip-Rap, Class D, Outfall                                    | 84.00                 | TON        | \$60.00            | \$5,040.00                  |                             |                                                        |                            |                                      |                                            |                                                        |                                                           | 0.00%             | \$5,040.00                           | \$0.00                                  |
| 71               | Rip-Rap, Class A, Storm Sewer                                | 184.00                | TON        | \$60.00            | \$11,040.00                 |                             |                                                        |                            |                                      |                                            |                                                        |                                                           | 0.00%             | \$11,040.00                          | \$0.00                                  |
| 72               | Silt Fence, Installation, Maintenance, and Removal           | 7000.00               | LF         | \$1.50             | \$10,500.00                 | 780.00                      | 1560.00                                                | 2340.00                    | \$2,340.00                           | \$3,510.00                                 |                                                        | \$3,510.00                                                | 33.43%            | \$6,990.00                           | \$175.50                                |
| 73               | Stabilized Construction Entrances                            | 1.00                  | LS         | \$1,500.00         | \$1,500.00                  | 0.25                        | 0.46                                                   | 0.71                       | \$690.00                             | \$1,065.00                                 |                                                        | \$1,065.00                                                | 71.00%            | \$435.00                             | \$53.25                                 |
| 74               | Dust Control, Water                                          | 12.50                 | MGAL       | \$100.00           | \$1,250.00                  | 5.10                        |                                                        | 5.10                       | \$510.00                             | \$510.00                                   |                                                        | \$510.00                                                  | 40.80%            | \$740.00                             | \$25.50                                 |
| 75               | Dust Control, Calcium Chloride                               | 37.50                 | TON        | \$500.00           | \$18,750.00                 | 15.30                       |                                                        | 15.30                      | \$7,650.00                           | \$7,650.00                                 |                                                        | \$7,650.00                                                | 40.80%            | \$11,100.00                          | \$382.50                                |
| 76               | Removal and Replacement of Field Fence                       | 360.00                | LF         | \$15.00            | \$5,400.00                  |                             |                                                        |                            |                                      |                                            |                                                        |                                                           | 0.00%             | \$5,400.00                           | \$0.00                                  |
| 77               | Concrete Washout                                             | 1.00                  | LS         | \$100.00           | \$100.00                    |                             |                                                        |                            |                                      |                                            |                                                        |                                                           | 0.00%             | \$100.00                             | \$0.00                                  |
| 78               | Air Release Valve Station                                    | 4.00                  | EA         | \$16,000.00        | \$64,000.00                 | 1.00                        | 2.00                                                   | 3.00                       | \$32,000.00                          | \$48,000.00                                |                                                        | \$48,000.00                                               | 75.00%            | \$16,000.00                          | \$2,400.00                              |
| 79               | Dewatering                                                   | 1.00                  | LS         | \$0.01             | \$0.01                      |                             |                                                        |                            |                                      |                                            |                                                        |                                                           | 0.00%             | \$0.01                               | \$0.00                                  |
| 80               | Creek Crossing                                               | 3.00                  | EA         | \$25,000.00        | \$75,000.00                 | 1.50                        | 0.50                                                   | 2.00                       | \$12,500.00                          | \$50,000.00                                |                                                        | \$50,000.00                                               | 66.67%            | \$25,000.00                          | \$2,500.00                              |
| 81               | CO                                                           |                       |            |                    |                             |                             |                                                        |                            |                                      |                                            |                                                        |                                                           |                   |                                      |                                         |
| 82               | 8" Manhole Vent Change                                       | 7.00                  | EA         | (\$2,776.00)       | (\$19,432.00)               | 5.00                        |                                                        | 5.00                       | (\$13,880.00)                        | (\$13,880.00)                              |                                                        | (\$13,880.00)                                             | 71.43%            | (\$5,552.00)                         | (\$694.00)                              |
| 83               | 12" Manhole Vent Change                                      | 1.00                  | EA         | (\$4,552.02)       | (\$4,552.02)                |                             |                                                        |                            |                                      |                                            |                                                        |                                                           | 0.00%             | (\$4,552.02)                         | \$0.00                                  |
| 84               | Air Release Vent Change                                      | 4.00                  | EA         | (\$2,287.10)       | (\$9,148.40)                | 1.00                        | 2.00                                                   | 3.00                       | (\$4,574.20)                         | (\$6,861.30)                               |                                                        | (\$6,861.30)                                              | 75.00%            | (\$2,287.10)                         | (\$343.07)                              |
| 85               | Conshield Deduct                                             | 8.00                  | EA         | (\$1,876.22)       | (\$15,009.75)               |                             |                                                        |                            |                                      |                                            |                                                        |                                                           | 0.00%             | (\$15,009.75)                        | \$0.00                                  |
| 86               | RFP-001 Additional Storm Sewer                               | 1.00                  | LS         | \$8,039.93         | \$8,039.93                  |                             |                                                        |                            |                                      |                                            |                                                        |                                                           | 0.00%             | \$8,039.93                           | \$0.00                                  |
| 87               |                                                              |                       |            |                    |                             |                             |                                                        |                            |                                      |                                            |                                                        |                                                           |                   |                                      | \$0.00                                  |
| 84               |                                                              |                       |            |                    |                             |                             |                                                        |                            |                                      |                                            |                                                        |                                                           |                   |                                      | \$0.00                                  |
| 85               |                                                              |                       |            |                    |                             |                             |                                                        |                            |                                      |                                            |                                                        |                                                           |                   |                                      | \$0.00                                  |
| 86               |                                                              |                       |            |                    |                             |                             |                                                        |                            |                                      |                                            |                                                        |                                                           |                   |                                      | \$0.00                                  |
|                  | <b>GRAND TOTALS</b>                                          |                       |            |                    | \$6,562,897.76              |                             |                                                        |                            | \$407,770.38                         | \$4,048,280.59                             | \$646,494.94                                           | \$4,694,775.53                                            | 71.54%            | \$1,868,122.23                       | \$234,738.78                            |

## Stored Material Summary

| For (Contract): WRRF Influent Trunk Sewer & Outfall Sewer |                      |                  |                                 |         |                   |             |                               | Application Number: 8                |                      |             |                                                 |
|-----------------------------------------------------------|----------------------|------------------|---------------------------------|---------|-------------------|-------------|-------------------------------|--------------------------------------|----------------------|-------------|-------------------------------------------------|
| Application Period: 4/21/2021 to 12/22/2021               |                      |                  |                                 |         |                   |             |                               | Application Date: 12/22/2021         |                      |             |                                                 |
| A                                                         |                      | B                |                                 |         | C                 |             | D                             | Subtotal Amount                      | E                    |             | F                                               |
| Bid Item No.                                              | Supplier Invoice No. | Storage Location | Description of Materials Stored | Footage | Stored Previously |             | Amount Stored this Month (\$) | Completed and Stored to Date (C + D) | Incorporated in Work |             | Materials Remaining in Storage (\$) (D + E - F) |
|                                                           |                      |                  |                                 |         | Date Placed       | Amount (\$) |                               |                                      | Date (Month/Year)    | Amount (\$) |                                                 |
|                                                           | N828587              |                  | 36 INCH SEWER PIPE              | 168     | 4/2021            | \$15,511.44 |                               | \$15,511.44                          |                      |             | \$15,511.44                                     |
|                                                           | O011875              |                  | 30 INCH SEWER PIPE              | 30      | 4/2021            | \$1,914.60  |                               | \$1,914.60                           |                      |             | \$1,914.60                                      |
|                                                           | O011875              |                  | 36 INCH SEWER PIPE              | 168     | 4/2021            | \$15,511.44 |                               | \$15,511.44                          |                      |             | \$15,511.44                                     |
|                                                           | O011885              |                  | 36 INCH SEWER PIPE              | 140     | 4/2021            | \$12,926.20 |                               | \$12,926.20                          |                      |             | \$12,926.20                                     |
|                                                           | O011891              |                  | 36 INCH SEWER PIPE              | 168     | 4/2021            | \$15,511.44 |                               | \$15,511.44                          |                      |             | \$15,511.44                                     |
|                                                           | O011899              |                  | 36 INCH SEWER PIPE              | 168     | 4/2021            | \$15,511.44 |                               | \$15,511.44                          |                      |             | \$15,511.44                                     |
|                                                           | O011905              |                  | 36 INCH SEWER PIPE              | 168     | 4/2021            | \$15,511.44 |                               | \$15,511.44                          |                      |             | \$15,511.44                                     |
|                                                           | O011913              |                  | 36 INCH SEWER PIPE              | 168     | 4/2021            | \$15,511.44 |                               | \$15,511.44                          |                      |             | \$15,511.44                                     |
|                                                           | O011920              |                  | 36 INCH SEWER PIPE              | 168     | 4/2021            | \$15,511.44 |                               | \$15,511.44                          |                      |             | \$15,511.44                                     |
|                                                           | O011933              |                  | 36 INCH SEWER PIPE              | 168     | 4/2021            | \$15,511.44 |                               | \$15,511.44                          |                      |             | \$15,511.44                                     |
|                                                           | O011948              |                  | 36 INCH SEWER PIPE              | 168     | 4/2021            | \$15,511.44 |                               | \$15,511.44                          |                      |             | \$15,511.44                                     |
|                                                           | O011975              |                  | 36 INCH SEWER PIPE              | 168     | 4/2021            | \$15,511.44 |                               | \$15,511.44                          |                      |             | \$15,511.44                                     |
|                                                           | O011979              |                  | 36 INCH SEWER PIPE              | 168     | 4/2021            | \$15,511.44 |                               | \$15,511.44                          |                      |             | \$15,511.44                                     |
|                                                           | O011996              |                  | 36 INCH SEWER PIPE              | 168     | 4/2021            | \$15,511.44 |                               | \$15,511.44                          |                      |             | \$15,511.44                                     |
|                                                           | O034628              |                  | 42 INCH SEWER PIPE              | 168     | 4/2021            | \$21,159.60 |                               | \$21,159.60                          | 4/2021               | \$21,159.60 | \$0.00                                          |
|                                                           | O034637              |                  | 42 INCH SEWER PIPE              | 168     | 4/2021            | \$21,159.60 |                               | \$21,159.60                          | 4/2021               | \$21,159.60 | \$0.00                                          |
|                                                           | O034648              |                  | 42 INCH SEWER PIPE              | 168     | 4/2021            | \$21,159.60 |                               | \$21,159.60                          | 5/2021               | \$21,159.60 | \$0.00                                          |
|                                                           | O034665              |                  | 42 INCH SEWER PIPE              | 168     | 4/2021            | \$21,159.60 |                               | \$21,159.60                          | 5/2021               | \$21,159.60 | \$0.00                                          |
|                                                           | O034682              |                  | 42 INCH SEWER PIPE              | 168     | 4/2021            | \$21,159.60 |                               | \$21,159.60                          | 5/2021               | \$21,159.60 | \$0.00                                          |
|                                                           | O034682              |                  | 36 INCH SEWER PIPE              | 168     | 4/2021            | \$15,511.44 |                               | \$15,511.44                          |                      |             | \$15,511.44                                     |
|                                                           | O034741              |                  | 36 INCH SEWER PIPE              | 168     | 4/2021            | \$15,511.44 |                               | \$15,511.44                          |                      |             | \$15,511.44                                     |
|                                                           | O034763              |                  | 42 INCH SEWER PIPE              | 168     | 4/2021            | \$21,159.60 |                               | \$21,159.60                          | 5/2021               | \$21,159.60 | \$0.00                                          |
|                                                           | O034763              |                  | 36 INCH SEWER PIPE              | 168     | 4/2021            | \$15,511.44 |                               | \$15,511.44                          |                      |             | \$15,511.44                                     |
|                                                           | O034892              |                  | 42 INCH SEWER PIPE              | 168     | 4/2021            | \$21,159.60 |                               | \$21,159.60                          | 6/2021               | \$21,159.60 | \$0.00                                          |
|                                                           | O034960              |                  | 42 INCH SEWER PIPE              | 28      | 4/2021            | \$3,526.60  |                               | \$3,526.60                           | 6/2021               | \$3,526.60  | \$0.00                                          |
|                                                           | O034960              |                  | 36 INCH SEWER PIPE              | 140     | 4/2021            | \$12,926.20 |                               | \$12,926.20                          |                      |             | \$12,926.20                                     |
|                                                           | O035146              |                  | 42 INCH SEWER PIPE              | 168     | 4/2021            | \$21,159.60 |                               | \$21,159.60                          | 6/2021               | \$21,159.60 | \$0.00                                          |
|                                                           | O035159              |                  | 42 INCH SEWER PIPE              | 168     | 4/2021            | \$21,159.60 |                               | \$21,159.60                          | 6/2021               | \$21,159.60 | \$0.00                                          |
|                                                           | O035167              |                  | 42 INCH SEWER PIPE              | 168     | 4/2021            | \$21,159.60 |                               | \$21,159.60                          | 7/2021               | \$21,159.60 | \$0.00                                          |
|                                                           | O035182              |                  | 42 INCH SEWER PIPE              | 168     | 4/2021            | \$21,159.60 |                               | \$21,159.60                          | 7/2021               | \$21,159.60 | \$0.00                                          |
|                                                           | O046882              |                  | 42 INCH SEWER PIPE              | 168     | 4/2021            | \$21,159.60 |                               | \$21,159.60                          | 7/2021               | \$21,159.60 | \$0.00                                          |
|                                                           | O046882              |                  | 36 INCH SEWER PIPE              | 168     | 4/2021            | \$15,511.44 |                               | \$15,511.44                          |                      |             | \$15,511.44                                     |
|                                                           | O055532              |                  | 42 INCH SEWER PIPE              | 168     | 4/2021            | \$21,159.60 |                               | \$21,159.60                          | 8/2021               | \$21,159.60 | \$0.00                                          |
|                                                           | O055738              |                  | 42 INCH SEWER PIPE              | 168     | 4/2021            | \$21,159.60 |                               | \$21,159.60                          | 8/2021               | \$21,159.60 | \$0.00                                          |
|                                                           | O075827              |                  | 42 INCH SEWER PIPE              | 168     | 4/2021            | \$21,159.60 |                               | \$21,159.60                          | 8/2021               | \$21,159.60 | \$0.00                                          |
|                                                           | O076055              |                  | 42 INCH SEWER PIPE              | 168     | 4/2021            | \$21,159.60 |                               | \$21,159.60                          | 8/2021               | \$21,159.60 | \$0.00                                          |
|                                                           | O076062              |                  | 42 INCH SEWER PIPE              | 168     | 4/2021            | \$21,159.60 |                               | \$21,159.60                          | 8/2021               | \$21,159.60 | \$0.00                                          |
|                                                           | O084813              |                  | 42 INCH SEWER PIPE              | 168     | 4/2021            | \$21,159.60 |                               | \$21,159.60                          | 8/2021               | \$21,159.60 | \$0.00                                          |
|                                                           | O084828              |                  | 42 INCH SEWER PIPE              | 168     | 4/2021            | \$21,159.60 |                               | \$21,159.60                          | 8/2021               | \$21,159.60 | \$0.00                                          |
|                                                           | O094678              |                  | 42 INCH SEWER PIPE              | 168     | 5/2021            | \$21,159.60 |                               | \$21,159.60                          | 8/2021               | \$21,159.60 | \$0.00                                          |

|                    |         |  |                    |                           |              |                |        |                |         |             |              |
|--------------------|---------|--|--------------------|---------------------------|--------------|----------------|--------|----------------|---------|-------------|--------------|
|                    | O094691 |  | 42 INCH SEWER PIPE | 168                       | 5/2021       | \$21,159.60    |        | \$21,159.60    | 9/2021  | \$21,159.60 | \$0.00       |
|                    | O094700 |  | 42 INCH SEWER PIPE | 168                       | 5/2021       | \$21,159.60    |        | \$21,159.60    | 9/2021  | \$21,159.60 | \$0.00       |
|                    | O102393 |  | 42 INCH SEWER PIPE | 168                       | 5/2021       | \$21,159.60    |        | \$21,159.60    | 9/2021  | \$21,159.60 | \$0.00       |
|                    | O102421 |  | 42 INCH SEWER PIPE | 168                       | 5/2021       | \$21,159.60    |        | \$21,159.60    | 9/2021  | \$21,159.60 | \$0.00       |
|                    | O102429 |  | 42 INCH SEWER PIPE | 168                       | 5/2021       | \$21,159.60    |        | \$21,159.60    | 9/2021  | \$21,159.60 | \$0.00       |
|                    | O102444 |  | 42 INCH SEWER PIPE | 168                       | 5/2021       | \$21,159.60    |        | \$21,159.60    | 9/2021  | \$21,159.60 | \$0.00       |
|                    | O109826 |  | 42 INCH SEWER PIPE | 168                       | 5/2021       | \$21,159.60    |        | \$21,159.60    | 9/2021  | \$21,159.60 | \$0.00       |
|                    | O109843 |  | 42 INCH SEWER PIPE | 168                       | 5/2021       | \$21,159.60    |        | \$21,159.60    | 9/2021  | \$21,159.60 | \$0.00       |
|                    | O109858 |  | 42 INCH SEWER PIPE | 168                       | 5/2021       | \$21,159.60    |        | \$21,159.60    | 9/2021  | \$21,159.60 | \$0.00       |
|                    | O110000 |  | 42 INCH SEWER PIPE | 168                       | 5/2021       | \$21,159.60    |        | \$21,159.60    | 10/2021 | \$21,159.60 | \$0.00       |
|                    | O110025 |  | 42 INCH SEWER PIPE | 168                       | 5/2021       | \$21,159.60    |        | \$21,159.60    | 10/2021 | \$21,159.60 | \$0.00       |
|                    | O110039 |  | 42 INCH SEWER PIPE | 168                       | 5/2021       | \$21,159.60    |        | \$21,159.60    | 10/2021 | \$21,159.60 | \$0.00       |
|                    | O133491 |  | 42 INCH SEWER PIPE | 168                       | 5/2021       | \$21,159.60    |        | \$21,159.60    | 10/2021 | \$21,159.60 | \$0.00       |
|                    | O133501 |  | 42 INCH SEWER PIPE | 168                       | 5/2021       | \$21,159.60    |        | \$21,159.60    | 10/2021 | \$21,159.60 | \$0.00       |
|                    | O133512 |  | 42 INCH SEWER PIPE | 168                       | 5/2021       | \$21,159.60    |        | \$21,159.60    | 11/2021 | \$21,159.60 | \$0.00       |
|                    | O147425 |  | 42 INCH SEWER PIPE | 168                       | 5/2021       | \$21,159.60    |        | \$21,159.60    | 11/2021 | \$21,159.60 | \$0.00       |
|                    | O147692 |  | 42 INCH SEWER PIPE | 168                       | 5/2021       | \$21,159.60    |        | \$21,159.60    | 11/2021 | \$21,159.60 | \$0.00       |
|                    | O147801 |  | 42 INCH SEWER PIPE | 168                       | 5/2021       | \$21,159.60    |        | \$21,159.60    | 11/2021 | \$21,159.60 | \$0.00       |
|                    | O147986 |  | 42 INCH SEWER PIPE | 168                       | 5/2021       | \$21,159.60    |        | \$21,159.60    | 11/2021 | \$21,159.60 | \$0.00       |
|                    | O148003 |  | 42 INCH SEWER PIPE | 168                       | 5/2021       | \$21,159.60    |        | \$21,159.60    | 11/2021 | \$21,159.60 | \$0.00       |
|                    | O148133 |  | 42 INCH SEWER PIPE | 168                       | 5/2021       | \$21,159.60    |        | \$21,159.60    | 11/2021 | \$21,159.60 | \$0.00       |
|                    | O148161 |  | 42 INCH SEWER PIPE | 168                       | 5/2021       | \$21,159.60    |        | \$21,159.60    | 11/2021 | \$21,159.60 | \$0.00       |
|                    | O148177 |  | 42 INCH SEWER PIPE | 168                       | 5/2021       | \$21,159.60    |        | \$21,159.60    | 11/2021 | \$21,159.60 | \$0.00       |
|                    | O148467 |  | 42 INCH SEWER PIPE | 168                       | 5/2021       | \$21,159.60    |        | \$21,159.60    |         | \$21,159.60 | \$0.00       |
|                    | O148481 |  | 42 INCH SEWER PIPE | 168                       | 5/2021       | \$21,159.60    |        | \$21,159.60    |         | \$20,655.80 | \$503.80     |
|                    | O148495 |  | 42 INCH SEWER PIPE | 168                       | 5/2021       | \$21,159.60    |        | \$21,159.60    |         |             | \$21,159.60  |
|                    | O151218 |  | 42 INCH SEWER PIPE | 168                       | 5/2021       | \$21,159.60    |        | \$21,159.60    |         |             | \$21,159.60  |
|                    | O151228 |  | 42 INCH SEWER PIPE | 168                       | 5/2021       | \$21,159.60    |        | \$21,159.60    |         |             | \$21,159.60  |
|                    | O164687 |  | 42 INCH SEWER PIPE | 168                       | 5/2021       | \$21,159.60    |        | \$21,159.60    |         |             | \$21,159.60  |
|                    | O164706 |  | 42 INCH SEWER PIPE | 168                       | 5/2021       | \$21,159.60    |        | \$21,159.60    |         |             | \$21,159.60  |
|                    | O164720 |  | 42 INCH SEWER PIPE | 168                       | 5/2021       | \$21,159.60    |        | \$21,159.60    |         |             | \$21,159.60  |
|                    | O164737 |  | 42 INCH SEWER PIPE | 168                       | 5/2021       | \$21,159.60    |        | \$21,159.60    |         |             | \$21,159.60  |
|                    | O164750 |  | 42 INCH SEWER PIPE | 168                       | 5/2021       | \$21,159.60    |        | \$21,159.60    |         |             | \$21,159.60  |
|                    | O164758 |  | 42 INCH SEWER PIPE | 168                       | 5/2021       | \$21,159.60    |        | \$21,159.60    |         |             | \$21,159.60  |
|                    | O168526 |  | 42 INCH SEWER PIPE | 168                       | 5/2021       | \$21,159.60    |        | \$21,159.60    |         |             | \$21,159.60  |
|                    | O168596 |  | 42 INCH SEWER PIPE | 168                       | 5/2021       | \$21,159.60    |        | \$21,159.60    |         |             | \$21,159.60  |
|                    | O198883 |  | 42 INCH SEWER PIPE | 168                       | 5/2021       | \$21,159.60    |        | \$21,159.60    |         |             | \$21,159.60  |
|                    | O198895 |  | 42 INCH SEWER PIPE | 168                       | 5/2021       | \$21,159.60    |        | \$21,159.60    |         |             | \$21,159.60  |
|                    | O198912 |  | 42 INCH SEWER PIPE | 168                       | 5/2021       | \$21,159.60    |        | \$21,159.60    |         |             | \$21,159.60  |
|                    | O199055 |  | 42 INCH SEWER PIPE | 98                        | 5/2021       | \$12,343.10    |        | \$12,343.10    |         |             | \$12,343.10  |
|                    | O199087 |  | 42 INCH SEWER PIPE | 168                       | 5/2021       | \$21,159.60    |        | \$21,159.60    |         |             | \$21,159.60  |
|                    | O199108 |  | 42 INCH SEWER PIPE | 168                       | 5/2021       | \$21,159.60    |        | \$21,159.60    |         |             | \$21,159.60  |
|                    | O199118 |  | 42 INCH SEWER PIPE | 168                       | 5/2021       | \$21,159.60    |        | \$21,159.60    | 5/2021  | \$2,015.20  | \$19,144.40  |
|                    |         |  |                    | CURRENT STORED<br>FOOTAGE | VALUE        |                |        |                |         |             |              |
| 30 INCH SEWER PIPE |         |  |                    | 30.00                     | \$1,914.60   |                |        |                |         |             |              |
| 36 INCH SEWER PIPE |         |  |                    | 2968.00                   | \$274,035.44 |                |        |                |         |             |              |
| 42 INCH SEWER PIPE |         |  |                    | 2942.00                   | \$370,544.90 |                |        |                |         |             |              |
|                    |         |  |                    |                           |              |                |        |                |         |             |              |
|                    |         |  |                    |                           | Totals       | \$1,603,714.94 | \$0.00 | \$1,603,714.94 |         |             | \$646,494.94 |

| Sanitary Sewer |              |           |            |           |                              | 7685.59  |
|----------------|--------------|-----------|------------|-----------|------------------------------|----------|
| Structure      | Point Number | Northing  | Easting    | Elevation | Description                  | Distance |
| 1287           | 24           | 513721.20 | 1613707.27 | 809.36    | Existing STR Center Flat-top |          |
| 1286           | 23           | 513642.90 | 1613787.21 | 808.66    | Rim Not finished Grade       | 111.89   |
| 1285           | 25           | 513282.35 | 1613784.24 | 806.42    | Rim Not finished Grade       | 360.57   |
| 1284           | 28           | 512787.21 | 1613786.05 | 819.28    | Rim Not finished Grade       | 495.14   |
| 1283           | 29           | 512303.33 | 1613787.39 | 804.41    | Rim Not finished Grade       | 483.88   |
| 1282           | 74           | 512212.00 | 1613834.22 | 806.75    | Rim Not finished Grade       | 102.64   |
| 1281           | 75           | 512024.18 | 1614280.38 | 808.26    | Rim Not finished Grade       | 484.08   |
| 1280           | 76           | 511577.46 | 1614497.94 | 808.46    | Rim Not finished Grade       | 496.89   |
| 1279           | 77           | 511292.36 | 1614902.86 | 807.74    | Rim Not finished Grade       | 495.22   |
| 1278           | 78           | 510797.20 | 1615012.95 | 811.55    | Rim Not finished Grade       | 507.25   |
| 1277           | 79           | 510553.81 | 1615381.40 | 813.68    | Rim Not finished Grade       | 441.58   |
| 1276           | 80           | 510191.15 | 1615569.62 | 814.19    | Rim Not finished Grade       | 408.59   |
| 1275           | 81           | 509698.73 | 1615631.73 | 821.67    | Rim Not finished Grade       | 496.32   |
| 1274           | 90           | 509392.98 | 1615708.67 | 833.65    | Rim Not finished Grade       | 315.28   |
| 1273           | 89           | 509176.17 | 1615955.81 | 813.28    | Rim Not finished Grade       | 328.76   |
| 1272           | 88           | 509014.80 | 1615954.06 | 812.84    | Rim Not finished Grade       | 161.39   |
| 1271           | 87           | 508518.61 | 1615950.21 | 814.91    | Rim Not finished Grade       | 496.20   |
| 1270           | 86           | 508020.07 | 1615949.15 | 817.27    | Rim Not finished Grade       | 498.55   |
| 1269           | 85           | 507520.26 | 1615955.19 | 816.72    | Rim Not finished Grade       | 499.84   |
| 1268           | 84           | 507021.74 | 1616010.02 | 816.99    | Rim Not finished Grade       | 501.53   |

| Point | Description                   |       | Northing  | Easting    | Distance |
|-------|-------------------------------|-------|-----------|------------|----------|
| 16    | valve                         |       | 513748.66 | 1613746.45 |          |
| 17    | Bend                          |       | 513746.64 | 1613747.00 | 2.10     |
| 19    | Bend                          |       | 513650.67 | 1613762.81 | 97.26    |
| 21    | Bend                          |       | 513648.49 | 1613763.15 | 2.21     |
| 22    | Bend                          |       | 513625.48 | 1613795.09 | 39.36    |
| 30    | 22.5 bend                     |       | 512282.47 | 1613794.21 | 1343.01  |
|       |                               | 11.25 | 512266.44 | 1613802.40 | 18.00    |
| 31    |                               | 11.25 | 512232.63 | 1613819.66 | 37.97    |
| 32    |                               | 11.25 | 512216.80 | 1613827.72 | 17.76    |
| 34    | 45 sw 1282                    |       | 512207.51 | 1613830.72 | 9.77     |
| 35    |                               | 22.5  | 512033.16 | 1614252.58 | 456.47   |
| 42    | 22.5 1281. #2                 |       | 512015.07 | 1614271.60 | 26.25    |
| 41    | 22.5 1280                     |       | 511574.79 | 1614485.17 | 489.34   |
| 71    | 22.5 at 1279                  |       | 511288.39 | 1614896.59 | 501.29   |
| 70    | 45 at 1278                    |       | 510789.41 | 1615008.17 | 511.30   |
| 72    | 22.5 at 1277                  |       | 510539.74 | 1615383.67 | 450.93   |
| 73    | 22.5 at 1276                  |       | 510187.90 | 1615565.33 | 395.97   |
| 84    | 11.25 at 1275                 |       | 509697.35 | 1615624.73 | 494.14   |
| 85    | 22.5 at 1274                  |       | 509392.59 | 1615702.21 | 314.45   |
| 86    | 11.25 at 1274                 |       | 509390.65 | 1615703.68 | 2.44     |
| 87    | 45 at 1273                    |       | 509170.55 | 1615945.95 | 327.32   |
| 88    | 11.25 at 1269                 |       | 507518.49 | 1615947.14 | 1652.06  |
| 89    | 45 at 1268                    |       | 507035.70 | 1616007.32 | 486.53   |
| 90    | 11.25 at 1268                 |       | 507021.22 | 1616021.04 | 19.95    |
| 91    | 11.25 at creek crossing north |       | 507004.08 | 1616049.43 | 33.16    |



## MEMORANDUM

**To:** Mayor and City Council

**From:** Jackie Raffety, City Clerk/Asst. Finance Director

**Date:** January 3, 2022

**Subject:** Second consideration of an Ordinance amending the City Code of the City of Indianola, Iowa to amend noise regulations section 48.06.

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**Introduction:** The current code states that noise permit applications must be received at least 10 business days before the event.

**Background:**

**Discussion:** Staff is proposing allowing noise permit applications to be received in a timely manner rather than at least 10 days before the event. This will allow staff, and the Council when necessary, to approve applications if received less than 10 days before an event.

**Budget Impact:**

**Recommendation:** Legal counsel has approved the changes.

Roll call is in order.

**Attachments:** 1. 21.10.11 Noise Ordinance

**ORDINANCE NO. 2021 - \_\_\_\_\_**

**AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF INDIANOLA, IOWA TO AMEND NOISE REGULATIONS SECTION 48.06**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF INDIANOLA, IOWA:**

**Section 1.** The following section be and is hereby amended by deleting the stricken language and inserting the underlined language as follows:

**48.06 NOISE PERMITS.**

No person shall use, operate, or cause to be used or operated any sound equipment or conduct any events including racing, upon the public right-of-way, in any building or upon any public or private premises, if the sound emitted is plainly audible from the public right-of-way within the City, unless such person has obtained a noise permit in accordance with this section and the actual use or operation of such sound equipment or event is not inconsistent with the statements made in the application, the conditions imposed in the permit or the limitations specified in subsection 4 of this section. A noise permit shall not be transferable, and it shall be conspicuously displayed on or adjacent to the sound equipment or at the event.

1. Application for Permit. Applications for noise permits shall be made in writing to the City Clerk and shall contain the following information:

- A. Name, address, phone numbers, and signature of applicant.
- B. The purpose of the event or for which the sound equipment will be used.
- C. The location of the event or where the sound equipment will be used.
- D. The City shall not issue a noise permit that extends past midnight.
- E. The sound made by a motor vehicle or recreational vehicle on private or public property during any racing event shall end at 10:30 p.m.
- F. A general description of the sound equipment, including the license number of any motor vehicle upon which it is to be operated.
- G. Any other information as may be required by the City Clerk.
- H. The City Clerk's Office reserves the right to reject any applications that have not been timely submitted to the City Clerk's Office ~~Permit applications and fees must be received at least 10 business days before the event.~~

2. Issuance of Permit. Applications for noise permits shall be reviewed by the Police Chief and City Manager and then issued or denied by the City Clerk. Events that have received prior complaints, or are multiple days (does not need to be sequential) shall have Council approval.

3. Appeal. If the City Clerk refuses to issue a license, the City Clerk shall make a part of the record the reasons therefor. The applicant shall have a right to appeal the Council at its next regular meeting. The Council may reverse, modify, or affirm the decision of

the City Clerk by majority vote of the Council members present and the City Clerk shall carry out the decision of the Council.

4. Limitations. Any other language in this section to the contrary notwithstanding, a sound equipment permit shall not be issued if:

A. The sound to be emitted by the sound equipment is other than human speech or music.

B. The sound to be emitted by the sound equipment would be a noise disturbance under Section 48.06 of this chapter (other than Subsection 15 of said section). A noise permit issued in violation of this subsection is void and of no force and effect.

5. Conditions. The City Manager may impose reasonable conditions and requirements to be met or fulfilled by the noise permit holder preliminary to or at the time of the use or operation of the sound equipment. Such conditions and requirements shall be those necessary or advisable to protect the health, welfare and quality of life of the residents of the City and may include, without limitation, setbacks, fences, walls, or other screening necessary to mitigate noise, restrictions on the time of day the sound equipment can be used or operated, restrictions on the level of the sound to be produced and restrictions on the number of minutes or consecutive minutes (or other units of time) that the sound equipment may be used or operated during any one hour or day (or other units of time).

6. Time. Noise permits shall not extend after midnight.

7. Enforcement. The Indianola Police Department is responsible for enforcement.

Should the applicants holding said events not attentively observe all limitations and restrictions to be found in this chapter relating to noise permits, the City authorities will have full authority to stop such event and recommend future events be denied. The applicant and/or site owner or lessee shall be responsible for any violations of this chapter.

**Section 2. Repealer.** All ordinances or parts of ordinances in conflict with the provision of this Ordinance are hereby repealed.

**Section 3. Effective Date.** This Ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

Passed by the City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2021, and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

[Signatures on following page]

\_\_\_\_\_  
Stephanie Erickson, Mayor

ATTEST:

\_\_\_\_\_  
Jackie Raffety, City Clerk

The foregoing Ordinance No. \_\_\_\_\_ was adopted by the Council for the City of

Indianola, Iowa, on \_\_\_\_\_, 2021, and was published on \_\_\_\_\_, 2021.

\_\_\_\_\_  
Jackie Raffety, City Clerk



## MEMORANDUM

**To:** Mayor and City Council

**From:** Jackie Raffety, City Clerk/Asst. Finance Director

**Date:** January 3, 2022

**Subject:** Second consideration of an Ordinance amending the City Code of the City of Indianola, Iowa to amend Peddlers, Solicitors and Transient Merchants Section 122.

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**Introduction:** The proposed Ordinance will include ice cream vendors as a type of mobile food vendor. The current ordinance sets different fees and rules for ice cream vendors.

**Background:** Currently, the City Code sets license fees for ice cream vendors and specific rules for such vendors. The same code states that mobile food vendor fees shall be established by council resolution and requires the submission of an application in order to obtain a license to operate within city limits. The proposed changes will eliminate the differentiation between the two types of vendors when it comes to fees and licensing.

This calendar year, the City has issued 15 mobile food vendor permits. No permits were issued for ice cream trucks.

**Discussion:** In looking at other cities' ordinances for mobile food trucks, there were no distinctions made between ice cream vendors and other types of vendors.

The proposed ordinance also:

- changes the license from an annual one that expires on April 15 each year to one that can be purchased for one day, one week, up to six months or six months to a year. The current fee schedule allows for different license lengths.
- requires a criminal history report (currently required on application) and proof of insurance.
- allows mobile food trucks on residential property in cases where a block party permit was issued or private catering arrangement has been made which is in compliance with other codes.
- allows mobile food units to operate within 200 feet of a permanent restaurant if they have received expressed written consent.

### **Budget Impact:**

**Recommendation:** Legal counsel has approved the changes.  
Roll call is in order.

**Attachments:**

1. Current Chapter 122 Ordinance
2. Proposed Ordinance Chapter 122



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**PEDDLERS, SOLICITORS AND TRANSIENT MERCHANTS**

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|                                  |                                               |
|----------------------------------|-----------------------------------------------|
| 122.01 Purpose                   | 122.13 Hearing                                |
| 122.02 Definitions               | 122.14 Record and Determination               |
| 122.03 License and Bond Required | 122.15 Appeal                                 |
| 122.04 Application for License   | 122.16 Effect of Revocation                   |
| 122.05 License Fees              | 122.17 Rebates                                |
| 122.06 Bond Required             | 122.18 License Exemptions                     |
| 122.07 License Issued            | 122.19 Charitable and Nonprofit Organizations |
| 122.08 Display of License        | 122.20 Prohibited Acts                        |
| 122.09 License Not Transferable  | 122.21 Ice Cream Vendors                      |
| 122.10 Time Restriction          | 122.22 Fireworks License                      |
| 122.11 Revocation of License     | 122.23 Mobile Food and Beverage Vendors       |
| 122.12 Notice                    |                                               |

**122.01 PURPOSE.**

The purpose of this chapter is to protect residents of the City against fraud, unfair competition and intrusion into the privacy of their homes by licensing and regulating peddlers, solicitors and transient merchants.

**122.02 DEFINITIONS. For use in this chapter the following terms are defined:**

1. "Peddler" means any person carrying goods or merchandise who sells or offers for sale for immediate delivery such goods or merchandise from house to house or upon the public street.
2. "Solicitor" means any person who solicits or attempts to solicit from house to house or upon the public street any contribution or donation or any order for goods, services, subscriptions or merchandise to be delivered at a future date.
3. "Transient merchant" means any person who engages in a temporary or itinerant merchandising business and in the course of such business hires, leases or occupies any building or structure whatsoever, or who operates out of a vehicle which is parked anywhere within the City limits. Temporary association with a local merchant, dealer, trader or auctioneer, or conduct of such transient business in connection with, as a part of, or in the name of any local merchant, dealer, trader or auctioneer does not exempt any person from being considered a transient merchant.

**122.03 LICENSE AND BOND REQUIRED.**

1. Any person engaging in peddling, soliciting or in the business of a transient merchant in the City without first obtaining a license as herein provided is in violation of this chapter. In addition to any other provision of this Code of Ordinances specifying penalties, the City hereby specifically provides for criminal penalties allowed by Iowa law for simple misdemeanors for peddling, soliciting or engaging in the business of a transient merchant in the City without a license.

2. No license shall be issued until the applicant has delivered to the City Clerk a cash bond for no less than \$200.00 per license or \$1,000.00 for an employer employing a group of five or more license applicants.

A. Use of Bond. The bond shall be held to indemnify and pay the City any penalties or costs incurred in the enforcement of any of the sections of this chapter, and to indemnify or reimburse any purchaser for damages recovered pursuant to a judgment of the court as a result of misrepresentation related to the goods or services sold by a licensee, provided that the action by the purchaser must be commenced within three months from the date of purchase.

B. Release of Bond. The balance of the bond shall be released by the City Clerk and returned to the applicant or employer upon request by the applicant or employer at any time more than four months after expiration of the license for which the cash bond was provided. Except as otherwise provided by court order, the City Clerk shall not release any bond during the pendency of any action in state or federal court seeking a judgment upon a claim eligible for payment from the bond.

**122.04 APPLICATION FOR LICENSE.**

1. An application in writing shall be filed with the Clerk for a license under this chapter. Such application shall be accompanied by a \$15.00 application fee and set forth the following information:

- A. Applicant's name, e-mail address, if any, permanent and local address, and local phone number or cell phone number.
- B. Business address, business e-mail address, if any, and business phone number, if any.
- C. The nature of the applicant's business.
- D. The last three places of such business.
- E. The length of time sought to be covered by the license.

F. Applicant's federal identification number and the federal identification number of any business for which applicant claims to be peddling as an agent, employee, or otherwise.

G. An Iowa sales tax permit number or a letter from the Iowa Department of Revenue confirming a sales tax permit is not required.

H. A Department of Criminal Investigation criminal history report/record for applicant from the state of applicant's residence for the previous five years, including pending charges, dated no more than 30 days prior to the date of the application.

I. A criminal background check from the State of Iowa for applicant and any additional individuals listed on application, dated no more than one year prior to the date of the application.

J. Whether applicant has been listed on any sex offender registry within the last five years.

K. Whether applicant has had a peddlers license suspended, revoked, or denied by the City or any other city in the last five years and the reasons therefor.

L. The dates of any previous peddlers licenses issued by the City Clerk.

M. A list of any vehicles used in the business and the license plate number of any such vehicles.

2. If the applicant proposes to sell ice cream and other similar frozen desserts from a vehicle, the following additional application requirements shall be provided:

A. A description of the vehicle from which the sale will be conducted and a copy of the vehicle's current registration.

B. A photocopy of the applicant's driver's license.

C. The applicant shall obtain at his or her own expense his or her current DCI criminal history report, dated within one year of license application, through the Iowa Department of Public Safety and certified copy of his or her current driving record. If a new applicant resided outside of Iowa anytime during the five years before applying, the person must also obtain, at his or her own expense, a copy of his or her current criminal history report and certified copy of driving record from each state of residence during the prior five years. Any person whose license has been suspended or revoked, or has expired for more than 30 days, will be required to obtain a current criminal history report and certified driving record in the same manner as a new applicant.

D. A list of all felony and misdemeanor convictions (convicted of, pled guilty to or stipulated to the facts of a criminal offense), including all crimes involving sexual assault and child abuse, during the 10 years immediately preceding the date of application. No license shall be issued to applicants who are registered sex offenders as a result of crimes against a person under the age of 18.

E. A list of all convictions for traffic violations for which the applicant's license was suspended, revoked or barred during the five years immediately preceding the date of application.

F. A copy of the license issued by the Department of Inspections and Appeals Mobile Food Unit and any recent inspection reports.

G. An insurance certificate for a policy naming the City of Indianola (including its officers and employees) as an additional insured, with comprehensive general liability limits in an amount no less than \$500,000.00. The policy shall be in full force and effect during the life of the vendor's license. The required coverage shall be at least as broad as the Insurance Services Office, Inc. Form Number CG0001, covering commercial general liability. A copy of the current insurance certificate shall be maintained on file with the City Clerk.

3. Upon receipt of the application and accompanying criminal background check, the City Clerk shall conduct an investigation under the following procedures prior to issuing a license:

A. The City Clerk shall refer the application and criminal background check provided by the applicant to the chief of police, who shall make an investigation of the character and reputation of the persons who will conduct business within the City, to the extent he/she believes necessary for the protection of the public welfare, except that prior misconduct cannot serve as a basis for denial of a license.

B. The Police Chief shall endorse the application with his/her approval or disapproval and forward such endorsed application to the City Clerk.

C. If the application has been approved by the Police Chief, the City Clerk may issue a license to the applicant upon the payment of all license and application fees, bonds, and compliance with all other conditions provided in this Code.

D. If the application has not been approved by the Police Chief, the City Clerk shall not issue a license unless and until the causes for such disapproval are eliminated.

E. When causes for disapproval are eliminated, the applicant may resubmit to the Clerk and the Clerk shall forward the amended application to the Police Chief for investigation in the same manner as submission of the initial application set forth herein.

## **122.05 LICENSE FEES.**

The following license fees shall be paid to the Clerk prior to the issuance of any license.

1. Solicitors. For each person actually soliciting (principal or agent), a fee of \$100.00 per year.
2. Peddlers or Transient Merchants.
  - A. For one day \$ 50.00
  - B. For one week \$ 100.00
  - C. For up to six months \$ 200.00
  - D. For one year or any major part thereof \$ 300.00
3. Ice Cream Vendors. The following license fees shall be paid to the Clerk prior to the issuance of any license proposing to sell ice cream and other frozen desserts in accordance with this chapter:
  - A. One day \$ 20.00
  - B. One week \$ 30.00
  - C. One month \$ 50.00
  - D. One month to six months \$ 100.00

#### **122.06 BOND REQUIRED.**

Before a license under this chapter is issued to a transient merchant, an applicant shall provide to the Clerk evidence that the applicant has filed a bond with the Secretary of State in accordance with Chapter 9C of the *Code of Iowa*.

#### **122.07 LICENSE ISSUED.**

If the Clerk finds the application is completed in conformance with the requirements of this chapter, the facts stated therein are found to be correct and the license fee paid, a license shall be issued immediately.

#### **122.08 DISPLAY OF LICENSE.**

Each solicitor or peddler shall keep such license in possession at all times while doing business in the City and shall, upon request, exhibit the license as evidence of compliance with all requirements of this chapter or leave a copy of the license with the prospective customer. Each transient merchant shall display publicly such merchant's license in the merchant's place of business. Any misrepresentation in the displaying of licenses issued under this chapter shall subject the licensee to revocation in addition to any claim in state or federal court by an injured purchaser.

#### **122.09 LICENSE NOT TRANSFERABLE.**

Licenses issued under the provisions of this chapter are not transferable in any situation and are to be applicable only to the person filing the application.

#### **122.10 TIME RESTRICTION.**

All peddler's and solicitor's licenses shall provide that said licenses are in force and effect only between the hours of 10:00 a.m. and 8:00 p.m.

#### **122.11 REVOCATION OF LICENSE.**

The Clerk or the Police Chief may summarily suspend or revoke any license issued under this chapter by issuance of personal service of the Notice of Revocation on the licensee or on an officer or employee of the licensee or, if personal service cannot be effected, by mailing the Notice by certified mail, return receipt requested, to the licensee's last known mailing address for the following reasons:

1. Fraudulent Statements. The licensee has made fraudulent statements in the application for the license or in the conduct of the business.
2. Violation of Law. The licensee has violated this chapter; including conduct prohibited by Section 122.20, or has otherwise conducted the business in an unlawful manner.
3. Endangered Public Welfare, Health or Safety. The licensee has conducted the business in such manner as to endanger the public welfare, safety, order or morals.

The license shall stand revoked unless, within five days after receipt of the Notice of Revocation from the Clerk, the licensee files a written request for a public hearing on the revocation.

#### **122.12 NOTICE.**

The Notice of Revocation sent to or served upon the licensee shall contain particulars of the complaints against the licensee, the ordinance provisions or State statutes allegedly violated, and advise that the time for requesting a hearing will expire within five days of the date of service or certified mail receipt of the Notice. The license shall be suspended until such time as a hearing is held by the request of the licensee.

#### **122.13 HEARING.**

If timely requested in accordance with Section 122.11, the Clerk shall conduct a hearing at which both the licensee and any complainants shall be present to determine the truth of the facts alleged in the complaint and notice. Should the licensee, or authorized representative, request a hearing and fail to appear without good cause, the Clerk may proceed to hold the decision to revoke the license as final and no appeal by the licensee will be heard in accordance with Section 122.15.

#### **122.14 RECORD AND DETERMINATION.**

The Clerk shall make and record findings of fact and conclusions of law, and shall revoke a license only when upon review of the entire record the Clerk finds clear and convincing evidence of substantial violation of this chapter or State law.

#### **122.15 APPEAL.**

If the Clerk revokes or refuses to issue a license, the Clerk shall make a part of the record the reasons therefor. The licensee, or the applicant, shall have a right to a hearing before the Council at its next regular meeting. The Council may reverse, modify or affirm the decision of the Clerk by a majority vote of the Council members present and the Clerk shall carry out the decision of the Council. The Clerk's decision to revoke or refuse issuance of a license shall stand unless and until a timely appeal is made before the Council at its next regular meeting.

#### **122.16 EFFECT OF REVOCATION.**

Revocation of any license shall bar the licensee from being eligible for any license under this chapter for a period of one year from the date of the revocation.

#### **122.17 REBATES.**

No rebates of the fees required in this chapter shall be permitted without Council approval.

#### **122.18 LICENSE EXEMPTIONS.**

The following are excluded from the application of this chapter.

1. Newspapers. Persons delivering, collecting for or selling subscriptions to newspapers.
2. Club Members. Members of local civic and service clubs, Boy Scout, Girl Scout, 4-H Clubs, Future Farmers of America and similar organizations and youth groups.
3. Local Residents and Farmers. Local residents and farmers who offer for sale their own produce on private property.
4. Students. Students representing the Indianola School District conducting projects sponsored by organizations recognized by the school.
5. Route Sales. Route delivery persons who only incidentally solicit additional business or make special sales.
6. Resale or Institutional Use. Persons customarily calling on businesses or institutions for the purposes of selling products for resale or institutional use.
7. City sponsored and/or community events held on City property.

#### **122.19 CHARITABLE AND NONPROFIT ORGANIZATIONS.**

Authorized representatives of charitable or nonprofit organizations operating under the provisions of Chapter 504 of the *Code of Iowa* desiring to solicit money or to distribute literature are exempt from the operation of Sections 122.04 and 122.05. All such organizations are required to submit in writing to the Clerk the name and purpose of the cause for which such activities are sought, the name and social security number of each representative of the organization, names and addresses of the officers and directors of the organization, a list of any vehicles used and the license plate number of any such vehicles, the period during which such activities are to be carried on, and whether any commissions, fees or wages are to be charged by the solicitor and the amount thereof. If the Clerk finds that the organization is a bona fide charity or nonprofit organization the Clerk shall issue, free of charge, a license containing the above information to the applicant. In the event the Clerk denies the exemption, the authorized representatives of the organization may appeal the decision to the Council, as provided in Section 122.15 of this chapter.

#### **122.20 PROHIBITED ACTS.**

1. No peddler shall conduct peddling with any person situated in a motor vehicle upon any public street, alley, driveway access, or public way.
2. No peddler shall conduct peddling upon any part of the public right away along a parade route on the day of any permitted parade.
3. No peddler shall conduct peddling within 1,000 feet of the perimeter of a street closure, or inside such perimeter, for an event where a street use permit has been issued unless written permission from the street use permit holder has been obtained.
4. No peddler shall conduct peddling between the hours of 9:00 p.m. and 9:00 a.m.
5. No peddler shall do business or attempt to do business upon any property on which a notice is posted prohibiting peddling or soliciting.
6. No peddler shall harass, intimidate, coerce, annoy, disrespect, alarm, or threaten any individual to induce a sale.
7. No peddler shall falsely or fraudulently misrepresent the quality, character or quantity of any article, item or commodity offered for sale or sell any unwholesome or tainted food or foodstuffs.
8. No peddler shall conduct business in such a manner as to endanger the public health, welfare, or safety.

#### **122.21 ICE CREAM VENDORS.**

A person who obtains a license under the provisions of this chapter may sell ice cream and frozen desserts from a sanitary vehicle approved and licensed by a representative of the Department of Inspections and Appeals pursuant to State law,

provided that such vehicles shall be operated and maintained in full compliance with the health, food, drug and sanitary provisions of this Code and the applicable statutes of the State of Iowa.

1. Hours. Ice cream vendor licensees shall be permitted to conduct sales in any zoning district between sunrise and sunset.

2. Manner of Sale on Public Streets. Prior to making a sale, the driver shall drive to the side of the public street, as close as practicable to the curb or the edge of the portion of the street used for vehicular traffic. The driver shall stop, stand, or park such vehicle in full compliance with all applicable traffic laws, and shall remain so stopped, standing, or parked for no longer than is necessary to make sales to customers in the immediate vicinity desiring to make purchases.

3. Safety Standards. The sale of ice cream and other frozen desserts from a licensee's motorized vehicle is conditional upon the vehicle meeting the following minimum safety standards at all times:

A. A sign clearly visible from both the front and rear front, back and both sides of the vehicle in at least 4" letters of contrasting colors with a warning stating, "CAUTION - CHILDREN."

B. Four-way, yellow flashing or oscillating hazard lights to warn approaching drivers of children. Such light shall be operated at all times during which ice cream sales occur in accordance with this chapter.

C. Left and right outside rear view mirrors and two additional outside wide-angle mirrors on the front and back of the vehicle to enable the driver to see around the entire vehicle.

4. Exclusive License. No foods other than ice cream or frozen desserts may be sold from a motorized vehicle within the City except in accordance with this chapter or as otherwise expressly provided in other sections of this Code.

#### **122.22 FIREWORKS LICENSE.**

Notwithstanding anything contained in this Chapter 122, the sale of first-class consumer fireworks and second-class consumer fireworks, as defined in Section 727.2 of the *Code of Iowa* shall not be subject to this chapter.

#### **122.23 MOBILE FOOD AND BEVERAGE VENDORS.**

1. Mobile Food Unit Licensing. It is unlawful for any person to engage in the sale of food or beverages to the public from a temporary or mobile facility within the corporate limits of the City without first obtaining a mobile food unit license from the City, in addition to any other State, federal, or County permits, certifications and licenses.

A. A mobile food unit license is an annual license that expires on April 15 each year and must be renewed prior to the first event after that date.

B. Each mobile food unit shall be licensed separately. No license transfer is allowed.

C. Although certain activities may be exempt from the licensing requirements of this chapter, any food service to the public in the City is expected to comply with all other local, county and state requirements for health inspections, licensing, safety and fire code requirements.

D. The following shall be exempt from this requirement:

(1) Catering businesses.

(2) Grilling and food preparation activities of brick and mortar establishments on the establishments' premises for immediate consumption by patrons or employees.

(3) Concession stands associated with sports or recreational venues that have been approved as part of a site plan.

2. License Fee. At the time of the submittal of a license application, the applicant shall pay to the City Clerk the applicable license and permit fees in addition to any application fees.

A. The City Council shall establish the amount of the license fee by resolution.

B. Any licensee who surrenders his or her license prior to the date of expiration shall not be entitled to a refund of any portion of the fee.

3. Fire Department Inspection.

A. All mobile food units that have cooking facilities with grease laden vapors (class III and class IV state licenses) shall be inspected by the Fire Department prior to initiation of business operations within the City.

B. Inspections are required annually and prior to submittal of a license application to the City. It shall be the obligation of the mobile food vendor to schedule the inspection with the Fire Department.

C. Upon completion of the annual fire inspection, if the Fire Department determines that the mobile food unit passes the inspection, the Fire Chief shall sign the mobile food unit vendor license application and identify any conditions for operation as deemed appropriate as a result of said inspection.

4. Mobile Food Unit Vendor Licensing Application.

A. License Required. All mobile food vendors operating within the City must obtain a mobile food vendor license from the City. An exception to this requirement is a community event sponsored by the Chamber of Commerce or approved by the Council.

B. Application Requests. Application requests shall be filed with the City Clerk on the form provided by the City. No application request shall be accepted for filing and processing unless it conforms to the requirements of this chapter. This would include a complete and true application and all of the required materials and information prescribed, accompanied by the appropriate fees.

C. Submission Time Frame. Applications must be submitted not less than 10 business days prior to the proposed start date of the mobile food unit activities. The City reserves the right to reject any applications that have not been timely submitted to the City. The City Clerk shall have the discretionary right to accept an application made less than 10 business days prior to desired start date.

D. Additional Approvals. Receiving approval of a mobile food unit license from the City shall not preclude, supersede, circumvent, or waive the applicant's responsibility to obtain any additional permits, licenses, and approvals for other applicable local, State, and federal regulations.

E. Application Contents. Application shall be made on a form provided by the City and shall include:

- (1) Full name of the applicant.
- (2) Applicant's contact information including mailing address, phone numbers and e-mail address.
- (3) State health inspection certificate with the classification level of the state license identified.
- (4) Description of the kitchen facilities, cooking facilities, preparation area, safety features (suppression system, etc.) of the mobile food unit.
- (5) Photographs of the mobile food unit.
- (6) Make, model and year of vehicle to be used.
- (7) County, State and license plate number.
- (8) Overall size of the vehicle; length and width.
- (9) Fire Department signature on application confirming a passing Fire Department inspection.
- (10) Application and license fees.

F. Applications Deemed Withdrawn. Any application received shall be deemed withdrawn if it has been held in abeyance, awaiting the submittal of additional requested information from the applicant, and if the applicant has not communicated in writing with the City and made reasonable progress within 30 days from the last written notification from the City to the applicant. The application fee is nonrefundable. Any application deemed withdrawn shall require submission of a new application and fees to begin a new review and approval process.

G. Issuance of License. Upon completion of the review process and a determination of compliance with the applicable regulations, the City Clerk will issue a mobile food unit license. The license shall be placed in the upper left (passenger side) of the front windshield or the left front side of a trailer or cart to aid in the visual verification of the licensing for that year.

H. Modification of License After Issuance. Should the mobile food vendor change the food or beverage being offered during the term of an issued license that would change the designation of the mobile food unit to a higher State licensing level classification, a new application and fire inspection shall be required.

5. Mobile Food Units on Public Property. No mobile food unit may be operated on public property except as part of an event approved under a special event permit by the City Clerk's office or as authorized by the Parks and Recreation Commission within a City park. Mobile food units on a permanent trailer, axle, or wheel-based transportation system shall be allowed on the following streets:

- A. East Ashland Avenue from South B Street to North 1<sup>st</sup> Street.
- B. South Buxton Street from West Boston Avenue to West 1<sup>st</sup> Avenue.
- C. East Salem Avenue from South B Street to North 1<sup>st</sup> Street.
- D. South Howard Street from West Boston Avenue to West 1<sup>st</sup> Avenue.

6. Unattended Mobile Food Unit. No mobile food unit that has cooking facilities with grease laden vapors or that is on any permanent trailer, axle, or wheel-based transportation system shall be left unattended on any site overnight, unless that property is under the ownership of the operator of the unit and in compliance with all other City Code requirements. No mobile food unit shall be allowed to be stored on a site that is not zoned appropriately for storage and warehousing, screened in accordance with City Code requirements, and/or having received prior City Council approval through an entitlement process. Any mobile food unit that has cooking facilities with grease laden vapors or that is on any permanent trailer, axle, or wheel-based transportation system found unattended shall be considered in violation of these regulations and subject to license revocation, municipal infraction, towing, or any other action legally allowed.

7. Music and Sound-Making Devices. The use of music or sound making devices as a part of a mobile food unit shall follow Chapter 48 Noise Ordinance.

8. Mobile Food Unit Performance Standards. Persons conducting business from a mobile food unit must do so in compliance with the following standards:

A. The mobile food vendor must obtain expressed written consent of the property owner to use the business property on which they propose to operate. The written consent must be kept in the unit at all times that the unit is on the property.

B. The operator of the mobile food unit shall display their City license in full view of the public in the unit.

C. Mobile food units shall only be allowed on nonresidential properties.

D. Mobile food units within 300 feet of a residential use or residentially zoned property, shall be limited to hours of operation between 7:00 a.m. and 10:30 p.m.

E. Mobile food units on a permanent trailer, axle, or wheel-based transportation system shall be limited to a maximum duration of eight hours per day on any site, unless part of an approved event permit. A mobile food unit on a permanent trailer, axle, or wheel-based transportation system shall be at one location a maximum of five consecutive days per week.

F. Only one mobile food unit shall be allowed on a property, unless part of an approved event or the property has received a multiple vendor permit. Mobile food units not under a multiple vendor permit and on adjacent properties must maintain a minimum separation between units of 50 feet.

G. Mobile food units shall serve patrons which are on foot only; no drive-up service to the mobile food unit itself shall be provided or allowed.

H. The mobile food unit must be located on a paved surface, unless approved as part of an event permit.

I. No mobile food unit may be located on a vacant property or lot with a vacant building.

J. No mobile food unit may operate within 200 feet of a permanent restaurant or business offering food or beverage services.

K. No alcoholic beverages may be sold as a part of a mobile food unit.

L. Any mobile food unit shall maintain a minimum 15 foot separation from a building as measured to the closest building element including awnings or canopies, tents or membrane structures. Location of the mobile food unit shall not impede pedestrian entering or exiting of a building.

M. Mobile food vendors shall be placed no closer than 15 feet from a front property line.

N. Signs are limited to those that are attached to the exterior of the mobile unit and must be mounted flat against the unit and not project more than six inches from the exterior of the unit. No freestanding signs, banners, flags, etc., are allowed. Off premises signs directing patrons to the mobile food unit are prohibited.

O. During business hours, the mobile food vendor shall provide a trash receptacle for use by customers.

P. The mobile food vendor shall keep the area around the mobile food unit clear of litter and debris at all times.

Q. All mobile food units shall be located in such a manner as to not create a safety hazard, such as blocking emergency access to buildings and the site, obstructing access to fire hydrants and Fire Department connections, impeding entering and exiting from a building, creating a visual impediment for the motoring public at drive entrances, intersections, pedestrian crossings, etc.

R. No mobile food unit shall be parked in or otherwise impact access to/from ADA parking stalls.

9. Property Owner Responsibility. By allowing the mobile food unit on their property, property owners share in the responsibility of ensuring that the performance standards listed above and the safety of pedestrians and access of emergency vehicles to and around the site are maintained. Failure to do so could result in the property owners being party to any enforcement actions or penalties allowed by law, including, but not limited to, the alteration or revocation of a multiple vendor permit.

10. Other Licenses and Permits to Be Maintained. Failure of any applicant to maintain the appropriate county, state and federal licenses and permits, during the term of the local license or permits shall be considered an unlawful act and subject to revocation or any other penalties available to the City.

11. Suspension or Revocation of License. Any license issued under the provisions of this chapter may be suspended or revoked by the City as follows:

A. Grounds. The City Clerk may suspend any license issued under this chapter, pending the outcome of an administrative hearing, for any of the following reasons:

(1) The licensee has made fraudulent statements in his/her application for the license or in the conduct of his/her business.

(2) The licensee has violated this chapter or any other chapter of this code or has otherwise conducted his/her business in an unlawful manner.

(3) The licensee has conducted his/her business in such manner as to endanger the public welfare, safety, order, or morals.

(4) The City Clerk has received and investigated three or more found complaints during the licensed period related to the manner in which the licensee is conducting business.

B. Notice. The City Clerk shall have the licensee served with notice either in person or by regular mail to the licensee's address shown on the license application notifying them of the license suspension, the specific reasons for such action, and date and time of hearing with the City Clerk to review the particulars of the suspension. The licensee shall be prohibited from any further activities covered by the license until such time that the hearing has been held and a determination of suspension and revocation resolved.

C. Hearing. A hearing shall be conducted by the City Clerk not more than five business days after he/she has suspended a license. The licensee and any complainants may be present to determine the truth of the alleged violation of this chapter. Should the licensee or his/her authorized representative fail to appear without good cause, the City Clerk may proceed with the hearing and make his/her findings.

D. Revocation. After the City Clerk has reviewed the facts, he/she shall revoke a license if he/she finds by the preponderance of the evidence that a violation has occurred. The revocation shall be effective immediately.

E. Appeal. If the City Clerk revokes or refuses to issue a license, the licensee or the applicant shall have a right to a hearing before the municipal code hearing officer as provided in Section 122.15 of this chapter. The municipal code hearing officer may reverse, modify, or affirm the decision of the City Clerk.

F. Effect of Revocation. Revocation or denial of any license shall bar the licensee or applicant from being eligible for any license under this chapter for a period of one year from the date of the revocation or denial. There shall be no refund of any fees for any revocation.

12. Penalty. Unless another penalty is expressly provided by this chapter for any particular provision or section, violations of this chapter are simple misdemeanors subject to a fine of not more than \$625.00 or may be punishable as municipal infractions subject to a civil penalty as set forth in this Code of Ordinances. Each day a municipal infraction occurs and/or is permitted to exist constitutes a separate offense. Police officers and code enforcement officers shall have the authority to issue citations for violations of this chapter, and shall have the discretion to enforce this chapter as either a simple misdemeanor or municipal infraction.

**ORDINANCE NO. 2021 - \_\_\_\_\_**

**AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF  
INDIANOLA, IOWA TO AMEND PEDDLERS, SOLICITORS AND  
TRANSIENT MERCHANTS SECTION 122**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF INDIANOLA, IOWA:**

**Section 1.** The following section be and is hereby amended by deleting the stricken language and inserting the underlined language as follows:

**122.05 LICENSE FEES.**

The following license fees shall be paid to the Clerk prior to the issuance of any license.

1. Solicitors. For each person actually soliciting (principal or agent), a fee of \$100.00 per year.

2. Peddlers or Transient Merchants.

A. For one day \$ 50.00

B. For one week \$ 100.00

C. For up to six months \$ 200.00

D. For one year or any major part thereof \$ 300.00

~~3. Ice Cream Vendors. The following license fees shall be paid to the Clerk prior to the issuance of any license proposing to sell ice cream and other frozen desserts in accordance with this chapter:~~

~~A. One day \$ 20.00~~

~~B. One week \$ 30.00~~

~~C. One month \$ 50.00~~

~~D. One month to six months \$ 100.00~~

**122.06 BOND REQUIRED.**

Before a license under this chapter is issued to a transient merchant, an applicant shall provide to the Clerk evidence that the applicant has filed a bond with the Secretary of State in accordance with Chapter 9C of the *Code of Iowa*.

**122.07 LICENSE ISSUED.**

If the Clerk finds the application is completed in conformance with the requirements of this chapter, the facts stated therein are found to be correct and the license fee paid, a license shall be issued immediately.

**122.08 DISPLAY OF LICENSE.**

Each solicitor or peddler shall keep such license in possession at all times while doing business in the City and shall, upon request, exhibit the license as evidence of

compliance with all requirements of this chapter or leave a copy of the license with the prospective customer. Each transient merchant shall display publicly such merchant's license in the merchant's place of business. Any misrepresentation in the displaying of licenses issued under this chapter shall subject the licensee to revocation in addition to any claim in state or federal court by an injured purchaser.

#### 122.09 LICENSE NOT TRANSFERABLE.

Licenses issued under the provisions of this chapter are not transferable in any situation and are to be applicable only to the person filing the application.

#### 122.10 TIME RESTRICTION.

All peddler's and solicitor's licenses shall provide that said licenses are in force and effect only between the hours of 10:00 a.m. and 8:00 p.m.

#### 122.11 REVOCATION OF LICENSE.

The Clerk or the Police Chief may summarily suspend or revoke any license issued under this chapter by issuance of personal service of the Notice of Revocation on the licensee or on an officer or employee of the licensee or, if personal service cannot be effected, by mailing the Notice by certified mail, return receipt requested, to the licensee's last known mailing address for the following reasons:

1. Fraudulent Statements. The licensee has made fraudulent statements in the application for the license or in the conduct of the business.
2. Violation of Law. The licensee has violated this chapter; including conduct prohibited by Section [122.20](#), or has otherwise conducted the business in an unlawful manner.
3. Endangered Public Welfare, Health or Safety. The licensee has conducted the business in such manner as to endanger the public welfare, safety, order or morals.

The license shall stand revoked unless, within five days after receipt of the Notice of Revocation from the Clerk, the licensee files a written request for a public hearing on the revocation.

#### 122.12 NOTICE.

The Notice of Revocation sent to or served upon the licensee shall contain particulars of the complaints against the licensee, the ordinance provisions or State statutes allegedly violated, and advise that the time for requesting a hearing will expire within five days of the date of service or certified mail receipt of the Notice. The license shall be suspended until such time as a hearing is held by the request of the licensee.

#### 122.13 HEARING.

If timely requested in accordance with Section [122.11](#), the Clerk shall conduct a hearing at which both the licensee and any complainants shall be present to determine the truth of the facts alleged in the complaint and notice. Should the licensee, or authorized representative, request a hearing and fail to appear without good cause, the Clerk may proceed to hold the decision to revoke the license as final and no appeal by the licensee will be heard in accordance with Section [122.15](#).

#### 122.14 RECORD AND DETERMINATION.

The Clerk shall make and record findings of fact and conclusions of law, and shall revoke a license only when upon review of the entire record the Clerk finds clear and convincing evidence of substantial violation of this chapter or State law.

#### 122.15 APPEAL.

If the Clerk revokes or refuses to issue a license, the Clerk shall make a part of the record the reasons therefor. The licensee, or the applicant, shall have a right to a hearing before the Council at its next regular meeting. The Council may reverse, modify or affirm the decision of the Clerk by a majority vote of the Council members present and the Clerk shall carry out the decision of the Council. The Clerk's decision to revoke or refuse issuance of a license shall stand unless and until a timely appeal is made before the Council at its next regular meeting.

#### 122.16 EFFECT OF REVOCATION.

Revocation of any license shall bar the licensee from being eligible for any license under this chapter for a period of one year from the date of the revocation.

#### 122.17 REBATES.

No rebates of the fees required in this chapter shall be permitted without Council approval.

#### 122.18 LICENSE EXEMPTIONS.

The following are excluded from the application of this chapter.

1. Newspapers. Persons delivering, collecting for or selling subscriptions to newspapers.
2. Club Members. Members of local civic and service clubs, Boy Scout, Girl Scout, 4-H Clubs, Future Farmers of America and similar organizations and youth groups.
3. Local Residents and Farmers. Local residents and farmers who offer for sale their own produce on private property.
4. Students. Students representing the Indianola School District conducting projects sponsored by organizations recognized by the school.
5. Route Sales. Route delivery persons who only incidentally solicit additional business or make special sales.
6. Resale or Institutional Use. Persons customarily calling on businesses or institutions for the purposes of selling products for resale or institutional use.
7. City sponsored and/or community events held on City property.

#### 122.19 CHARITABLE AND NONPROFIT ORGANIZATIONS.

Authorized representatives of charitable or nonprofit organizations operating under the provisions of Chapter 504 of the *Code of Iowa* desiring to solicit money or to distribute literature are exempt from the operation of Sections [122.04](#) and [122.05](#). All such organizations are required to submit in writing to the Clerk the name and purpose of the cause for which such activities are sought, the name and social security number of each representative of the organization, names and addresses of the officers and directors of the organization, a list of any vehicles used and the license plate number of any such vehicles, the period during which such activities are to be carried on, and whether any commissions, fees or wages are to be charged by the solicitor and the amount thereof. If the Clerk finds that the organization is a bona fide charity or nonprofit organization the Clerk shall issue, free of charge, a license containing the above information to the applicant. In the event the Clerk denies the exemption, the authorized representatives of the organization may appeal the decision to the Council, as provided in Section [122.15](#) of this chapter.

#### 122.20 PROHIBITED ACTS.

1. No peddler shall conduct peddling with any person situated in a motor vehicle upon any public street, alley, driveway access, or public way.
2. No peddler shall conduct peddling upon any part of the public right away along a parade route on the day of any permitted parade.
3. No peddler shall conduct peddling within 1,000 feet of the perimeter of a street closure, or inside such perimeter, for an event where a street use permit has been issued unless written permission from the street use permit holder has been obtained.
4. No peddler shall conduct peddling between the hours of 9:00 p.m. and 9:00 a.m.
5. No peddler shall do business or attempt to do business upon any property on which a notice is posted prohibiting peddling or soliciting.
6. No peddler shall harass, intimidate, coerce, annoy, disrespect, alarm, or threaten any individual to induce a sale.
7. No peddler shall falsely or fraudulently misrepresent the quality, character or quantity of any article, item or commodity offered for sale or sell any unwholesome or tainted food or foodstuffs.
8. No peddler shall conduct business in such a manner as to endanger the public health, welfare, or safety.

#### ~~122.21 ICE CREAM VENDORS.~~

~~A person who obtains a license under the provisions of this chapter may sell ice cream and frozen desserts from a sanitary vehicle approved and licensed by a representative of the Department of Inspections and Appeals pursuant to State law, provided that such vehicles shall be operated and maintained in full compliance with the health, food, drug and sanitary provisions of this Code and the applicable statutes of the State of Iowa.~~

~~—1. Hours. Ice cream vendor licensees shall be permitted to conduct sales in any zoning district between sunrise and sunset.~~

~~—2. Manner of Sale on Public Streets. Prior to making a sale, the driver shall drive to the side of the public street, as close as practicable to the curb or the edge of the portion of the street used for vehicular traffic. The driver shall stop, stand, or park such vehicle in full compliance with all applicable traffic laws, and shall remain so stopped, standing, or parked for no longer than is necessary to make sales to customers in the immediate vicinity desiring to make purchases.~~

~~—3. Safety Standards. The sale of ice cream and other frozen desserts from a licensee's motorized vehicle is conditional upon the vehicle meeting the following minimum safety standards at all times:~~

~~—A. A sign clearly visible from both the front and rear front, back and both sides of the vehicle in at least 4" letters of contrasting colors with a warning stating, "CAUTION—CHILDREN."~~

~~—B. Four-way, yellow flashing or oscillating hazard lights to warn approaching drivers of children. Such light shall be operated at all times during which ice cream sales occur in accordance with this chapter.~~

~~—C. Left and right outside rear view mirrors and two additional outside wide-angle mirrors on the front and back of the vehicle to enable the driver to see around the entire vehicle.~~

~~—4. Exclusive License. No foods other than ice cream or frozen desserts may be sold from a motorized vehicle within the City except in accordance with this chapter or as otherwise expressly provided in other sections of this Code.~~

#### 422.22 122.21 FIREWORKS LICENSE.

Notwithstanding anything contained in this Chapter 122, the sale of first-class consumer fireworks and second-class consumer fireworks, as defined in Section 727.2 of the Code of Iowa shall not be subject to this chapter.

#### 422.23 122.22 MOBILE FOOD AND BEVERAGE VENDORS.

1. Mobile Food Unit Licensing. It is unlawful for any person to engage in the sale of food or beverages to the public from a temporary or mobile facility within the corporate limits of the City without first obtaining a mobile food unit license from the City, in addition to any other State, federal, or County permits, certifications and licenses.

A. A mobile food unit license can be purchased for one day, one week, up to six months or for over six months to one year ~~is an annual license that expires on April 15 each year~~ and must be renewed prior to the first event after that date.

B. Each mobile food unit shall be licensed separately. No license transfer is allowed.

C. Although certain activities may be exempt from the licensing requirements of this chapter, any food service to the public in the City is expected to comply with all other local, county and state requirements for health inspections, licensing, safety and fire code requirements.

D. The following shall be exempt from this requirement:

(1) Catering businesses.

(2) Grilling and food preparation activities of brick and mortar establishments on the establishments' premises for immediate consumption by patrons or employees.

(3) Concession stands associated with sports or recreational venues that have been approved as part of a site plan.

#### E. Ice Cream Vendors.

(1) A person who obtains a license under the provisions of this chapter may sell ice cream and frozen desserts from a sanitary vehicle approved and licensed by a representative of the Department of Inspections and Appeals pursuant to State law, provided that such vehicles shall be operated and maintained in full compliance with the health, food, drug and sanitary provisions of this Code and the applicable statutes of the State of Iowa.

(2) Hours. Ice cream vendor licensees shall be permitted to conduct sales in any zoning district between sunrise and sunset.

~~—2. Manner of Sale on Public Streets. Prior to making a sale, the driver shall drive to the side of the public street as close as practicable to the curb or the edge of the street for vehicular traffic. The driver shall stop, stand, or park such vehicle in full compliance with all applicable traffic laws, and shall remain so stopped, standing, or parked for no longer than is necessary to make sales to customers in the immediate vicinity desiring to make purchases.~~

~~—3. Safety Standards. The sale of ice cream and other frozen desserts from a licensee's motorized vehicle is conditional upon the vehicle meeting the following minimum safety standards at all times:~~

~~A sign is clearly visible from both the front and rear front, back and both sides of the vehicle in at least 4" letters of contrasting colors with a warning stating "CAUTION CHILDREN."~~

~~Four way, yellow flashing or oscillating hazard lights to warn approaching drivers of children. Such lights shall be operated at all times during which ice cream sales occur in accordance with this chapter.~~

~~Left and right outside rear-view mirrors and two additional outside wide-angle mirrors on the front and back of the vehicle to enable the driver to see around the entire vehicle.~~

4. 2. License Fee. At the time of the submittal of a license application, the applicant shall pay to the City Clerk the applicable license and permit fees in addition to any application fees.

A. The City Council shall establish the amount of the license fee by resolution.

B. Any licensee who surrenders his or her license prior to the date of expiration shall not be entitled to a refund of any portion of the fee.

5. 3. Fire Department Inspection.

A. All mobile food units that have cooking facilities with grease laden vapors (class III and class IV state licenses) shall be inspected by the Fire Department prior to initiation of business operations within the City.

B. Inspections are required annually and prior to submittal of a license application to the City. It shall be the obligation of the mobile food vendor to schedule the inspection with the Fire Department.

C. Upon completion of the annual fire inspection, if the Fire Department determines that the mobile food unit passes the inspection, the Fire Chief shall sign the mobile food unit vendor license application and identify any conditions for operation as deemed appropriate as a result of said inspection.

6. 4. Mobile Food Unit Vendor Licensing Application.

A. License Required. All mobile food vendors operating within the City must obtain a mobile food vendor license from the City. An exception to this requirement is a community event sponsored by the Chamber of Commerce or approved by the Council.

B. Application Requests. Application requests shall be filed with the City Clerk on the form provided by the City. No application request shall be accepted for filing and processing unless it conforms to the requirements of this chapter. This would include a

complete and true application and all of the required materials and information prescribed, accompanied by the appropriate fees.

C. Submission Time Frame. Applications must be submitted not less than 10 business days prior to the proposed start date of the mobile food unit activities. The City reserves the right to reject any applications that have not been timely submitted to the City. The City Clerk shall have the discretionary right to accept an application made less than 10 business days prior to desired start date.

D. Additional Approvals. Receiving approval of a mobile food unit license from the City shall not preclude, supersede, circumvent, or waive the applicant's responsibility to obtain any additional permits, licenses, and approvals for other applicable local, State, and federal regulations.

E. Application Contents. Application shall be made on a form provided by the City and shall include:

- (1) Full name of the applicant.
- (2) Applicant's contact information including mailing address, phone numbers and e-mail address.
- (3) State health inspection certificate with the classification level of the state license identified.
- (4) Description of the kitchen facilities, cooking facilities, preparation area, safety features (suppression system, etc.) of the mobile food unit.
- (5) Photographs of the mobile food unit.
- (6) Make, model and year of vehicle to be used.
- (7) County, State and license plate number.
- (8) Overall size of the vehicle; length and width.
- (9) Fire Department signature on application confirming a passing Fire Department inspection.
- (10) Permit Fees ~~Application and license fees~~.
- (11) Criminal history report from the Iowa Department of Public Safety. This report may be justification for denial of permit.
- (12) Proof of insurance.

F. Applications Deemed Withdrawn. Any application received shall be deemed withdrawn if it has been held in abeyance, awaiting the submittal of additional requested information from the applicant, and if the applicant has not communicated in writing with the City and made reasonable progress within 30 days from the last written notification from the City to the applicant. The application fee is nonrefundable. Any application deemed withdrawn shall require submission of a new application and fees to begin a new review and approval process.

G. Issuance of License. Upon completion of the review process and a determination of compliance with the applicable regulations, the City Clerk will issue a mobile food unit license. The license shall be placed in the upper left (passenger side) of the front windshield or the left front side of a trailer or cart to aid in the visual verification of the licensing for that year.

H. Modification of License After Issuance. Should the mobile food vendor change the food or beverage being offered during the term of an issued license that would change the designation of the mobile food unit to a higher State licensing level classification, a new application and fire inspection shall be required.

7. 5. Mobile Food Units on Public Property. No mobile food unit may be operated on public property except as part of an event approved under a special event permit by the City Clerk's office or as authorized by the Parks and Recreation Commission within a City park. Mobile food units on a permanent trailer, axle, or wheel-based transportation system shall be allowed on the following streets:

- A. East Ashland Avenue from South B Street to North 1st Street.
- B. South Buxton Street from West Boston Avenue to West 1st Avenue.
- C. East Salem Avenue from South B Street to North 1st Street.
- D. South Howard Street from West Boston Avenue to West 1st Avenue.

8. 6. Unattended Mobile Food Unit. No mobile food unit that has cooking facilities with grease laden vapors or that is on any permanent trailer, axle, or wheel-based transportation system shall be left unattended on any site overnight, unless that property is under the ownership of the operator of the unit and in compliance with all other City Code requirements. No mobile food unit shall be allowed to be stored on a site that is not zoned appropriately for storage and warehousing, screened in accordance with City Code requirements, and/or having received prior City Council approval through an entitlement process. Any mobile food unit that has cooking facilities with grease laden vapors or that is on any permanent trailer, axle, or wheel-based transportation system found unattended shall be considered in violation of these regulations and subject to license revocation, municipal infraction, towing, or any other action legally allowed.

9. 7. Music and Sound-Making Devices. The use of music or sound making devices as a part of a mobile food unit shall follow Chapter 48 Noise Ordinance.

10. 8. Mobile Food Unit Performance Standards. Persons conducting business from a mobile food unit must do so in compliance with the following standards:

- A. The mobile food vendor must obtain expressed written consent of the property owner to use the business property on which they propose to operate. The written consent must be kept in the unit at all times that the unit is on the property.
- B. The operator of the mobile food unit shall display their City license in full view of the public in the unit.
- C. Mobile food units shall only be allowed on nonresidential properties except in those cases of an approved residential block party or private catering arrangement so long as it is in compliance with all other Code requirements related to residential property.

D. Mobile food units within 300 feet of a residential use or residentially zoned property, shall be limited to hours of operation between 7:00 a.m. and 10:30 p.m.

E. Mobile food units on a permanent trailer, axle, or wheel-based transportation system shall be limited to a maximum duration of eight hours per day on any site, unless part of an approved event permit. A mobile food unit on a permanent trailer, axle, or wheel-based transportation system shall be at one location a maximum of five consecutive days per week.

F. Only one mobile food unit shall be allowed on a property, unless part of an approved event or the property has received a multiple vendor permit. Mobile food units not under a multiple vendor permit and on adjacent properties must maintain a minimum separation between units of 50 feet.

G. Mobile food units shall serve patrons which are on foot only; no drive-up service to the mobile food unit itself shall be provided or allowed.

H. The mobile food unit must be located on a paved surface, unless approved as part of an event permit.

I. No mobile food unit may be located on a vacant property or lot with a vacant building.

J. No mobile food unit may operate within 200 feet of a permanent restaurant or business offering food or beverage services unless they receive expressed written consent of the restaurant or business owner. A City-approved special event may be exempted from this provision.

K. No alcoholic beverages may be sold as a part of a mobile food unit.

L. Any mobile food unit shall maintain a minimum 15 foot separation from a building as measured to the closest building element including awnings or canopies, tents or membrane structures. Location of the mobile food unit shall not impede pedestrian entering or exiting of a building.

M. Mobile food vendors shall be placed no closer than 15 feet from a front property line.

N. Signs are limited to those that are attached to the exterior of the mobile unit and must be mounted flat against the unit and not project more than six inches from the exterior of the unit. No freestanding signs, banners, flags, etc., are allowed. Off premises signs directing patrons to the mobile food unit are prohibited.

O. During business hours, the mobile food vendor shall provide a trash receptacle for use by customers.

P. The mobile food vendor shall keep the area around the mobile food unit clear of litter and debris at all times.

Q. All mobile food units shall be located in such a manner as to not create a safety hazard, such as blocking emergency access to buildings and the site, obstructing access to fire hydrants and Fire Department connections, impeding entering and exiting from a building, creating a visual impediment for the motoring public at drive entrances, intersections, pedestrian crossings, etc.

R. No mobile food unit shall be parked in or otherwise impact access to/from ADA parking stalls.

~~11. 9.~~ Property Owner Responsibility. By allowing the mobile food unit on their property, property owners share in the responsibility of ensuring that the performance standards listed above and the safety of pedestrians and access of emergency vehicles to and around the site are maintained. Failure to do so could result in the property owners being party to any enforcement actions or penalties allowed by law, including, but not limited to, the alteration or revocation of a multiple vendor permit.

~~12. 10.~~ Other Licenses and Permits to Be Maintained. Failure of any applicant to maintain the appropriate county, state and federal licenses and permits, during the term of the local license or permits shall be considered an unlawful act and subject to revocation or any other penalties available to the City.

~~13. 11.~~ Suspension or Revocation of License. Any license issued under the provisions of this chapter may be suspended or revoked by the City as follows:

A. Grounds. The City Clerk may suspend any license issued under this chapter, pending the outcome of an administrative hearing, for any of the following reasons:

(1) The licensee has made fraudulent statements in his/her application for the license or in the conduct of his/her business.

(2) The licensee has violated this chapter or any other chapter of this code or has otherwise conducted his/her business in an unlawful manner.

(3) The licensee has conducted his/her business in such manner as to endanger the public welfare, safety, order, or morals.

(4) The City Clerk has received and investigated three or more found complaints during the licensed period related to the manner in which the licensee is conducting business.

B. Notice. The City Clerk shall have the licensee served with notice either in person or by regular mail to the licensee's address shown on the license application notifying them of the license suspension, the specific reasons for such action, and date and time of hearing with the City Clerk to review the particulars of the suspension. The licensee shall be prohibited from any further activities covered by the license until such time that the hearing has been held and a determination of suspension and revocation resolved.

C. Hearing. A hearing shall be conducted by the City Clerk not more than five business days after he/she has suspended a license. The licensee and any complainants may be present to determine the truth of the alleged violation of this chapter. Should the licensee or his/her authorized representative fail to appear without good cause, the City Clerk may proceed with the hearing and make his/her findings.

D. Revocation. After the City Clerk has reviewed the facts, he/she shall revoke a license if he/she finds by the preponderance of the evidence that a violation has occurred. The revocation shall be effective immediately.

E. Appeal. If the City Clerk revokes or refuses to issue a license, the licensee or the applicant shall have a right to a hearing before the municipal code hearing officer as provided in Section 122.15 of this chapter. The municipal code hearing officer may reverse, modify, or affirm the decision of the City Clerk.

F. Effect of Revocation. Revocation or denial of any license shall bar the licensee or applicant from being eligible for any license under this chapter for a period of one year from the date of the revocation or denial. There shall be no refund of any fees for any revocation.

~~14.~~ 12. Penalty. Unless another penalty is expressly provided by this chapter for any particular provision or section, violations of this chapter are simple misdemeanors subject to a fine of not more than \$625.00 or may be punishable as municipal infractions subject to a civil penalty as set forth in this Code of Ordinances. Each day a municipal infraction occurs and/or is permitted to exist constitutes a separate offense. Police officers and code enforcement officers shall have the authority to issue citations for violations of this chapter, and shall have the discretion to enforce this chapter as either a simple misdemeanor or municipal infraction.

**Section 2. Repealer.** All ordinances or parts of ordinances in conflict with the provision of this Ordinance are hereby repealed.

**Section 3. Effective Date.** This Ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

Passed by the City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2021, and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

[Signatures on following page]

\_\_\_\_\_  
Stephanie Erickson, Mayor

ATTEST:

\_\_\_\_\_  
Jackie Raffety, City Clerk

The foregoing Ordinance No. \_\_\_\_\_ was adopted by the Council for the City of

Indianola, Iowa, on \_\_\_\_\_, 2021, and was published on \_\_\_\_\_, 2021.

---

Jackie Raffety, City Clerk



## MEMORANDUM

**To:** Mayor and City Council  
**From:** Akhilesh Pal, Public Works Director  
**Date:** January 3, 2022  
**Subject:** Resolution accepting the completion of the 2019 Drainage Improvements Project by TK Concrete and authorizing final payment in the amount of \$7,000.

---

**Introduction:** The final items associated with this project have been completed.

**Background:** The overall scope of the 2019 Drainage Improvements Project included storm water infrastructure improvements located near Y Street, O Street, S Court, and T Court.

**Discussion:** Although the contractor substantially completed this project before November 16, 2020, there were two residential properties located at the dead-end on T Court where the grass was not properly established. Therefore, the City entered into a supplemental agreement, for an amount of \$7,000, with the contractor, TK Concrete, Inc., to ensure that the grass seeds are properly established on these affected properties. The contractor has completed the installation of grass seeds during this fall season of 2021. The engineer for this project, Dave Moeller with Snyder & Associates, has inspected and verified the completion of the seeding and the final punch list items associated with this project.

**Budget Impact:** \$7,000

**Recommendation:** Staff recommends approving the resolution to accept the completion of this project and to approve the payment of \$7,000 to TK Concrete, Inc. for completing the grass seeding. Roll call is in order.

**Attachments:**

1. 01032022 Letter\_Final\_accept\_supAgreer\_2021-12-17\_Drainage
2. Res 2022- Completion 2019 Dng Imp TK Concrete



December 17, 2021

Akhilesh Pal, P.E.  
City of Indianola  
110 North 1<sup>st</sup> Street  
P.O. Box 299  
Indianola, IA 50125

RE: FINAL ACCEPTANCE SUPPLEMENTAL AGREEMENT  
2019 DRAINAGE IMPROVEMENTS PROJECT  
SNYDER & ASSOCIATES PROJECT NO. 118.1164

Dear Mr. Pal,

Please recall the City of Indianola and TK Concrete entered into a Supplemental Agreement for the above captioned project on November 3, 2020 for the completion of overseeding of project areas that failed to establish turf on Parcel 8 and Parcel 11.

The Contractor missed the spring seeding timeframe but installed seed at the end of October 2021. We are pleased to report that favorable weather conditions have extended the growing period and the turf has been established to a satisfactory level. In addition, incomplete punch list items were completed in November 2021 and Snyder & Associates has field reviewed the installations and found them to be satisfactory.

In accordance with the attached Supplemental Agreement, we recommend acceptance of the project and payment of \$7,000.00 to the contractor, TK Concrete, for the completed work.

Since the project was already substantially complete and the Supplemental Agreement amount was from retained funds, there is no retainage and the payment should be made in full.

Please contact me should you have any questions on this change order or pay application.

Sincerely,

SNYDER & ASSOCIATES, INC.

David N. Moeller, P.E.  
President

Encl.

**SUPPLEMENTAL AGREEMENT  
2019 Drainage Improvements Project**

THIS AGREEMENT, made this 3<sup>rd</sup> day of November, 2020, by and between  
City of Indianola, hereinafter called "OWNER"  
and TK Concrete, Inc.  
doing business as a Corporation  
("corporation", or "partnership" or "individual"), hereinafter called "CONTRACTOR".

**WHEREAS:**

1. The OWNER and CONTRACTOR interceded into an AGREEMENT for the PROJECT, 2019 Drainage Improvement Project in the City of Indianola, on October 3, 2019, AND
2. The PROJECT is substantially complete except for the disturbed project area on Parcel 8 and Parcel 11, as shown on the PROJECT plans, AND
3. The parties wish to enter into a supplemental agreement to accept the completed portions of the PROJECT, and set forth terms and conditions for the completion of remaining work items.

**WITNESSETH:** That for and in consideration of the payments and agreements hereinafter mentioned:

1. The CONTRACTOR agrees to perform seedbed maintenance, erosion control maintenance and over-seeding of project areas on Parcel 8 and Parcel 11 by May 31, 2021.
2. The CONTRACTOR agrees for the OWNER to hold \$7,000.00 from the original Contract as surety that the CONTRACTOR will perform all of the work described in the Contract Documents and comply with the terms therein.
3. Per Specification, the OWNER will pay to the CONTRACTOR the full amount stated herein no less than 60 days from the date that all activities were completed and within 30 days of acceptance of the work by the Owner.
4. If the work is not complete by May 31, 2021, the CONTRACTOR agrees to forfeit the above referenced surety amount to the OWNER.
5. The CONTRACTOR agrees that the twelve (12) month period of the *Warranty* period for this portion of the project will not begin until after the supplemental work is formally accepted by the Engineer and OWNER.
6. This Agreement shall be binding upon all parties hereto and their respective heirs, executors, administrators, successors, and assigns.

Supplemental Agreement  
2019 Drainage Improvements Project

IN WITNESS WHEREOF, the parties hereto have executed, or caused to be executed by their duly authorized officials, this Agreement in three (3) counterparts each of which shall be deemed an original on the date first above written.

OWNER:

City of Indianola

BY: \_\_\_\_\_

NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

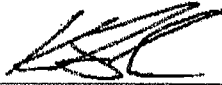
(SEAL)

ATTEST: \_\_\_\_\_

NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

CONTRACTOR: TLC Concrete, Inc.

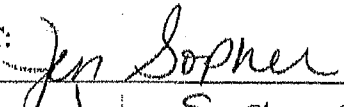
BY: 

NAME: Kirk Saltnowe

ADDRESS: 1608 Fifield Rd

Pella, IA 50219

(SEAL)

ATTEST: 

NAME: Jen Sopher

City of Indianola  
**RESOLUTION NO. 2022-**

**RESOLUTION ACCEPTING THE COMPLETION OF THE 2019 DRAINAGE  
IMPROVEMENTS PROJECT PAYMENT BY TK CONCRETE, INC. AND AUTHORIZING  
FINAL PAYMENT**

**WHEREAS**, on October 7, 2019, the City Council of the City of Indianola, Iowa authorized a contract with the construction contractor, TK Concrete, Inc. (will be known as the "Contractor"), for the 2019 Drainage Improvement Project (will be known as the "Project"); and

**WHEREAS**, the scope of said project included storm water infrastructure improvements located near Y Street, O Street, S Court, and T Court; and

**WHEREAS**, on November 16, 2020, the City Council of the City of Indianola, Iowa approved the substantial completion of this project and approved a supplemental contract with TK Concrete, Inc., for an amount of \$7,000.00, to ensure the grass seeding is completed for this project; and

**WHEREAS**, TK Concrete, Inc. has completed the installation of grass seeds during the fall season of 2021.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of Indianola, Iowa as follows:

Section 1. That it is hereby found and determined that the work of said project, been duly and completed by the contractor in accordance with the terms of the contract and the same is hereby accepted and approved.

Section 2. That it is hereby found that TK Concrete Inc. has completed the requirements from the supplemental contract to reseed grass for this project and the payment associated with this supplemental contract, in the amount of \$7,000, should be released.

Section 3. That all amounts due to the contractor are hereby ordered to be paid in accordance with the contract procedures prescribed by the Code of Iowa.

Section 4. That all resolutions or parts of resolutions in conflict herewith be, and the same, are hereby repealed to the extent of such conflict.

Passed and approved this 3<sup>rd</sup> day of January 2022.

---

Stephanie Erickson, Mayor

ATTEST:

---

Jackie Raffety, City Clerk



## MEMORANDUM

**To:** Mayor and City Council  
**From:** Charlie Dissell, Community and Economic Development Director  
**Date:** January 3, 2022  
**Subject:** 1010 North Jefferson Way Storm Sewer Easement

---

### **Introduction:**

**Background:** At its meeting on December 20, 2021, the City Council set a public hearing regarding the vacation of a Storm Sewer Easement at 1010 North Jefferson Way. Lee Adams of the Danlee Corporation, who is the property owner, has requested a vacation of a storm sewer easement on this property to assist with a future development project.

**Discussion:** This property contains two existing storm sewer easements that are 62' in total. In the review, it was realized that the 62' easements do not accurately match the current storm sewer line that is underground. More so, due to the depth of this sewer line, the Public Works Department notes the City would only need a 40' wide easement. Water Pollution Control staff were able to accurately locate this line, and the applicant had its surveyor provide an accurate 40' easement description for this storm sewer line. The attached Plat of Storm Sewer Easement document shows this new easement, which has already been recorded by the applicant, and dedicated to the City. Knowing that a new, more accurate 40' easement has been dedicated to the City and recorded, the 62' easements proposed to be vacated are not needed for the use of the public, and therefore, their maintenance at public expense is no longer justified. Additionally, vacating the 62' easements would not deny owners of property abutting on the street or alley reasonable access to their property.

### **Budget Impact:**

### **Recommendation:**

**Attachments:**

1. 1- Staff Report\_Vacation
2. 2- Application
3. 3- Existing Easement Parcel AE
4. 4- Existing Easement PEOPLES\_BANK\_1\_0
5. 5- New Easement Plat
6. 6- New Easement Document



# Community Development

110 N. First St., Indianola, IA 50125-0299 • [www.indianolaiowa.gov](http://www.indianolaiowa.gov)  
515-961-9430 • [comdev@indianolaiowa.gov](mailto:comdev@indianolaiowa.gov)

## Staff Report

## Planning and Zoning Commission

**Date of Meeting:** December 14, 2021

**Agenda Item:** 7. B. Consider request from Lee Adams of Danlee Corporation for a vacation of a storm sewer easement

**Application Type:** Easement Vacation

**Applicant:** Danlee Corporation

**Application Summary:** Request for vacation of two (2) separate storm sewer easement that are 62' in total. A new 40' storm sewer easement has been dedicated to the City to replace this easement.

## AERIAL MAP



## APPLICABLE CODE SECTIONS

The following sections of the Code of Ordinances of Indianola, Iowa apply to this request:

**137.01 POWER TO VACATE.** When, in the judgment of the Council, it would be in the best interest of the City to vacate a street, alley, portion thereof or any public grounds, the Council may do so by ordinance in accordance with the provisions of this chapter.

**137.02 PLANNING AND ZONING COMMISSION.** Any proposal to vacate a street, alley, portion thereof or any public grounds shall be referred by the Council to the Planning and Zoning Commission for its study and recommendation prior to further consideration by the Council. The Commission shall submit a written report including recommendations to the Council within thirty (30) days after the date the proposed vacation is referred to the Commission.

**137.03 NOTICE OF VACATION HEARING.** The Council shall cause to be published a notice of public hearing of the time at which the proposal to vacate shall be considered.

**137.04 FINDINGS REQUIRED.** No street, alley, portion thereof or any public grounds shall be vacated unless the Council finds that:

1. Public Use. The street, alley, portion thereof or any public ground proposed to be vacated is not needed for the use of the public, and therefore, its maintenance at public expense is no longer justified.
2. Abutting Property. The proposed vacation will not deny owners of property abutting on the street or alley reasonable access to their property.

**137.05 DISPOSAL OF VACATED STREETS OR ALLEYS.** When in the judgment of the Council it would be in the best interest of the City to dispose of a vacated street or alley, portion thereof or public ground, the Council may do so in accordance with the provisions of Section 364.7, Code of Iowa.

## **ANALYSIS**

Two existing storm sewer easements that are 62' in total are proposed to be vacated by the applicant. The applicant is exploring a new commercial building for this site. In review, it was realized that the 62' easements do not accurately match the actual storm sewer line that is underground. More so, due to the depth of this sewer line, the Public Works Department notes the City would only need a 40' wide easement. Water pollution Control staff were able to accurately locate this line, and the applicant had its surveyor provide an accurate 40' easement description for this storm sewer line. The attached Plat of Storm Sewer Easement document shows this new easement, which has already been recorded by the applicant.

Knowing that a new, more accurate 40' easement has been dedicated to the City and recorded, the 62' easements proposed to be vacated is not needed for the use of the public, and therefore, its maintenance at public expense is no longer justified. Additionally, vacating the 62' easements would not deny owners of property abutting on the street or alley reasonable access to their property.

## **ALTERNATIVES**

The City of Indianola Planning and Zoning Commission may consider the following alternatives:

- 1) The City of Indianola Planning and Zoning Commission recommends of the easement vacation request be approved, as submitted.
- 2) The City of Indianola Planning and Zoning Commission recommends the easement vacation request be approved, with conditions.
- 3) The City of Indianola Planning and Zoning Commission recommends the easement vacation request be denied.
- 4) The City of Indianola Planning and Zoning Commission remands the easement vacation request, back to the applicant and/or staff for further review and/or modifications and directs staff to place this item on a future Planning and Zoning agenda.

## **RECOMMENDATION**

Staff recommends that the City of Indianola Planning and Zoning Commission move alternative 1, approving the easement vacation request, as submitted.

| VACATION APPLICATION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Community Development<br>110 North 1 <sup>st</sup> Street, Indianola, Iowa 50125-0299<br>(515) 961-9430 • <a href="mailto:comdev@indianolaiowa.gov">comdev@indianolaiowa.gov</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
| <b>PROPERTY OWNER</b><br>(Last Name) <u>DANLEE Corp.</u><br>(First Name) _____<br>(Address) <u>1010 N Jefferson</u><br>(City) <u>Indianola</u> (State) <u>Ia</u> (Zip) <u>50125</u><br>(Phone) <u>515-961-2400</u> (Email) <u>CCILDD@MSW.com</u>                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>APPLICANT (if not Property Owner)</b><br>(Last Name) _____<br>(First Name) _____<br>(Address) _____<br>(City) _____ (State) _____ (Zip) _____<br>(Phone) _____ (Email) _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                     |
| <input type="checkbox"/> <b>ALLEY</b><br><b>Submittal Requirements:</b><br><i>All submittal requirements must be completed.<br/>Incomplete applications will not be considered</i><br><input type="checkbox"/> Completed Application<br><input type="checkbox"/> Filing Fee: \$200<br><input type="checkbox"/> Legal description of proposed vacated area<br><input type="checkbox"/> Site plan identifying vacated area<br><input type="checkbox"/> List of property owners adjacent to proposed vacated area<br><input type="checkbox"/> Letters from each adjacent property owner indicating their intent<br><input type="checkbox"/> Other Information as required by Director | <input checked="" type="checkbox"/> <b>EASEMENT</b><br><b>Submittal Requirements:</b><br><i>All submittal requirements must be completed.<br/>Incomplete applications will not be considered</i><br><input type="checkbox"/> Completed Application<br><input type="checkbox"/> Filing Fee: \$200<br><input checked="" type="checkbox"/> Legal description of proposed vacated area<br><input checked="" type="checkbox"/> Site plan identifying vacated area<br><input checked="" type="checkbox"/> List of property owners within proposed vacated area<br><input checked="" type="checkbox"/> Letters from each property owner indicating their intent<br><input type="checkbox"/> Other Information as required by Director | <input type="checkbox"/> <b>STREET</b><br><b>Submittal Requirements:</b><br><i>All submittal requirements must be completed.<br/>Incomplete applications will not be considered</i><br><input type="checkbox"/> Completed Application<br><input type="checkbox"/> Filing Fee: \$200<br><input type="checkbox"/> Legal description of proposed vacated area<br><input type="checkbox"/> Site plan identifying vacated area<br><input type="checkbox"/> List of property owners adjacent to proposed vacated area<br><input type="checkbox"/> Letters from each adjacent property owner indicating their intent<br><input type="checkbox"/> Other Information as required by Director |                                                                                     |
| I certify that the information and exhibits submitted are true and correct to the best of my knowledge and that in filing this application I am acting with the knowledge, consent and authority of the owner(s) of the property. Pursuant to said authority, I hereby permit City officials to enter upon the property for the purpose of inspection related to this application.<br>Signature <u>Lee T Adams Sec/Treas DANLEE Corp</u><br>Name (printed) <u>Lee T Adams</u> Date <u>11-15-2021</u>                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>FOR OFFICE USE ONLY:</b> Code to 45510<br>Date Received: _____<br>Receipt No: _____<br>Receipt Amount: _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                     |

West Easement:

The east 42 feet of the real estate described as beginning at a point 33 feet east and 238.5 feet north of the SW corner of the Northwest Quarter of the Southwest Quarter (NW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ) of Section 19, Township 76 North, Range 23 West of the 5<sup>th</sup> P.M., Warren County, Iowa; thence North 103 feet, thence east 208.5 feet, thence south 103 feet, thence west 208.5 feet to point of beginning.

East Easement:

The west 20 feet of Outlot Z, Peoples Bank Plat 1, Indianola, Warren County Iowa.

# PARCEL LETTER DESIGNATION

9073

APPROVED BY WARREN COUNTY AUDITOR

DATE THIS 11<sup>th</sup> DAY OF August 20 04  
*Traci VanderLinden* AUDITOR  
*Mary Lynn Keeney* DEPUTY

WARREN COUNTY, IOWA  
 FILED FOR RECORD

04 AUG 11 AM 11:16

BOOK 18 PAGE 30476-23  
 JUDITH K. LATHROP, RECORDER

LEGAL DESCRIPTION (Book 1998 Page 8684)

The South 103 feet of the following described real estate beginning at a point 33 feet East and 238 1/2 feet North of the Southwest corner of the Northwest quarter of the Southwest quarter of Section 19, Township 66 North Range 23 West of the 5th P.M., Warren County, Iowa; thence North 306 feet, thence East 208 1/2 feet to an iron stake, thence South 306 feet to an iron stake, thence West 208 1/2 feet to a point of beginning

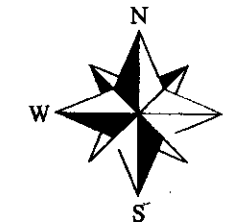
LEGAL DESCRIPTION FOR CONVEYANCE

Parcel "AE" - a Port of the Northwest 1/4 of the Southwest 1/4 (NW 1/4 SW 1/4) of Section 19 Township 66 North, Range 23 West of the 5th P.M., Warren County, described as follows:

Beginning at a point that is 33' East and 238.50' North of the Southwest Corner of said NW 1/4 SW 1/4  
 thence N 00°23'50" W a distance of 103.00';  
 thence S 87°57'18" E a distance of 208.50';  
 thence N 00°23'50" W a distance of 103.00';  
 thence N 87°57'18" W a distance of 208.50' to the Point of Beginning.

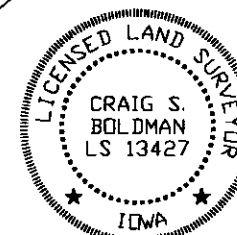
Containing 21456.4 square feet of land including 5,871 square feet of state highway right of way easement.

- MANHOLE
- SET 1/2"X24"REB.CAP L.S. 13427
- IRON PIN FOUND WITH YELLOW CAP #13159
- ▲ SECTION OR 1/4 CORNER FD OR SET
- POWER POLE

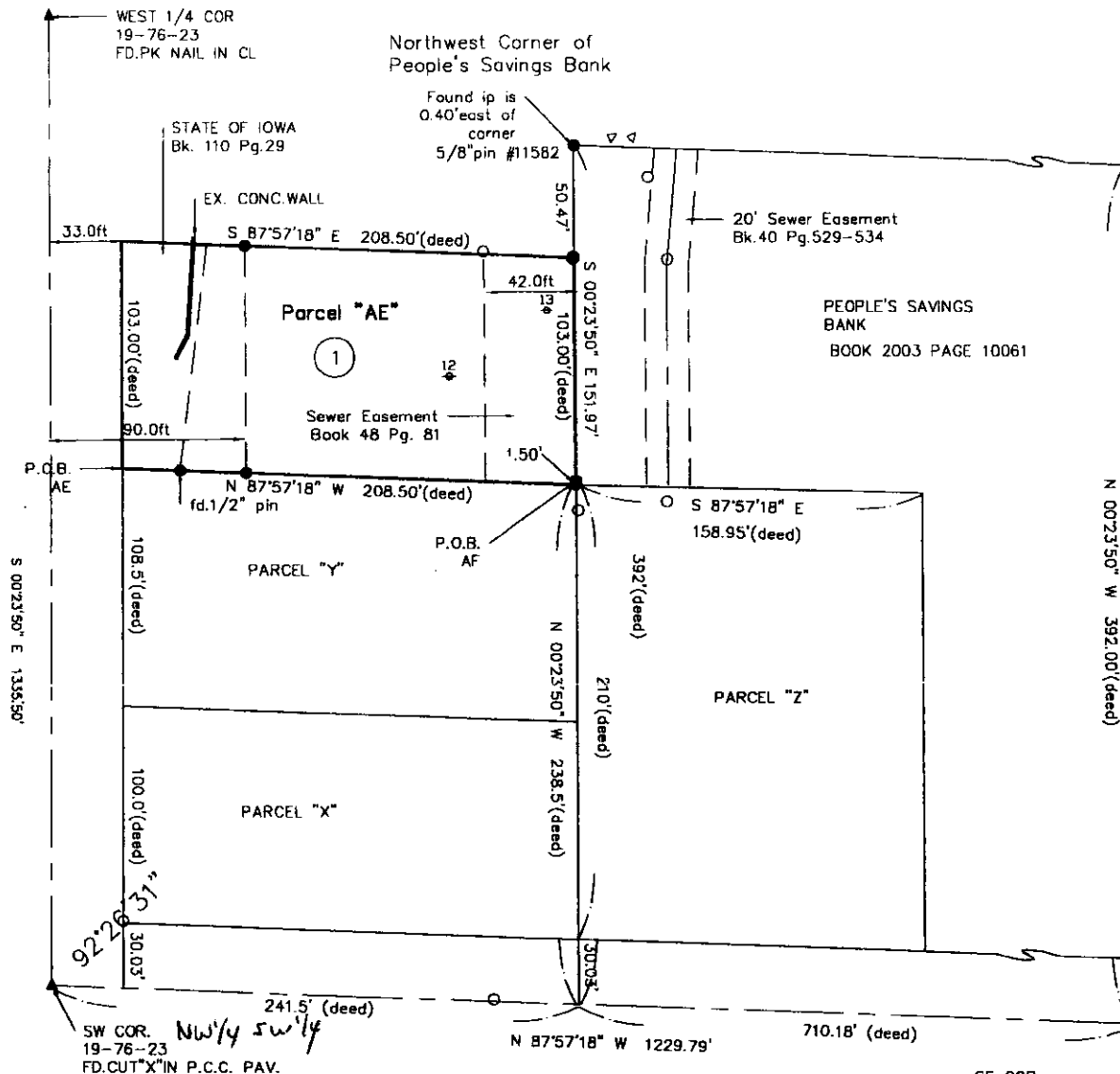


## PLAT OF SURVEY

|                            |                 |                                                                                            |                              |
|----------------------------|-----------------|--------------------------------------------------------------------------------------------|------------------------------|
| REQUESTED BY:<br>Lee Adams |                 | BOLDMAN<br>LAND SURVEYING, L.L.C.<br>P.O. BOX 66<br>WINTERSET, IA. 50273<br>(515) 462-9242 |                              |
| SURVEYED<br>6/7-11/04      | SCALE<br>1"=60' | PROJECT NO.<br>04043                                                                       | OWNER<br>Anderson Thorpe Co. |



SE COR.  
 NW 1/4 SW 1/4  
 FD. 3/8" SMOOTH  
 ROD



I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

SIGNATURE: *Craig S. Boldman*

NAME: CRAIG S. BOLDMAN

DATE: 6/3/04

MY LICENSE RENEWAL DATE IS: DECEMBER 31, 2004

County Notes:  
Approved City of Indianola - March 19, 2007  
Approved Auditor - April 24, 2007  
Recorded - April 24, 2007  
Book 2007 Page 3898

# FINAL PLAT PEOPLE'S BANK PLAT 1

## OWNER/DEVELOPER:

PEOPLES SAVINGS BANK  
111 NORTH BUXTON  
P.O. BOX 795  
INDIANOLA, IA 50125  
PHONE 515/462-1400  
FAX 515/462-0248

## LEGAL DESCRIPTION

A PARCEL OF LAND IN THE NW¼ SW¼ OF SECTION 19, TOWNSHIP 16 NORTH, RANGE 23 WEST OF THE 5TH P.M., CITY OF INDIANOLA, WARREN COUNTY, IOWA AND PARCEL 'AF' RECORDED IN IRREGULAR PLAT BOOK 18, PAGE 4 OF 16-23 AT THE WARREN COUNTY RECORDER'S OFFICE THAT IS ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NW CORNER OF THE BOUNDARY SURVEY RECORDED IN IRREGULAR PLAT BOOK 12, PAGE 8 OF INDIANOLA AT THE WARREN COUNTY RECORDER'S OFFICE, SAID NW CORNER AS TO BEING THE SW CORNER OF PARCEL 'AA' RECORDED IN IRREGULAR PLAT BOOK 13, PAGE 3 OF 16-23 AT THE WARREN COUNTY RECORDER'S OFFICE; THENCE S87°32'34"E, 110.45 FEET ALONG THE NORTH LINE OF SAID BOUNDARY SURVEY, SAID NORTH LINE ALSO BEING THE SOUTH LINE OF SAID PARCEL 'AA', TO THE NE CORNER OF SAID BOUNDARY SURVEY, SAID NE CORNER ALSO BEING THE SE CORNER OF SAID PARCEL 'AA'; THENCE S00°14'46"W, 361.98 FEET ALONG THE EAST LINE OF SAID BOUNDARY SURVEY TO THE SE CORNER OF SAID BOUNDARY SURVEY, SAID SE CORNER ALSO BEING THE SW CORNER OF PARCEL 'Q' RECORDED IN IRREGULAR PLAT BOOK 9, PAGE 16 OF 16-23 AT THE WARREN COUNTY RECORDER'S OFFICE AND ON THE NORTH RIGHT-OF-WAY LINE OF EAST IOWA AVENUE AS IT IS PRESENTLY ESTABLISHED, THENCE N01°02'30"E, 204.13 FEET ALONG THE EAST LINE OF SAID PARCEL TO THE NE CORNER OF SAID PARCEL 'Z'; SAID NE CORNER ALSO BEING ON THE SOUTH LINE OF PARCEL 'AF' RECORDED IN IRREGULAR PLAT BOOK 18, PAGE 4 OF 16-23 AT THE WARREN COUNTY RECORDER'S OFFICE; THENCE N01°02'30"E, 204.13 FEET ALONG THE EAST LINE OF SAID PARCEL TO THE NE CORNER OF SAID PARCEL 'Z'; SAID NE CORNER ALSO BEING ON THE SOUTH LINE OF PARCEL 'AF' RECORDED IN IRREGULAR PLAT BOOK 18, PAGE 4 OF 16-23 AT THE WARREN COUNTY RECORDER'S OFFICE; THENCE N01°02'30"E, 152.06 FEET ALONG THE EAST LINE OF SAID PARCEL 'AF' AND ON THE WEST LINE OF SAID BOUNDARY SURVEY, THENCE N00°02'30"E, 152.06 FEET ALONG SAID WEST LINE TO THE POINT OF BEGINNING AND CONTAINING 5.124 ACRES.

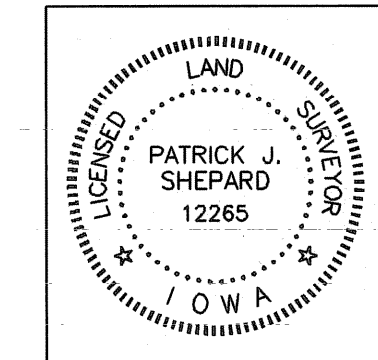
## ZONING

### COMMERCIAL

### NOTES

- THIS PARCEL MAY BE SUBJECT TO EASEMENTS OF RECORD. NO TITLE WORK WAS PERFORMED BY THIS SURVEYOR.
- DOCUMENTS USED IN PREPARATION OF THIS SURVEY RECORDED AT THE WARREN COUNTY RECORDER'S ARE AS FOLLOWS:
  - BOUNDARY SURVEY (IRR. PLAT BK. 12, PG. 8 OF INDIANOLA) PREPARED BY MARK L. LEE L.S. #1582
  - PARCELS 'X', 'Y' & 'Z' (IRR. PLAT BK. 13, PG. 2 OF 16-23 & IRR. PLAT BK. 14, PG. 5 OF 16-23) PREPARED BY STEPHEN M. HAUSNER L.S. #13194
  - PARCEL 'AA' - (IRR. PLAT BK. 13, PG. 3 OF 16-23) PREPARED BY PATRICK J. SHEPARD L.S. #12265
  - PARCEL 'AE' - (IRR. PLAT BK. 18, PG. 3 OF 16-23) PREPARED BY CRAIG S. BOLDMAN L.S. #13421
  - PARCEL 'AF' - (IRR. PLAT BK. 18, PAGE 4 OF 16-23) PREPARED BY CRAIG S. BOLDMAN L.S. #13421
  - PARCELS 'P', 'Q', 'R', & 'S' - (IRR. PLAT BK. 9, PG. 16 OF 16-23) PREPARED BY DAVID M. HILLER L.S. #13754
- THE PLAT OF SURVEY BEARINGS ARE BASED ON SOUTH LINE OF PARCEL 'AA' RECORDED IN IRREGULAR PLAT BOOK 13, PAGE 3 OF 16-23.

## CERTIFICATION



I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.  
PATRICK J. SHEPARD, IOWA LICENSE NO. 12265 DATE MY LICENSE RENEWAL DATE 15 DECEMBER 31, 2007  
PAGES OR SHEETS COVERED BY THIS SEAL: THIS SHEET ONLY

## LEGEND

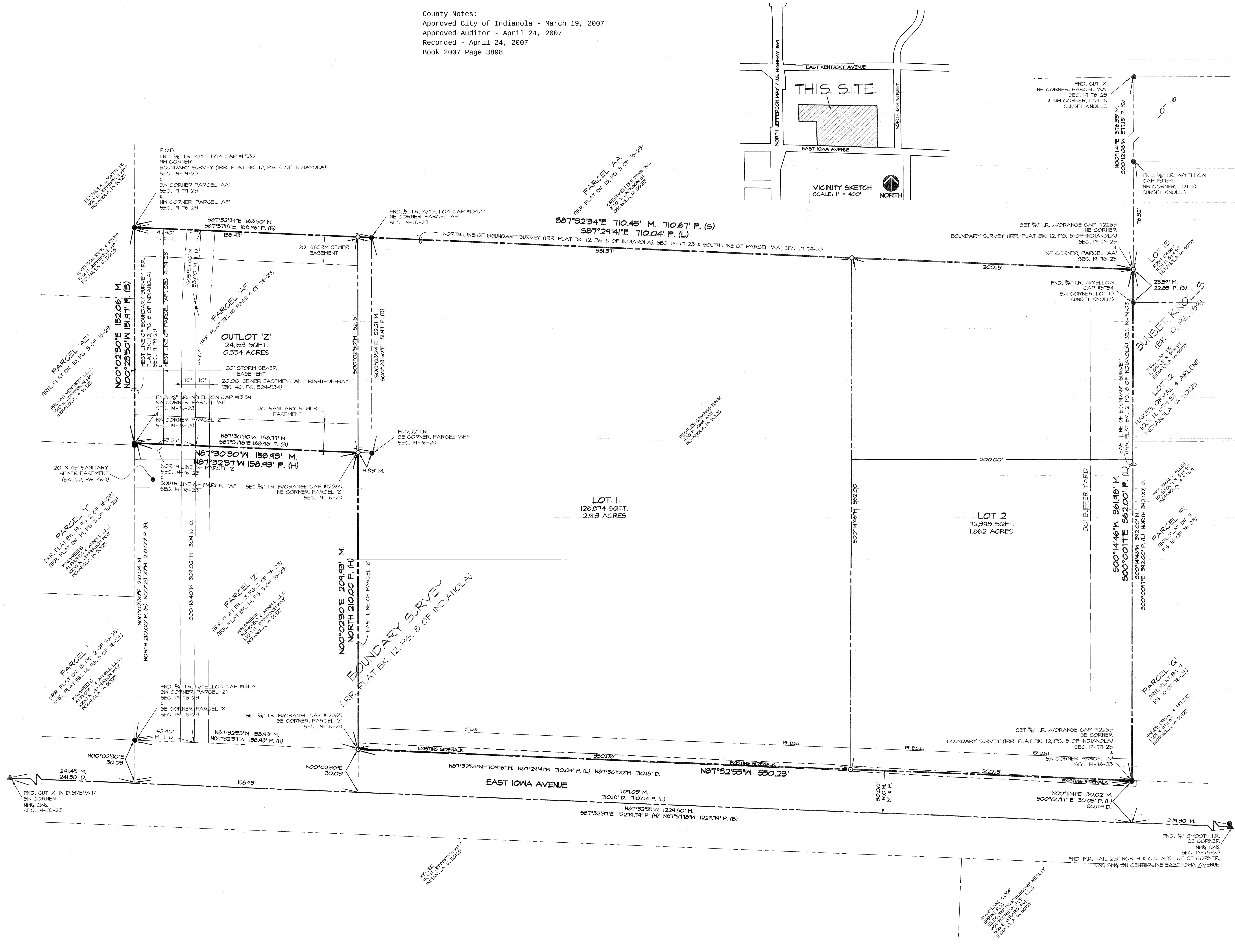
- |                                   |                                                                                    |
|-----------------------------------|------------------------------------------------------------------------------------|
| ---                               | PROPERTY BOUNDARY                                                                  |
| ---                               | SECTION LINES                                                                      |
| ---                               | LOT LINES                                                                          |
| ---                               | EASEMENT LINES                                                                     |
| ---                               | EXISTING FENCE LINES                                                               |
| ▲                                 | FOUND SECTION CORNER                                                               |
| ●                                 | FOUND PROPERTY CORNER                                                              |
| ○                                 | SET PROPERTY CORNER 1/8" I.R. W/ ORANGE CAP #12265 UNLESS OTHERWISE NOTED          |
| IRR. PLAT BK. XX, PG. XX OF 16-23 | RECORDER'S IRREGULAR PLAT BOOK XXXX, PAGE XXXX OF TOWNSHIP 16 NORTH, RANGE 23 WEST |
| BK. XXX, PG. XXX                  | RECORDER'S BOOK AND PAGE                                                           |
| D.                                | DEEDED DISTANCE                                                                    |
| M.                                | MEASURED DISTANCE                                                                  |
| P.                                | PREVIOUSLY RECORDED DISTANCE                                                       |
| I.R.                              | IRON ROD                                                                           |
| I.P.                              | IRON PIPE                                                                          |
| P.O.B.                            | POINT OF BEGINNING                                                                 |
| (B)                               | PLAT OF SURVEY PREPARED BY CRAIG S. BOLDMAN L.S. #13421                            |
| (H)                               | PLAT OF SURVEY PREPARED BY STEPHEN M. HAUSNER L.S. #13194                          |
| (L)                               | PLAT OF SURVEY PREPARED BY MARK L. LEE L.S. #1582                                  |
| (S)                               | PLAT OF SURVEY PREPARED BY PATRICK J. SHEPARD L.S. #12265                          |

## PEOPLE'S BANK PLAT 1 NW¼ SW¼ & PARCEL 'AF', SECTION 19-76-23

**CEC**  
Civil Engineering Consultants, Inc.  
2400 86th Street, Unit 12 - Des Moines, Iowa 50322  
515.276.4884 - Fax: 515.276.7084 - mail@cecinc.com

Scale: 1"=30'  
0 10' 20' 30' 40' 50' 60'  
NORTH  
SHEET 1 OF 1

DATE OF SURVEY: OCT. 20, 2006  
DATE CREATED: OCT. 24, 2006  
REVISIONS: MARCH 15, 2007



# INDEX LEGEND

Location: 19-76N-23N of the 5th P.M.

Requestor: Lee Adams

Proprietor: Danlee Corp.

Project: 21050 Date of Survey: 8/14/2021

Surveyor Co: Boldman Surveying & Consulting

Prepared by/Return to: Craig S. Boldman

521 West Green Street, Winterset, Ia 50273

Phone/fax: 515-462-9242

## PLAT OF STORM SEWER EASEMENT

Legal description proposed 40.00' wide Storm Sewer Easement

Commencing at the SW corner of Parcel "AE" as shown by Plat filed in Irregular Plat Book 18 Page 3 of 76-23

thence S 88°05'40" E a distance of 190.57' to the Point of Beginning;  
thence N 04°57'36" E a distance of 103.05'; thence S 88°05'49" E, along the North line of said Parcel "AE", a distance of 8.12'; thence N 00°30'51" W, along the West line of Outlot "Z" of People's Bank Plat 1, an Official plat, a distance of 50.70'; thence S 88°02'26" E, along the Northerly line thereof, a distance of 36.78'; thence S 04°57'36" W a distance of 152.29' to a point on the South line of said Outlot "Z"; thence S 89°49'51" W a distance of 40.16' to the point of beginning.

Containing 5832.9 square feet (0.134 acres)

### HIGHWAY EASEMENT

#### PROPERTY

1/2" IRON ROD W/ORANGE PLAS. CAP #13427 SET ○

1/2" IRON ROD W/ORANGE PLAS. CAP #13427 FOUND ■

5/8" IRON ROD W/ORANGE PLAS. CAP #13159 FOUND ●

CUT "X" IN CONC x

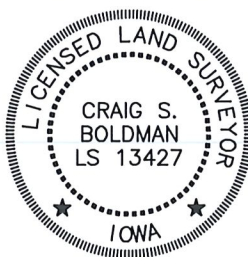
PLSS CORNER FOUND ▲

SEWER INTAKE □

CLEANOUT •

SANITARY SEWER ●

STORM SEWER ●



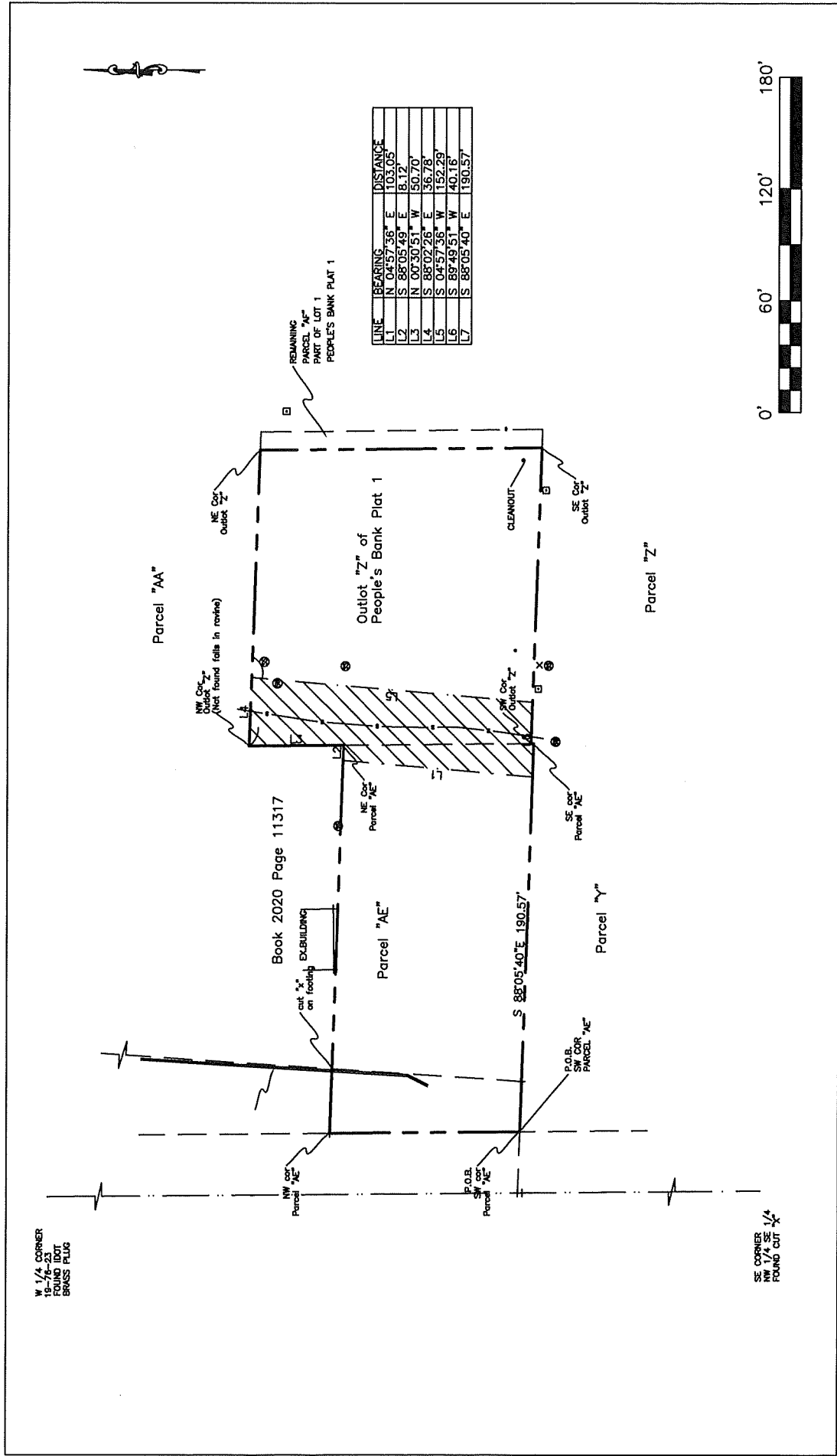
I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa

Signature Craig S. Boldman Date 11/13/21

Name Craig S. Boldman P.L.S. No. 13427

Renewal date is December 31, 2022

Pages or sheets covered by this seal A1



 **COPY**

**Preparer:** Mason J. Ouderkirk, 108 W. Ashland Ave., P.O. Box 156, Indianola, IA 50125, (515) 961-5315

**Return To:** City of Indianola, City Hall, 110 North 1<sup>st</sup> Street, Indianola, IA 50125

**Taxpayer:** City of Indianola, City Hall, 110 North 1<sup>st</sup> Street, Indianola, IA 50125

**GRANTOR:** DANLEE CORP.

**GRANTEE:** City of Indianola, Iowa

#### EASEMENT FOR STORM SEWER

#### KNOWN ALL PERSON BY THESE PRESENTS:

That DANLEE CORP., an Iowa Corporation (hereinafter called "Grantor") in consideration of the sum of One Dollar (\$1.00) to be paid by City of Indianola, Iowa, and other good and valuable consideration, the receipt of which is hereby acknowledged by Grantor, does hereby sell, grant and convey unto the CITY OF INDIANOLA, IOWA, a municipal corporation (hereinafter called "City"), perpetual easements for storm sewer right-of-way as, from time to time, determined by the City over, under, through and across the following described real estate situated in Warren County, Iowa:

#### 40.00' Wide Storm Sewer Easement

Commencing on the SW corner of Parcel "AE" as shown by Plat filed in Irregular Plat Book 18 Page 3 of 76-23

Thence S 88°05'40" E a distance of 190.57' to the Point of Beginning; thence N 04°57'36" E a distance of 103.05; thence S 88°05'49" E, along the North line of said Parcel "AE", a distance of 8.12; thence N 00°30'51" W, along the West line of Outlot "Z" of People's Bank Plat 1, an Official plat, a distance of 50.70; thence S 88°02'26" E, along the Northerly line thereof, a distance of 36.78; thence S 04°57'36" W a distance of 152.29' to a point on the South line of said Outlot "Z"; thence S 89°49'51" W a distance of 40.16' to the point of beginning.

Containing 5832.9 square feet (0.134 acres)

(hereinafter called "Easement Area") for the purpose of the City constructing, reconstructing, repairing, grading, improving and maintaining storm sewer, together with necessary appurtenances thereto, under, over, through and across said Easement Area.

 COPY

This Easement shall be subject to the following terms and conditions:

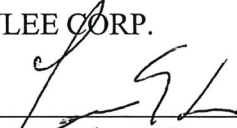
1. **ERECTION OF STRUCTURES PROHIBITED.** Grantor and its successors and assigns shall not erect any structure, building, fixture or fence over or within the Easement Area without obtaining the prior written approval of the City.
2. **OBSTRUCTIONS PROHIBITED.** Grantor and its successors and assigns shall not erect or cause to be placed on the Easement Area any structure, fixture, fence, material, device, thing, matter, or plant or permit any hedge or other vegetative growth to grow which could obstruct, impede or otherwise interfere with the normal flow of surface water or runoff over, under and through the Easement Area and/or the operation or maintenance of a storm sewer in the Easement Area without obtaining the prior written approval of the City Engineer. The City shall have the right, not the obligation, to remove drainage obstructions or other items from the Easement Area without notice.
3. **MAINTENANCE OF EASEMENT.** The owner or occupant of the property within the Easement Area shall keep and preserve the portion of the Easement Area within said owners property in good repair and condition at all times, and shall remove all dead trees, shrubs, brush, trash or other obstacles which might obstruct or impede the flow of surface water. The obligations set forth herein shall include the obligation of such owner or occupants to repair embankments and remedy issues caused by erosion. The City shall not be responsible for any maintenance, repair or replacement of the land or the improvements located within the Easement Area.
4. **RESERVATION.** Grantor and its successors and assigns reserve the right to pave and/or cover the Easement Area with an approved hard surface.
5. **CHANGE IN GRADE PROHIBITED.** Grantor and its successors and assigns shall insure the grade, elevation and contour of the Easement Area complies with original plans and specifications submitted to the City and shall not change the grade, elevation or contour of any part of the Easement Area without obtaining prior written consent of the City.
6. **RIGHT OF ACCESS.** City shall have the right of access to the Easement Area from property adjacent to the Easement Area and have all rights of ingress and egress reasonable necessary for the use and enjoyment of the Easement Area as herein described, including but not limited to, the right to remove any unauthorized obstructions or structures placed or erected in the Easement Area and the right to improve, repair and maintain the Easement Area in whatever manner necessary to provide adequate and proper drainage and to protect the public health, safety and general welfare.
7. **EASEMENT RUNS WITH THE LAND.** This Easement shall be perpetual, permanent and run with the land. This Easement shall be construed as a permanent covenant running within the Easement Area described herein.

 **COPY**

8. SUCCESSORS. This Easement shall be binding on the Grantor and on Grantor's successors and assigns.
9. RESTORATION OF PROPERTY. Upon completion of any construction, reconstruction, alteration, excavation, intentional disturbance, repair, enlargement or maintenance of any improvements in the Easement Area, the City shall restore the Easement Area in a good, proper and workmanlike manner to a condition comparable to its condition before construction, reconstruction, alteration, excavation, intentional disturbance, repair, enlargement or maintenance.
10. TITLE. Grantor does hereby covenant with the City that Grantor holds said real estate described in this Easement by title in fee simple; that Grantor has good and lawful authority to convey the same, and said Grantor covenants to warrant and defend the said premises against lawful claims of all persons whomsoever.
11. CONTEXT AND INTERPRETATION OF LANGUAGE. Words and phrases herein including acknowledgement hereof shall be constructed as in the singular or plural number, and as masculine, feminine or neuter gender, according to the context.

Signed this 17<sup>th</sup> day of November, 2021.

DANLEE CORP.

By   
Lee T. Adams, Secretary and Treasurer

STATE OF IOWA, COUNTY OF WARREN

This instrument was acknowledged before me on the 16<sup>th</sup> day of November, 2021, by Lee T. Adams, as Secretary and Treasurer of DANLEE CORP.



  
Notary Public in and For the State of Iowa



## MEMORANDUM

**To:** Mayor and City Council

**From:**

**Date:** January 3, 2022

**Subject:** Public Hearing on a vacation of a 20' and a 42' storm sewer easement at 1010 North Jefferson Way.

---

**Recommendation:** Roll call to open and close the Public Hearing is in order.

**Attachments:** None



## MEMORANDUM

**To:** Mayor and City Council

**From:**

**Date:** January 3, 2022

**Subject:** First consideration of an Ordinance approving the vacation of a 20' and 42' storm sewer easement at 1010 North Jefferson Way

---

**Recommendation:** At its meeting on December 14, 2021, the Planning and Zoning Commission recommended this vacation be approved.  
Roll call is in order.

**Attachments:** 1. Ordinance

**ORDINANCE NO. 2022-\_\_\_\_\_**

**AN ORDINANCE VACATING A 20' AND 42' STORM  
SEWER EASEMENT AT 1010 N JEFFERSON WAY**

**WHEREAS**, on the 3<sup>rd</sup> day of January 2022, pursuant to published notice as required by law, the City Council has held a public hearing on a proposal to vacate two storm sewer easements legally described as follows:

West Easement:

The east 42 feet of the real estate described as beginning at a point 33 feet east and 238.5 feet north of the SW corner of the Northwest Quarter of the Southwest Quarter (NW ¼ SW ¼) of Section 19, Township 76 North, Range 23 West of the 5th P.M., Warren County, Iowa; thence North 103 feet, thence east 208.5 feet, thence south 103 feet, thence west 208.5 feet to point of beginning.

East Easement:

The west 20 feet of Outlot Z, Peoples Bank Plat 1, Indianola, Warren County Iowa; and

**WHEREAS**, the City Council of the City of Indianola, Iowa, has determined that it is in the best interests of the City to vacate said storm sewer easements.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Indianola, Iowa, as follows:

**Section 1.** The City of Indianola, Iowa, hereby vacates the following described storm sewer easements:

West Easement:

The east 42 feet of the real estate described as beginning at a point 33 feet east and 238.5 feet north of the SW corner of the Northwest Quarter of the Southwest Quarter (NW ¼ SW ¼) of Section 19, Township 76 North, Range 23 West of the 5th P.M., Warren County, Iowa; thence North 103 feet, thence east 208.5 feet, thence south 103 feet, thence west 208.5 feet to point of beginning.

East Easement:

The west 20 feet of Outlot Z, Peoples Bank Plat 1, Indianola, Warren County Iowa.

**Section 2.** All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**Section 3.** This Ordinance shall be in effect upon its passage, approval and publication as provided by law.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

\_\_\_\_\_  
Stephanie Erickson, Mayor

ATTEST:

\_\_\_\_\_  
Jackie Raffety, City Clerk



## MEMORANDUM

**To:** Mayor and City Council  
**From:** Andy Lent, Asst. City Manager/CFO  
**Date:** January 3, 2022  
**Subject:** Resolution setting FY2022 Budget Amendment Public Hearing for February 7, 2022.

---

**Recommendation:** Roll call is in order.

**Attachments:** 1. Res 2022- set PH for FY22 Budget Amendment

City of Indianola

**RESOLUTION NO 2022-**

**RESOLUTION SETTING TIME AND PLACE FOR A PUBLIC HEARING TO AMEND THE FY2022 BUDGET**

**WHEREAS**, the City is required to hold a public hearing concerning the amendment of the City's budget for Fiscal Year 2022.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF INDIANOLA, IOWA**, that a public hearing will be held February 7, 2022 beginning at 6:00 p.m. in the City Hall Council Chambers, 110 N. 1st Street, concerning amending the City's budget for Fiscal Year 2022, and the City Clerk is directed to publish notice of said meeting in the Indianola Record Herald and Tribune.

**PASSED AND APPROVED** this 3<sup>rd</sup> day of January 2022.

---

Stephanie Erickson, Mayor

ATTEST:

---

Jackie Raffety, City Clerk



## MEMORANDUM

**To:** Mayor and City Council  
**From:** Jackie Raffety, City Clerk/Asst. Finance Director  
**Date:** January 3, 2022  
**Subject:** Boards and Commissions

---

**Introduction:** The City Council Policy for Boards and Commissions is included in the packet.

**Background:** Pursuant to City Council Policy, please find attached, as Exhibit A, a listing of current Boards and Commissions members, including the expiration date of their appointments.

**Discussion:** Exhibit B is a list of upcoming vacancies for citizen Boards/Commissions. The list is also available on the City's [website](#).

The last attachment, Exhibit C, is a list of miscellaneous appointments for elected and appointed officials. If Council wishes to amend or change any of these appointments (for Exhibit C), those amendments should be made at this time.

**Budget Impact:**

**Recommendation:** Once committees are set, it is recommended that City Council receive and file the listings. Simple motion to receive and file the listings is in order.

Council is also asked to approve a resolution naming appointees to serve on CIRTPA and MPO committees. Roll call to approve the resolution is in order.

**Attachments:**

1. Boards and Commissions Policy
2. Exhibit A - 2022 Boards and Commissions Member Listing
3. Exhibit B - Upcoming Vacancies in 2022
4. Exhibit C - Council Committees 2022

## **BOARDS AND COMMISSIONS**

### Awards

The City Council will award a plaque to those members of a Board or Commission who complete at least one full term.

### **Boards and Commissions Membership**

The intent of this policy is to provide a process for selecting citizens interested in serving on a City board and/or commission. The City of Indianola desires to have diverse representation on its boards and commissions to reflect the age, race/ethnicity and gender (in accordance with Iowa Code 69.16A) of the Indianola community.

The Mayor makes the following appointments with the approval of the City Council:

*IMU Board of Trustees (6 years)*

*Memorial Aquatic Center Commission (3 Years)*

*Park and Recreation Commission (3 years)*

*Non-Judicial Human Relations Commissions (3 years)*

*Civil Service Commission (4 years)*

*Library Board of Trustees (6 years)*

Greater Des Moines Convention Center  
and Visitors Bureau Representative

The City Council makes the following appointments:

*Board of Adjustment/Appeals (5 years)*

*Fine Art and Beautification Commission (3  
years)*

Landfill Board

YMCA Steering Committee

*Sustainability Committee*

BRAVO Greater Des Moines Representative

City Council Administrative & Policy  
Committee

*Planning and Zoning Commission (5 years)*

CIRTPA/MPO Representative

City Investment Committee

*Hometown Pride Committee*

Metro Advisory Committee

WCEDC Board

Those appointments in *italics* are open to citizens. Others are a designated governmental appointee.

The following are procedures for appointing/reappointing a citizen:

- Boards and Commission openings will be listed six months in advance of a vacancy on the City's web site by the City Clerk.
- Interested citizens should complete a volunteer application form by the posted deadline. The City will keep applications on file until December 31<sup>st</sup> of each year.
- The names of the citizens who express interest in serving on the Boards and Commissions appointed by the Mayor will be forwarded by the City Clerk to the Mayor for his/her review. The Mayor will consider the information provided on the application and make his/her recommendation to the City Council Administrative & Policy Committee for their consideration and recommendation to the Mayor and City Clerk.
- The names of citizens who express interest in serving on the Boards and Commissions appointed by the City Council will be forwarded by the City Clerk to the City Council Administrative & Policy Committee for their review.
- The name of the citizen recommended for the Board or Commission will be placed on the agenda for Council approval.

The City Council Administrative & Policy Committee will also bring forward appointments to the Landfill Board, CIRTPA, MPO, YMCA, Investment Committee, Sustainability Committee, Hometown Pride, BRAVO, Metro Advisory, WCEDC.

Factors that may be consider when recommending appointments include:

- What is the current gender balance of the Board/Commission?
- The area of town in which a candidate resides, are all areas represented?
- Are there too many members with similar occupations, should other occupations be represented?
- Are there potential conflicts of interests if a certain candidate were chosen to serve?
- What expertise and/or experience does the candidate bring to the Board/Commission?
- Does the candidate serve on more than one board/commission?
- How long has the person served on the board/commission?
- If they are currently serving on a board/commission how effective have they been in serving on the board/commission?
- If they are currently serving on a board/commission, has their attendance been acceptable?
- Only one member of an immediate family i.e. husband, wife, father, mother, son, daughter, brother, sister, may be on the same board or commission at a time.
- City employees may serve as members on City boards and commissions that are established by ordinance. However, City employees shall not serve on boards/commissions that govern their respective departments. City employees will be subject to the normal selection procedure which provides mayoral appointment and council approval. The council reserves the right to approve all appointments and shall not approve City employees when potential conflicts of interest may be present.

Attendance: Attendance is critical to the successful functioning of a board/commission. Staff shall monitor attendance to assure members are participating to an acceptable level. If attendance problems occur, staff shall inform the board/commission chair and/or the Mayor and City Council to consider action to assure the board/commission has active/participating members.

*Adopted by City Council on February 4, 1974, amended August 3, 1987; amended August 1, 1988; amended June 13, 2018.*

## **Drug Abuse and Alcohol Commission**

The Council has established through Ordinance 2-11 the Indianola Drug Abuse and Alcohol Commission and has limited its membership to residents of the City of Indianola. It acknowledges however, that additional assistance can prove very helpful and therefore provides for non-resident consultants/advisors to work with the Commission in various related areas. The consultants/advisors shall assist the Commission on policy matters but shall not have any voting authority. This commission shall select its consultant/advisors subject to the approval of the Mayor.

*Adopted by City Council on July 6, 1987.*

## **Membership List**

A listing of commissions and board members, including the expiration date of their appointments shall be prepared and provided at the first annual Council meeting in January.

| Board/ Commission                                | Appointed by/ first<br>appt on | Name                   | Term Begin Date           | Term End Date             | Term Length                                              |
|--------------------------------------------------|--------------------------------|------------------------|---------------------------|---------------------------|----------------------------------------------------------|
| <b>Board of Adjustment/<br/>Board of Appeals</b> |                                |                        |                           |                           |                                                          |
|                                                  | Council                        |                        | July 1 per City Ordinance | July 1 per City Ordinance | 5 years                                                  |
|                                                  | 9/9/2020                       | Amy Mitchell           | 9/9/2020                  | 7/1/2025                  |                                                          |
|                                                  | 7/19/2021                      | Lee Bash               | 7/1/2021                  | 6/30/2026                 |                                                          |
|                                                  | 12/31/2016                     | Wes Sharp              | 12/31/2016                | 12/31/2021                |                                                          |
|                                                  | 2/20/2018                      | Rene Soldwisch         | 2/20/2018                 | 12/31/2022                |                                                          |
|                                                  | 4/1/2019                       | Bill Mettee            | 4/1/2019                  | 12/31/2023                |                                                          |
|                                                  |                                |                        |                           |                           |                                                          |
| <b>Civil Service<br/>Commission</b>              |                                |                        |                           |                           |                                                          |
|                                                  | Mayor w/ Council<br>approval   |                        | April 1 per Iowa Code     | April 1 per Iowa Code     | 4 years                                                  |
|                                                  | 4/1/2018                       | Stephen Stark          | 4/1/2018                  | 4/1/2022                  |                                                          |
|                                                  | 7/2/2018                       | Kerri Przybyski        | 7/2/2018                  | 4/1/2023                  |                                                          |
|                                                  |                                |                        |                           |                           | partial term until 2019<br>then began first full<br>term |
|                                                  | 7/2/2018                       | Jason Trotter          | 4/1/2019                  | 4/1/2023                  |                                                          |
|                                                  |                                |                        |                           |                           |                                                          |
| <b>Hometown Pride<br/>Committee</b>              |                                |                        |                           |                           |                                                          |
|                                                  | Council                        |                        | July 1 per City Ordinance | July 1 per City Ordinance | 2 years - Agreement<br>ends December 2022                |
|                                                  | 7/6/2020                       | Jessica Schneider      | 7/6/2020                  | 6/30/2022                 |                                                          |
|                                                  | 7/1/2019                       | Amy Duncan             | 1/21/2020                 | 12/31/2022                |                                                          |
|                                                  | 7/6/2020                       | Josh Weitzel           | 7/6/2020                  | 6/30/2022                 |                                                          |
|                                                  |                                |                        |                           |                           |                                                          |
|                                                  | 7/6/2020                       | Emily Roush-Bobolz     | 7/6/2020                  | 6/30/2022                 |                                                          |
|                                                  | 2/4/2019                       | Monica Thompson        | 2/4/2019                  | 12/31/2020                |                                                          |
|                                                  | 7/1/2020                       | Heidi Levine           | 7/1/2020                  | 6/30/2022                 |                                                          |
|                                                  | 8/3/2020                       | Staci Scheurenbrand    | 8/3/2020                  | 6/30/2022                 |                                                          |
|                                                  | 7/19/2021                      | Michelle Holland-Shera | 7/19/2021                 | 6/30/2022                 |                                                          |
|                                                  | 7/19/2021                      | Mindy Blanchard        | 7/19/2021                 | 6/30/2022                 |                                                          |
|                                                  | 7/19/2022                      | Katherine Newcomer     | 7/19/2021                 | 6/30/2022                 |                                                          |
|                                                  |                                |                        |                           |                           |                                                          |

|                                         |                           |                 |                           |                           |                                                        |
|-----------------------------------------|---------------------------|-----------------|---------------------------|---------------------------|--------------------------------------------------------|
|                                         |                           |                 |                           |                           |                                                        |
| <b>Human Relations Commission</b>       | Mayor w/ Council approval |                 | July 1 per City Ordinance | July 1 per City Ordinance | 3 years                                                |
| 7 members                               | 12/6/2021                 | Nia Chiaramonte | 12/6/2021                 | 7/1/2022                  |                                                        |
|                                         | 12/6/2021                 | Tara Elcock     | 12/6/2021                 | 7/1/2023                  |                                                        |
|                                         | 12/6/2021                 | Nick Mahlstadt  | 12/6/2021                 | 7/1/2021                  |                                                        |
|                                         |                           |                 |                           |                           |                                                        |
|                                         |                           |                 |                           |                           |                                                        |
|                                         |                           |                 |                           |                           |                                                        |
|                                         |                           |                 |                           |                           |                                                        |
|                                         |                           |                 |                           |                           |                                                        |
|                                         |                           |                 |                           |                           |                                                        |
| <b>Indianola Public Arts Commission</b> | Council                   |                 | July 1 per City Ordinance | July 1 per City Ordinance | 3 years                                                |
|                                         | 12/7/2020                 | Grant Darrah    | 12/7/2020                 | 7/1/2022                  |                                                        |
|                                         | 12/7/2020                 | Laurel Halstead | 12/7/2020                 | 7/1/2022                  |                                                        |
|                                         | 12/21/2020                | Kim Guilford    | 12/21/2020                | 7/1/2022                  |                                                        |
|                                         | 12/21/2020                | Dan Anderson    | 12/21/2020                | 7/1/2023                  |                                                        |
|                                         | 1/4/2021                  | Monica Weinman  | 1/4/2021                  | 7/1/2023                  |                                                        |
|                                         | 12/20/2021                | Bob Kling       | 1/1/2022                  | 7/1/2023                  |                                                        |
|                                         | 3/23/2021                 | Tim Wilson      | 3/23/2021                 | 7/1/2024                  |                                                        |
|                                         |                           |                 |                           |                           |                                                        |
|                                         |                           |                 |                           |                           |                                                        |
|                                         |                           |                 |                           |                           |                                                        |
|                                         |                           |                 |                           |                           |                                                        |
| <b>IMU Board of Trustees</b>            | Mayor w/ Council approval |                 | July 1 per City Ordinance | July 1 per City Ordinance | 6 years; can serve for two terms plus any partial term |
|                                         | 2/16/2016                 | Lesley Forbush  | 2/16/2016                 | 1/2/2022                  | 1st term                                               |

|                      |                                                                                                |                     |            |          |                                                                                                           |
|----------------------|------------------------------------------------------------------------------------------------|---------------------|------------|----------|-----------------------------------------------------------------------------------------------------------|
|                      | 8/17/2015                                                                                      | Adam Voigts         | 1/1/2018   | 1/2/2024 | Council approved a partial term from 8/17/2015 to 1/1/2018 and then a full term 1/1/2018 to 1/2/2024      |
|                      | 7/20/2015                                                                                      | Mike Rozga          | 1/1/2019   | 1/2/2025 | Council approved a partial term from 7/20/2015 to 1/1/2019 and then a full term from 1/1/2019 to 1/1/2025 |
|                      | 7/20/2020                                                                                      | Deb Richardson      | 7/1/2020   | 7/1/2026 | 1st term                                                                                                  |
|                      | 7/20/2020                                                                                      | Lori Smith          | 1/1/2021   | 7/1/2027 | Council approved partial term from 1/1/2021 to 7/1/2021 and then a full term from 7/1/2021 to 7/1/2027    |
| <b>Library Board</b> | Mayor w/ Council approval<br>July 1 per City Ordinance    July 1 per City Ordinance    6 years |                     |            |          |                                                                                                           |
|                      | 2/16/2021                                                                                      | Melanie Hundertmark | 2/16/2021  | 7/1/2022 | Partial term from 2/16/21 to 7/1/22 to fill an opening left by Betsy Freese.                              |
|                      | 12/18/2017                                                                                     | Thomas Smith        | 12/18/2017 | 7/1/2022 |                                                                                                           |
|                      | 7/1/2016                                                                                       | Andrew Brittingham  | 7/1/2016   | 7/1/2022 |                                                                                                           |
|                      | 7/2/2018                                                                                       | Colleen Willmott    | 7/2/2018   | 7/1/2024 |                                                                                                           |
|                      | 7/2/2018                                                                                       | Cyd Dyer            | 7/2/2018   | 7/1/2024 |                                                                                                           |
|                      | 7/1/2020                                                                                       | Sally Van Dorin     | 7/1/2020   | 7/1/2026 |                                                                                                           |
|                      | 7/1/2020                                                                                       | Emmet Konrad        | 7/1/2020   | 7/1/2026 |                                                                                                           |

|                                         |                           |                     |                           |                           |                                                                                                                      |
|-----------------------------------------|---------------------------|---------------------|---------------------------|---------------------------|----------------------------------------------------------------------------------------------------------------------|
|                                         |                           |                     |                           |                           |                                                                                                                      |
| <b>Memorial Bldg Commission</b>         | Mayor w/ Council approval |                     | July 1 per City Ordinance | July 1 per City Ordinance | 3 years                                                                                                              |
|                                         | 6/20/2016                 | Don Babcock         | 7/1/2019                  | 7/1/2022                  | 2nd term                                                                                                             |
|                                         | 2/7/2011                  | Bob Greener         | 7/1/2019                  | 7/1/2022                  | 3rd term (plus a partial term)                                                                                       |
|                                         | 5/15/2017                 | Don Sandy           | 7/1/2019                  | 7/1/2022                  | Council approved a partial term from 5/15/17 to 7/1/2019 and a full term from 7/1/2019 to 7/1/2022                   |
|                                         | 9/5/2017                  | Jessica Credidio    | 7/1/2020                  | 6/30/2023                 | second term                                                                                                          |
|                                         | 8/16/2021                 | Brad Green          | 8/16/2021                 | 6/30/2024                 | first term                                                                                                           |
|                                         |                           |                     |                           |                           |                                                                                                                      |
| <b>Park &amp; Recreation Commission</b> | Mayor w/ Council approval |                     | July 1 per City Ordinance | July 1 per City Ordinance | 3 years; can serve for two terms plus any partial term                                                               |
|                                         | 1/1/2017                  | Joel Hoyer          | 1/1/2020                  | 1/1/2023                  | second term                                                                                                          |
|                                         | 1/1/2017                  | Drew Brazie         | 7/1/2020                  | 7/1/2023                  | second term                                                                                                          |
|                                         | 8/7/2017                  | Kate Walton         | 1/1/2021                  | 7/1/2024                  | second term                                                                                                          |
|                                         | 10/15/2018                | Kerry Koonce        | 1/1/2021                  | 7/1/2024                  | partial term from 10/15/18 to 1/1/2021; first full term from 1/1/2021 to 7/1/2024                                    |
|                                         | 10/15/2018                | Kathy Turnball      | 1/1/2022                  | 7/1/2024                  | partial term from 10/15/18 to 1/1/2019; first full term from 1/1/2019 to 1/1/2022; second term from 1/1/22 to 7/1/24 |
|                                         | 2/19/2019                 | Christopher Goodale | 2/19/2019                 | 1/1/2022                  |                                                                                                                      |

| Planning & Zoning Commission |                  |                    |                           |                           |                                                                                                             |
|------------------------------|------------------|--------------------|---------------------------|---------------------------|-------------------------------------------------------------------------------------------------------------|
| Council                      |                  |                    | July 1 per City Ordinance | July 1 per City Ordinance | 5 years                                                                                                     |
| 9/17/2018                    | Jeromy Pribil    |                    | 7/1/2020                  | 7/1/2025                  | partial term from 9/17/2018 to 2/1/2020; first term from 7/1/2020 to 7/1/2025                               |
| 9/17/2018                    | Erin Freeberg    |                    | 7/1/2020                  | 7/1/2025                  | partial term from 9/17/2018 to 2/1/2020; first term from 7/1/2020 to 7/1/2025                               |
| 12/20/2021                   | Cortney Marmon   |                    | 7/1/2021                  | 7/1/2026                  | first term                                                                                                  |
| 2/18/2014                    | Josh Rabe        |                    | 2/1/2022                  | 7/1/2027                  | partial term from 2/18/2014 to 2/1/2017; first term from 2/1/2017 to 2/1/2022; second term 2/1/22 to 7/1/27 |
| 4/3/2017                     | Sarah Ritchie    |                    | 4/3/2017                  | 2/1/2022                  |                                                                                                             |
| 1/18/2011                    | Bob Ormsby       |                    | 2/1/2018                  | 2/1/2023                  |                                                                                                             |
| 12/20/2021                   | Mimi Kelly-Meyer |                    | 7/1/2021                  | 7/1/2026                  | first term                                                                                                  |
| 2/1/2014                     | Al Farris        |                    | 2/1/2019                  | 2/1/2024                  | 2nd term                                                                                                    |
| 2/1/2014                     | Misty Soldwisch  |                    | 2/1/2019                  | 2/1/2024                  | 2nd term                                                                                                    |
| Sustainability Committee     |                  |                    |                           |                           |                                                                                                             |
| City Council                 |                  |                    | None                      | None                      |                                                                                                             |
|                              |                  | Rita Bresnan       |                           |                           |                                                                                                             |
|                              |                  | Kathie Farris      |                           |                           |                                                                                                             |
|                              |                  | Al Farris          |                           |                           |                                                                                                             |
|                              |                  | Anita Christiansen |                           |                           |                                                                                                             |
|                              |                  | Kari Carney        |                           |                           |                                                                                                             |

|  |                  |  |  |  |
|--|------------------|--|--|--|
|  | Tim Diebel       |  |  |  |
|  | Jim Mikulanec    |  |  |  |
|  | Jon Vernon       |  |  |  |
|  | Margaret Vernon  |  |  |  |
|  | Steve Gray       |  |  |  |
|  | Bill Howard      |  |  |  |
|  | Jim McClymond    |  |  |  |
|  | John Pauley      |  |  |  |
|  | Amanda Zwanziger |  |  |  |
|  | Betsy Freese     |  |  |  |
|  | Bob Freese       |  |  |  |

| <b>Upcoming Vacancies for 2022</b>                     |                                                          |
|--------------------------------------------------------|----------------------------------------------------------|
| Board of Adjustments                                   | One effective July 1, 2022 (current term expires 1/1/22) |
| Civil Service Commission                               | One effective April 1, 2022                              |
| Hometown Pride Committee                               | One effective July 1, 2021 and 8 effective July 1*       |
| Human Relations Commission                             | Four effective immediately; one effective July 1, 2022   |
| IMU Board of Trustees                                  | One effective July 1, 2022 (current term expires 1/1/22) |
| Indianola Public Arts Commission                       | 3 effective July 1, 2022                                 |
| Library Board of Trustees                              | Three effective July 1, 2022                             |
| Memorial Board Commission                              | Three effective July 1, 2022                             |
| Park and Recreation Commission                         | One effective July 1, 2022                               |
| Planning and Zoning Commission                         | One effective July 1, 2022 (current term expires 2/1/22) |
|                                                        |                                                          |
|                                                        |                                                          |
| *Hometown Pride Agreement expires on December 31, 2022 |                                                          |

| Board                                            | Current Member            | Terms | Appointed by        | Meeting dates                                  | Agreement                            |
|--------------------------------------------------|---------------------------|-------|---------------------|------------------------------------------------|--------------------------------------|
| <b>BRAVO</b>                                     |                           |       |                     |                                                | 28E                                  |
|                                                  | Bob Kling                 |       |                     |                                                |                                      |
| <b>City Council Admin &amp; Policy Committee</b> |                           |       |                     |                                                |                                      |
|                                                  | Council Member            |       |                     |                                                |                                      |
|                                                  | Council Member            |       |                     |                                                |                                      |
|                                                  | John Parker               |       |                     |                                                |                                      |
| <b>CIRTPA</b>                                    |                           |       |                     |                                                |                                      |
|                                                  | yearly resolution         |       | Council             | 2nd Thursday of even months at 9:30 am         |                                      |
| Policy Committee                                 | Heather Hulen             |       |                     |                                                |                                      |
|                                                  | City Manager              |       |                     |                                                |                                      |
| Tech Committee                                   | Akhliesh Pal              |       |                     |                                                |                                      |
|                                                  | Charlie Dissell           |       |                     |                                                |                                      |
| <b>Des Moines MPO</b>                            |                           |       |                     |                                                |                                      |
|                                                  | yearly resolution         |       | Council             | 1st Thursday at 9:30 am                        |                                      |
| Policy Committee                                 | Mayor                     |       |                     |                                                |                                      |
|                                                  | City Manager              |       |                     |                                                |                                      |
| Tech Committee                                   | Charlie Dissell           |       |                     |                                                |                                      |
|                                                  | Akhliesh Pal              |       |                     |                                                |                                      |
| <b>E-911 Board</b>                               |                           |       |                     |                                                |                                      |
|                                                  | Aaron Hurt                |       |                     |                                                |                                      |
|                                                  | Eric Wallace (alternate)  |       |                     |                                                |                                      |
| <b>Greater DM Convention Center</b>              |                           |       |                     |                                                | 28E                                  |
|                                                  | John Parker               |       |                     |                                                |                                      |
| <b>Landfill Board</b>                            |                           |       |                     | 3rd Wednesday of odd months at 1pm at Landfill |                                      |
|                                                  | Gwen Schroder             |       |                     |                                                |                                      |
|                                                  | Heather Hulen             |       |                     |                                                |                                      |
| <b>Mayor Pro Tem</b>                             |                           |       | Mayor               |                                                |                                      |
|                                                  | Council Member            |       |                     |                                                |                                      |
| <b>Metro Advisory</b>                            |                           |       |                     |                                                | Memorandum of Understanding 12-04-00 |
|                                                  | Bob Kling                 |       |                     |                                                |                                      |
| <b>WCEDC</b>                                     |                           |       |                     |                                                |                                      |
|                                                  | City Manager              |       |                     |                                                |                                      |
|                                                  | Greg Marchant (alternate) |       |                     |                                                |                                      |
| <b>WCEMA</b>                                     |                           |       |                     |                                                |                                      |
|                                                  | Mayor                     |       |                     |                                                |                                      |
|                                                  | John Parker               |       |                     |                                                |                                      |
| <b>YMCA Steering Committee</b>                   |                           |       | approved by Council |                                                |                                      |
|                                                  | Council Member            |       |                     |                                                |                                      |
|                                                  | Doug Bylund               |       |                     |                                                | appointment per the 28E agreement    |
|                                                  | Council Member            |       |                     |                                                |                                      |



## MEMORANDUM

**To:** Mayor and City Council  
**From:** Jackie Raffety, City Clerk/Asst. Finance Director  
**Date:** January 3, 2022  
**Subject:** Resolution appointing the City of Indianola representation to the Des Moines Metropolitan Planning Organization and Central Iowa Regional Transportation Planning Alliance.

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**Introduction:** The DMMPO requires an annual resolution be adopted by the Indianola City Council to appoint representatives to the organizations.

**Background:** The City of Indianola is a member of both DMMPO and CIRTPA.

**Discussion:** A primary and alternate representative should be appointed to the MPO Policy Committee, MPO Technical Committee, CIRTPA Policy Committee and CIRTPA Transportation Technical Committee.

The calendar of MPO meeting dates is included in the packet.

**Budget Impact:**

**Recommendation:** Roll call is in order.

**Attachments:**

1. Factors to Consider
2. MPO COMMITTEE 2022 MEETING DATES
3. 2022 MPO Representative Form
4. Res 2022- appointing representation DMMPO and CIRTPA



When making appointments to the Des Moines Area MPO's committees, we ask that you consider the following:

- The Des Moines Area MPO's 28E Agreement states *"...the representative or representatives who shall serve on the Des Moines Area MPO shall be a member or members of its governing body or other person or persons appointed in the manner approved by such governing body. Alternative representatives may be similarly appointed, on a temporary or permanent basis, as a member government shall determine."* In addition to the forms provided, please provide a copy of the resolution appointing your representatives.
- The Des Moines Area MPO's 28E Agreement states no person appointed as a representative to one committee may serve as a primary representative or as an alternate representative on the other committee.
- The Des Moines Area MPO encourages a strong link between the appointing member's governing body its designated Des Moines Area MPO representatives, with this link enhancing the ability of the appointed representatives to carry forward that members views when communicating with other member governments and agencies through the Des Moines Area MPO process.
- The Des Moines Area MPO urges that a member, when making its appointments, select individuals who are committed to and willing to attend and participate in the Des Moines Area MPO's meetings and activities on a regular basis. A 2021 meeting calendar has been included for your reference. Per the Des Moines Area MPO's Bylaws, if a representative, or their alternate, fails to attend three consecutive meetings, the Des Moines Area MPO Executive Director shall notify the member government to request consideration of a new appointment.
- The Des Moines Area MPO is committed to developing policies and programs that do not discriminate on the basis of race, color, income, national origin, disability, sexual orientation, gender, or similar factors. As such, we urge member governments to consider diversity when making these appointments to ensure its decision makers reflect the diversity of the region.

## MPO COMMITTEE 2022 MEETING DATES

### TTC COMMITTEE

|                       |
|-----------------------|
| Thursday, January 6   |
| Thursday, February 3  |
| Thursday, March 3     |
| Thursday, April 7     |
| Thursday, May 5       |
| Thursday, June 2      |
| Thursday, July 7      |
| Thursday, August 4    |
| Thursday, September 1 |
| Thursday, October 6   |
| Thursday, November 3  |
| Thursday, December 1  |

### EXECUTIVE COMMITTEE

|                        |
|------------------------|
| Wednesday, January 12  |
| Wednesday, February 9  |
| Wednesday, March 9     |
| Wednesday, April 13    |
| Wednesday, May 11      |
| Wednesday, June 8      |
| Wednesday, July 13     |
| Wednesday, August 10   |
| Wednesday, September 7 |
| Wednesday, October 12  |
| Wednesday, November 9  |
| Wednesday, December 7  |

### POLICY COMMITTEE

|                        |
|------------------------|
| Thursday, January 20   |
| Thursday, February 17  |
| <b>**No Meeting</b>    |
| Thursday, April 21     |
| Thursday, May 19       |
| Thursday, June 16      |
| <b>**No Meeting</b>    |
| Thursday, August 18    |
| Thursday, September 15 |
| Thursday, October 20   |
| Thursday, November 17  |
| <b>**No Meeting</b>    |

***\*Meeting date may change depending on GDMP DC trip.***

***\*\*MPO Executive and Policy Committee approved the elimination of Policy meetings in March, July, and December***



## 2022 Representative Information for \_\_\_\_\_

*(Please fill in all information to guarantee contact information is up-to-date in our records)*

| Committee                               | Representative Contact Information |
|-----------------------------------------|------------------------------------|
| Policy Committee Primary<br>1 of 1      | Name: _____                        |
|                                         | Title: _____                       |
|                                         | Email: _____                       |
| Policy Committee Alternate<br>1 of 1    | Name: _____                        |
|                                         | Title: _____                       |
|                                         | Email: _____                       |
| Technical Committee Primary<br>1 of 1   | Name: _____                        |
|                                         | Title: _____                       |
|                                         | Email: _____                       |
| Technical Committee Alternate<br>1 of 1 | Name: _____                        |
|                                         | Title: _____                       |
|                                         | Email: _____                       |

*If additional staff persons should receive copies of emails for the representatives, please provide the following:*

Name: \_\_\_\_\_

Title: \_\_\_\_\_

E-Mail: \_\_\_\_\_

Return with a resolution affirming your representatives by December 31, 2021 to:

Tracey Deckard, Office Manager  
Des Moines Area Metropolitan Planning Organization  
420 Watson Powell Jr., Way | Suite 200  
Des Moines, Iowa 50309  
[tdeckard@dmampo.org](mailto:tdeckard@dmampo.org)

Altoona • Ankeny • Bondurant • Carlisle • Clive • Dallas County • Des Moines • DART  
Grimes • Johnston • Mitchellville • Norwalk • Pleasant Hill • Polk City • Polk County  
Urbandale • Warren County • Waukee • West Des Moines • Windsor Heights

City of Indianola  
**RESOLUTION 2022-**

**A RESOLUTION APPOINTING CITY OF INDIANOLA REPRESENTATION TO THE DES MOINES AREA  
METROPOLITAN PLANNING ORGANIZATION AND THE  
CENTRAL IOWA REGIONAL TRANSPORTATION PLANNING ALLIANCE**

**WHEREAS**, the City of Indianola is a member of the Des Moines Metropolitan Planning Organization (DMMPO) and the Central Iowa Regional Transportation Planning Alliance (CIRTPA); and

**WHEREAS**, the Des Moines Area MPO requires a resolution be adopted by the City Council to appoint representation for the City of Indianola for DMMPO and CIRTPA for terms that will run from January 1, 2022, through December 31, 2022.

**NOW, THEREFORE**, be it resolved by the Indianola City Council to appoint the following as the City of Indianola representatives to the Des Moines Area MPO and CIRTPA:

DMMPO Policy Committee Primary Representative:  
DMMPO Policy Committee Alternate Representative:  
DMMPO Technical Committee Primary Representative:  
DMMPO Technical Committee Alternate Representative:  
CIRTPA Policy Committee Primary Representative:  
CIRTPA Policy Committee Alternate Representative:  
CIRTPA Technical Committee Primary Representative:  
CIRTPA Technical Committee Alternate Representative:

PASSED AND APPROVED this 3<sup>rd</sup> day of January 2022.

---

Stephanie Erickson, Mayor

ATTEST:

---

Jackie Raffety, City Clerk



## MEMORANDUM

**To:** Mayor and City Council

**From:** Charlie Dissell, Community and Economic Development Director

**Date:** January 3, 2022

**Subject:** Resolution approving membership to the Mid-Iowa Planning Alliance for Community Development (MIPA).

---

### Introduction:

**Background:** On January 4, 2021, the City Council received a presentation regarding participation in an Economic Development District in Central Iowa. This presentation was given by staff members of the Des Moines Area Metropolitan Planning Organization (MPO).

The Mid-Iowa Planning Alliance for Community Development (MIPA) was formed earlier this year by a group of city and county staff members, economic development professionals, and other stakeholders from the Mid-Iowa region. MIPA is expected to be operational with full-time staff starting April 1, 2022, and will provide professional planning, programming, and technical assistance to its members.

### Discussion:

**Budget Impact:** Eligible jurisdictions would receive the following services with membership:

- Grant writing & administration
- Regional Planning, e.g. Comprehensive Economic Development Strategy
- Other member support, e.g. technical assistance, map-making, and local planning
- Option to contract with MIPA for local planning, such as comprehensive plans or zoning updates

MIPA will leverage federal grant dollars to help pay for its staffing costs. MIPA is in the process of being designated by the U.S. Economic Development Administration (EDA) as an “Economic Development District,” which has several benefits. For one thing, the designation will open more funding opportunities for local projects. For another, it will provide \$70,000 annually for staffing.

The federal grant for staffing requires a 1-to-1 local match, which is why MIPA is charging annual membership dues of 15 cents per capita. For the first 15 months of MIPA’s operations, those dues would come to \$2,968 for the City of Indianola. This includes a partial fee of \$593.74 for the remainder of FY22 and a fee of \$2,374.95 for FY23. If approved by the Council, staff will account for the \$2,374.95 in the budget proposed for FY23. The \$593.74 for the remainder of FY22 can be accounted for in the Community Development budget. Membership is optional.

A webpage ([www.midiowaplanningalliance.com/membership](http://www.midiowaplanningalliance.com/membership)) that outlines all the information about

membership. The site includes a rate sheet, bylaws, general information about membership, instructions for joining, and a template resolution. The deadline for this enrollment period is Tuesday, February 15. Communities may join later; the next enrollment window will be in early 2023.

**Recommendation:** Roll call is in order.

**Attachments:**

1. MIPA
2. mipa-rate-sheet-fy22-fy23\_revised-with-deadlines
3. Resolution\_MIPA

December 3, 2021

Mayor Pamela Pepper  
City of Indianola  
110 N. 1st St. P.O. Box 299  
Indianola IA 50125

Honorable Mayor Pepper,

It is my pleasure to formally invite the City of Indianola to join the Mid-Iowa Planning Alliance for Community Development (MIPA), a new nonprofit organization that is dedicated to supporting communities in Boone, Dallas, Jasper, Marion, Polk, Story and Warren Counties.

MIPA was formed earlier this year by a group of city and county staff members, economic development professionals, and other stakeholders from the Mid-Iowa region. MIPA is expected to be operational with full-time staff starting April 1, 2022, and will provide professional planning, programming, and technical assistance to its members. Eligible jurisdictions (cities and counties) receive the following services with membership:

- Grant writing & administration
- Regional Planning, e.g. Comprehensive Economic Development Strategy
- Other member support, e.g. technical assistance, map-making, and local planning
- Option to contract with MIPA for local planning, such as comprehensive plans or zoning updates

MIPA will leverage federal grant dollars to help pay for its staffing costs. MIPA is in the process of being designated by the U.S. Economic Development Administration as an "Economic Development District," which has several benefits. For one thing, the designation will open more funding opportunities for local projects. For another, it will provide \$70,000 annually for staffing.

The federal grant for staffing requires 1-to-1 local match, which is why MIPA is charging annual membership dues of 15 cents per capita. For the first 15 months of MIPA's operations, those dues would come to \$2,968 for the City of Indianola. Membership is optional, so there's no cost if you don't join. Though we believe the benefits outweigh the costs and hope you will consider joining.

We have created a webpage ([www.midiowaplanningalliance.com/membership](http://www.midiowaplanningalliance.com/membership)) that outlines all the information about membership. The site includes a rate sheet, bylaws, general information about membership, instructions for joining, and a template resolution. The deadline for this enrollment period is Tuesday, February 15. Communities may join later; the next enrollment window will be in early 2023.

We're happy to have a discussion with you, as well. For more information or a presentation from MIPA staff, please reach out to Gunnar Olson at 515-334-0075 or [golson@midiowaplanningalliance.com](mailto:golson@midiowaplanningalliance.com). For a local reference, you can call or email Rachel Gocken of Warren County Economic Development Corporation at 515-961-1067 or [rgocken@wcedc.com](mailto:rgocken@wcedc.com).

Sincerely,



Todd Ashby  
CEO / Executive Director



Supporting Economic Development in  
Boone, Dallas, Jasper, Marion, Polk,  
Story, and Warren Counties.

## MIPA Rate Sheet (FY2022 and FY2023)

Membership in the Mid-Iowa Planning Alliance for Community Development (MIPA) is open to all city and county governments in the Mid-Iowa region, consisting of Boone, Dallas, Jasper, Marion, Polk, Story, and Warren Counties.

These rates are offered as informational only. This is not a bill. Membership is optional, and there is no cost to jurisdictions that haven't joined. Jurisdictions can join at any time to begin utilizing MIPA services, as outlined in the MIPA bylaws.

The initial dues will cover a 15-month period, due to the organization beginning operations on April 1, 2022, with only one quarter remaining in the fiscal year. The deadline to join for the first 15-month period is Tuesday, February 15, 2022. Dues will be collected in two installments, with the FY2022 portion being invoiced April 1, 2022, and due by April 30, 2022, and the FY2023 portion being invoiced on July 1, 2022, and due on July 31, 2022.

Initial dues are calculated at an annual rate of \$0.15 per resident. Counties include only unincorporated populations. Rates may be adjusted in the future by the MIPA Board of Directors.

| Eligible Jurisdiction         | Population<br>(2020 Census) | FY2022 Dues* | FY2023 Dues** | Total Dues*** |
|-------------------------------|-----------------------------|--------------|---------------|---------------|
| Ackworth                      | 115                         | \$ 4.31      | \$ 17.25      | \$ 21.56      |
| Adel                          | 6,153                       | \$ 230.74    | \$ 922.95     | \$ 1,153.69   |
| Alleman                       | 423                         | \$ 15.86     | \$ 63.45      | \$ 79.31      |
| Altoona                       | 19,565                      | \$ 733.69    | \$ 2,934.75   | \$ 3,668.44   |
| Ames                          | 66,427                      | \$ 2,491.01  | \$ 9,964.05   | \$ 12,455.06  |
| Ankeny                        | 67,887                      | \$ 2,545.76  | \$ 10,183.05  | \$ 12,728.81  |
| Baxter                        | 962                         | \$ 36.08     | \$ 144.30     | \$ 180.38     |
| Beaver                        | 46                          | \$ 1.73      | \$ 6.90       | \$ 8.63       |
| Berkley                       | 23                          | \$ 0.86      | \$ 3.45       | \$ 4.31       |
| Bondurant                     | 7,365                       | \$ 276.19    | \$ 1,104.75   | \$ 1,380.94   |
| Boone                         | 12,460                      | \$ 467.25    | \$ 1,869.00   | \$ 2,336.25   |
| Boone County (Unincorporated) | 8,423                       | \$ 315.86    | \$ 1,263.45   | \$ 1,579.31   |
| Bouton                        | 127                         | \$ 4.76      | \$ 19.05      | \$ 23.81      |

| Eligible Jurisdiction          | Population<br>(2020 Census) | FY2022 Dues* | FY2023 Dues** | Total Dues*** |
|--------------------------------|-----------------------------|--------------|---------------|---------------|
| Boxholm                        | 181                         | \$ 6.79      | \$ 27.15      | \$ 33.94      |
| Bussey                         | 387                         | \$ 14.51     | \$ 58.05      | \$ 72.56      |
| Cambridge                      | 827                         | \$ 31.01     | \$ 124.05     | \$ 155.06     |
| Carlisle                       | 4,160                       | \$ 156.00    | \$ 624.00     | \$ 780.00     |
| Clive                          | 18,601                      | \$ 697.54    | \$ 2,790.15   | \$ 3,487.69   |
| Colfax                         | 2,255                       | \$ 84.56     | \$ 338.25     | \$ 422.81     |
| Collins                        | 495                         | \$ 18.56     | \$ 74.25      | \$ 92.81      |
| Colo                           | 845                         | \$ 31.69     | \$ 126.75     | \$ 158.44     |
| Cumming                        | 436                         | \$ 16.35     | \$ 65.40      | \$ 81.75      |
| Dallas Center                  | 1,901                       | \$ 71.29     | \$ 285.15     | \$ 356.44     |
| Dallas County (Unincorporated) | 10,800                      | \$ 405.00    | \$ 1,620.00   | \$ 2,025.00   |
| Dawson                         | 116                         | \$ 4.35      | \$ 17.40      | \$ 21.75      |
| De Soto                        | 915                         | \$ 34.31     | \$ 137.25     | \$ 171.56     |
| Des Moines                     | 214,133                     | \$ 8,029.99  | \$ 32,119.95  | \$ 40,149.94  |
| Dexter                         | 640                         | \$ 24.00     | \$ 96.00      | \$ 120.00     |
| Elkhart                        | 882                         | \$ 33.08     | \$ 132.30     | \$ 165.38     |
| Fraser                         | 101                         | \$ 3.79      | \$ 15.15      | \$ 18.94      |
| Gilbert                        | 1,211                       | \$ 45.41     | \$ 181.65     | \$ 227.06     |
| Granger                        | 1,654                       | \$ 62.03     | \$ 248.10     | \$ 310.13     |
| Grimes                         | 15,392                      | \$ 577.20    | \$ 2,308.80   | \$ 2,886.00   |
| Hamilton                       | 119                         | \$ 4.46      | \$ 17.85      | \$ 22.31      |
| Hartford                       | 733                         | \$ 27.49     | \$ 109.95     | \$ 137.44     |
| Harvey                         | 236                         | \$ 8.85      | \$ 35.40      | \$ 44.25      |
| Huxley                         | 4,244                       | \$ 159.15    | \$ 636.60     | \$ 795.75     |
| Indianola                      | 15,833                      | \$ 593.74    | \$ 2,374.95   | \$ 2,968.69   |
| Jasper County (Unincorporated) | 12,432                      | \$ 466.20    | \$ 1,864.80   | \$ 2,331.00   |
| Johnston                       | 24,064                      | \$ 902.40    | \$ 3,609.60   | \$ 4,512.00   |
| Kelley                         | 304                         | \$ 11.40     | \$ 45.60      | \$ 57.00      |
| Kellogg                        | 606                         | \$ 22.73     | \$ 90.90      | \$ 113.63     |
| Knoxville                      | 7,595                       | \$ 284.81    | \$ 1,139.25   | \$ 1,424.06   |
| Lacona                         | 345                         | \$ 12.94     | \$ 51.75      | \$ 64.69      |
| Lambs Grove                    | 174                         | \$ 6.53      | \$ 26.10      | \$ 32.63      |

| Eligible Jurisdiction          | Population<br>(2020 Census) | FY2022 Dues* | FY2023 Dues** | Total Dues*** |
|--------------------------------|-----------------------------|--------------|---------------|---------------|
| Linden                         | 200                         | \$ 7.50      | \$ 30.00      | \$ 37.50      |
| Luther                         | 152                         | \$ 5.70      | \$ 22.80      | \$ 28.50      |
| Lynnvile                       | 380                         | \$ 14.25     | \$ 57.00      | \$ 71.25      |
| Madrid                         | 2,802                       | \$ 105.08    | \$ 420.30     | \$ 525.38     |
| Marion County (Unincorporated) | 11,622                      | \$ 435.83    | \$ 1,743.30   | \$ 2,179.13   |
| Martensdale                    | 421                         | \$ 15.79     | \$ 63.15      | \$ 78.94      |
| Marysville                     | 44                          | \$ 1.65      | \$ 6.60       | \$ 8.25       |
| Maxwell                        | 859                         | \$ 32.21     | \$ 128.85     | \$ 161.06     |
| Mccallsburg                    | 353                         | \$ 13.24     | \$ 52.95      | \$ 66.19      |
| Melcher-Dallas                 | 1,195                       | \$ 44.81     | \$ 179.25     | \$ 224.06     |
| Milo                           | 778                         | \$ 29.18     | \$ 116.70     | \$ 145.88     |
| Minburn                        | 325                         | \$ 12.19     | \$ 48.75      | \$ 60.94      |
| Mingo                          | 302                         | \$ 11.33     | \$ 45.30      | \$ 56.63      |
| Mitchellville                  | 2,485                       | \$ 93.19     | \$ 372.75     | \$ 465.94     |
| Monroe                         | 1,967                       | \$ 73.76     | \$ 295.05     | \$ 368.81     |
| Nevada                         | 6,925                       | \$ 259.69    | \$ 1,038.75   | \$ 1,298.44   |
| New Virginia                   | 498                         | \$ 18.68     | \$ 74.70      | \$ 93.38      |
| Newton                         | 15,760                      | \$ 591.00    | \$ 2,364.00   | \$ 2,955.00   |
| Norwalk                        | 12,799                      | \$ 479.96    | \$ 1,919.85   | \$ 2,399.81   |
| Oakland Acres                  | 176                         | \$ 6.60      | \$ 26.40      | \$ 33.00      |
| Ogden                          | 2,007                       | \$ 75.26     | \$ 301.05     | \$ 376.31     |
| Pella                          | 10,464                      | \$ 392.40    | \$ 1,569.60   | \$ 1,962.00   |
| Perry                          | 7,836                       | \$ 293.85    | \$ 1,175.40   | \$ 1,469.25   |
| Pilot Mound                    | 163                         | \$ 6.11      | \$ 24.45      | \$ 30.56      |
| Pleasant Hill                  | 10,147                      | \$ 380.51    | \$ 1,522.05   | \$ 1,902.56   |
| Pleasantville                  | 1,676                       | \$ 62.85     | \$ 251.40     | \$ 314.25     |
| Polk City                      | 5,543                       | \$ 207.86    | \$ 831.45     | \$ 1,039.31   |
| Polk County (Unincorporated)   | 28,002                      | \$ 1,050.08  | \$ 4,200.30   | \$ 5,250.38   |
| Prairie City                   | 1,700                       | \$ 63.75     | \$ 255.00     | \$ 318.75     |
| Reasnor                        | 152                         | \$ 5.70      | \$ 22.80      | \$ 28.50      |
| Redfield                       | 731                         | \$ 27.41     | \$ 109.65     | \$ 137.06     |
| Roland                         | 1,362                       | \$ 51.08     | \$ 204.30     | \$ 255.38     |

| Eligible Jurisdiction          | Population<br>(2020 Census) | FY2022 Dues* | FY2023 Dues** | Total Dues*** |
|--------------------------------|-----------------------------|--------------|---------------|---------------|
| Runnells                       | 457                         | \$ 17.14     | \$ 68.55      | \$ 85.69      |
| Saint Marys                    | 108                         | \$ 4.05      | \$ 16.20      | \$ 20.25      |
| Sandyville                     | 58                          | \$ 2.18      | \$ 8.70       | \$ 10.88      |
| Sheldahl                       | 297                         | \$ 11.14     | \$ 44.55      | \$ 55.69      |
| Slater                         | 1,543                       | \$ 57.86     | \$ 231.45     | \$ 289.31     |
| Spring Hill                    | 68                          | \$ 2.55      | \$ 10.20      | \$ 12.75      |
| Story City                     | 3,352                       | \$ 125.70    | \$ 502.80     | \$ 628.50     |
| Story County (Unincorporated)  | 9,127                       | \$ 342.26    | \$ 1,369.05   | \$ 1,711.31   |
| Sully                          | 881                         | \$ 33.04     | \$ 132.15     | \$ 165.19     |
| Swan                           | 76                          | \$ 2.85      | \$ 11.40      | \$ 14.25      |
| Urbandale                      | 45,580                      | \$ 1,709.25  | \$ 6,837.00   | \$ 8,546.25   |
| Valeria                        | 39                          | \$ 1.46      | \$ 5.85       | \$ 7.31       |
| Van Meter                      | 1,484                       | \$ 55.65     | \$ 222.60     | \$ 278.25     |
| Warren County (Unincorporated) | 15,684                      | \$ 588.15    | \$ 2,352.60   | \$ 2,940.75   |
| Waukee                         | 23,940                      | \$ 897.75    | \$ 3,591.00   | \$ 4,488.75   |
| West Des Moines                | 68,723                      | \$ 2,577.11  | \$ 10,308.45  | \$ 12,885.56  |
| Windsor Heights                | 5,252                       | \$ 196.95    | \$ 787.80     | \$ 984.75     |
| Woodward                       | 1,346                       | \$ 50.48     | \$ 201.90     | \$ 252.38     |
| Zearing                        | 528                         | \$ 19.80     | \$ 79.20      | \$ 99.00      |

\* FY2022 dues are calculated by applying a rate of \$0.15 per resident to the jurisdiction's 2020 population according to the 2020 Census, then dividing by 4, to account for MIPA's first fiscal year having only one quarter.

\*\* FY2023 dues are calculated by applying a rate of \$0.15 per resident to the jurisdiction's 2020 population according to the 2020 Census.

\*\*\* The Total Dues are the sum of FY2022 and FY2023 dues and cover the 15-month operating period of April 1, 2022, to June 30, 2023.

RESOLUTION NO. \_\_\_\_\_

RESOLUTION APPROVING MEMBERSHIP TO THE MID-IOWA PLANNING  
ALLIANCE FOR COMMUNITY DEVELOPMENT (MIPA)

WHEREAS, the Mid-Iowa Planning Alliance for Community Development is established under Chapter 504 of the Code of Iowa;

WHEREAS, the Mid-Iowa Planning Alliance for Community Development is seeking designation from the U.S. Economic Development Administration as the Economic Development District serving the Mid-Iowa Region, supporting economic development in Boone, Dallas, Jasper, Marion, Polk, Story, and Warren Counties;

WHEREAS, the Mid-Iowa Planning Alliance for Community Development is applying for the Partnership Program from the U.S. Economic Development Administration to help pay for staffing, a grant which requires local match money;

WHEREAS, the City of Indianola desires to be a member of the Mid-Iowa Planning Alliance for Community Development and participate in its area-wide plans and programs;

NOW THEREFORE, BE IT THEREFORE RESOLVED by the Indianola City Council that the City of Indianola desires to participate in the partial fiscal year 2022 and full fiscal year 2023 planning and economic development programs of the Mid-Iowa Planning Alliance for Community Development;

NOW THEREFORE, BE IT FURTHER RESOLVED by the Indianola City Council that the City of Indianola provides \$ 2,968.69 for the operation of the Mid-Iowa Planning Alliance.

PASSED AND APPROVED this 3<sup>rd</sup> day of January 2022.

\_\_\_\_\_  
Stephanie Erickson, Mayor

ATTEST:

\_\_\_\_\_  
Jackie Raffety, City Clerk



# MEMORANDUM

**To:** Mayor and City Council  
**From:** Jackie Raffety, City Clerk/Asst. Finance Director  
**Date:** January 3, 2022  
**Subject:** Resolution approving salaries.

---

**Introduction:**

**Background:**

**Discussion:** The Indianola Public Library has hired a part-time library assistant.

**Budget Impact:**

**Recommendation:** Roll call is in order.

**Attachments:** 1. Res 2022- approving salaries

City of Indianola  
**RESOLUTION NO 2022-**

**RESOLUTION APPROVING SALARIES**

This action sets salaries in accordance with the personnel management guide, union contract and seasonal salaries.

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF INDIANOLA, IOWA:**

Annastacia Stegall to Part-time Library Assistant CE-1, \$13.89/hour, effective January 4, 2022.

Passed and approved this 3<sup>rd</sup> day of January 2022.

ATTEST:

\_\_\_\_\_  
Stephanie Erickson, Mayor

\_\_\_\_\_  
Jackie Raffety, City Clerk



## MEMORANDUM

**To:** Mayor and City Council  
**From:** Charlie Dissell, Community and Economic Development Director  
**Date:** January 3, 2022  
**Subject:** Resolution referring a rezoning application for 2110 Country Club Road to the Planning and Zoning Commission.

---

### **Introduction:**

**Background:** On December 22, an application to amend the Official Zoning Map of the City of Indianola, Iowa (rezoning) was received by the Community Development Department. This application was for ground located at 2110 Country Club Road.

Section 165.02(5)(B) requires the Zoning Administrator to present such a request to the City Council, who, at their discretion, may adopt a motion to refer the request to the Zoning Commission for consideration at a duly noticed public meeting in accordance with their procedures and the noticing requirements.

**Discussion:** The Rezoning application is attached.

### **Budget Impact:**

**Recommendation:** Staff recommends the City Council refer this application to the Planning and Zoning Commission.  
Roll call is in order.

**Attachments:**

1. 2100 Country Club Rd.-REZONING App
2. Resolution\_Country Club

# LAND USE CHANGE APPLICATION

**Community Development**  
110 North 1<sup>st</sup> Street, Indianola, Iowa 50125-0299  
(515) 961-9430 • [comdev@indianolaiowa.gov](mailto:comdev@indianolaiowa.gov)



## PROPERTY OWNER

(Last Name) Kevin  
(First Name) Halterman  
(Address) 1109 Ann Pkwy  
(City) Indianola (State) IA (Zip) 50125  
(Phone) 515-240-5743 (Email) kevinh@mybankpsb.com

## APPLICANT (if not Property Owner)

(Last Name) \_\_\_\_\_  
(First Name) \_\_\_\_\_  
(Address) \_\_\_\_\_  
(City) \_\_\_\_\_ (State) \_\_\_\_\_ (Zip) \_\_\_\_\_

## ☐ COMPREHENSIVE PLAN AMENDMENT

### Submittal Requirements:

*All submittal requirements must be completed. Incomplete applications will not be considered*

- ☐ Completed Application
- ☐ Property Address: \_\_\_\_\_
- ☐ Filing Fee: \$225
- ☐ Current Designation: \_\_\_\_\_ Proposed Designation: \_\_\_\_\_
- ☐ A plat showing the locations, dimensions and use of the property and all property within two hundred (200) feet thereof, including streets and other physical features
- ☐ Written justification for proposed amendment
- ☐ Other Information as required by Director

## ☒ REZONING

### Submittal Requirements:

*All submittal requirements must be completed. Incomplete applications will not be considered*

- ☒ Completed Application
- ☒ Property Address: 2210 Country Club Rd, Indianola
- ☒ Filing Fee: \$250
- ☒ Current Zoning: A-1 Proposed Zoning: R-1
- ☒ Legal description (electronic in word format)
- ☒ All items as required by Section 165.02(5) of the Code of Ordinances of Indianola, Iowa
- ☐ Other Information as required by Director

I certify that the information and exhibits submitted are true and correct to the best of my knowledge and that in filing this application I am acting with the knowledge, consent and authority of the owner(s) of the property. Pursuant to said authority, I hereby permit City officials to enter upon the property for the purpose of inspection related to this application.

Signature Kevin D Halterman  
Name (printed) Kevin D Halterman

Date 12-21-21

**FOR OFFICE USE ONLY:** Code to 45989 (Rezoning)  
45681 (Comp Plan)

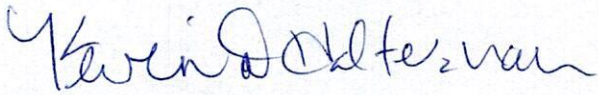
Date Received: \_\_\_\_\_  
Receipt No: \_\_\_\_\_  
Receipt Amount: \_\_\_\_\_

December 20, 2021

Attached is an application to rezone 2210 Country Club Rd, Indianola from A-1 to R-1. It is my intent to construct a new home on the parcel for my personal residence.

Thank you for the consideration and call with any questions.

Respectfully submitted,

A handwritten signature in blue ink that reads "Kevin D Halterman". The signature is written in a cursive style with a large initial "K" and a stylized "H".

Kevin D Halterman

### Legal Description

The North 70 feet of the West 165 feet of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 13, Township 76 North, Range 24 West of the 5<sup>th</sup> P.M., Warren County, Iowa, except road right of way.

Commonly know as 2210 Country Club Rd, Indianola, IA

RESOLUTION NO. \_\_\_\_\_

RESOLUTION REFERRING A REZONING APPLICATION FOR 2110 COUNTRY CLUB ROAD TO THE PLANNING AND ZONING COMMISSION

WHEREAS, on December 22, 2021, an application to amend the Official Zoning Map of the City of Indianola, Iowa (rezoning) was received by the Community Development Department; and

WHEREAS, this application was for ground located at 2110 Country Club Road; and

WHEREAS, Section 165.02(5)(B) requires the Zoning Administrator to present such request to the City Council, who, at their discretion, may adopt a motion to refer the request to the Zoning Commission for consideration at a duly noticed public meeting in accordance with their procedures and the noticing requirements.

NOW THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF INDIANOLA IN THE STATE OF IOWA, that the application is referred to the Planning and Zoning Commission who shall forward its findings and recommendations to the City Council for consideration and action.

PASSED AND APPROVED this 3<sup>rd</sup> day of January 2022.

\_\_\_\_\_  
Stephanie Erickson, Mayor

ATTEST:

\_\_\_\_\_  
Jackie Raffety, City Clerk



## MEMORANDUM

**To:** Mayor and City Council

**From:** Charlie Dissell, Community and Economic Development Director

**Date:** January 3, 2022

**Subject:** Resolution referring a rezoning application for 60 acres of land southwest of the intersection of East Hillcrest Avenue and 143rd Avenue to the Planning and Zoning Commission.

---

### **Introduction:**

**Background:** On December 22, an application to amend the Official Zoning Map of the City of Indianola, Iowa (rezoning) was received by the Community Development Department. This application was for 60 acres of land southwest of the intersection of East Hillcrest Avenue and 143rd Avenue.

Section 165.02(5)(B) requires the Zoning Administrator to present such a request to the City Council, who, at their discretion, may adopt a motion to refer the request to the Zoning Commission for consideration at a duly noticed public meeting in accordance with their procedures and the noticing requirements.

**Discussion:** The Rezoning application is attached.

### **Budget Impact:**

**Recommendation:** Staff recommends the City Council refer this application to the Planning and Zoning Commission.  
Roll call is in order.

**Attachments:**

1. Rezoning Application
2. Rezoning Letter
3. Resolution\_Hillcrest

# LAND USE CHANGE APPLICATION

## Community Development

110 North 1<sup>st</sup> Street, Indianola, Iowa 50125-0299  
(515) 961-9430 • [comdev@indianolaiowa.gov](mailto:comdev@indianolaiowa.gov)



### PROPERTY OWNER

(Last Name) \_\_\_\_\_  
(First Name) \_\_\_\_\_  
(Address) \_\_\_\_\_  
(City) \_\_\_\_\_ (State) \_\_\_\_\_ (Zip) \_\_\_\_\_  
(Phone) \_\_\_\_\_ (Email) \_\_\_\_\_

### APPLICANT (if not Property Owner)

(Last Name) \_\_\_\_\_  
(First Name) \_\_\_\_\_  
(Address) \_\_\_\_\_  
(City) \_\_\_\_\_ (State) \_\_\_\_\_ (Zip) \_\_\_\_\_

### ☐ COMPREHENSIVE PLAN AMENDMENT

#### Submittal Requirements:

*All submittal requirements must be completed. Incomplete applications will not be considered*

- ☐ Completed Application
- ☐ Property Address: \_\_\_\_\_
- ☐ Filing Fee: \$225
- ☐ Current Designation: \_\_\_\_\_ Proposed Designation: \_\_\_\_\_
- ☐ A plat showing the locations, dimensions and use of the property and all property within two hundred (200) feet thereof, including streets and other physical features
- ☐ Written justification for proposed amendment
- ☐ Other Information as required by Director

### ☐ REZONING

#### Submittal Requirements:

*All submittal requirements must be completed. Incomplete applications will not be considered*

- ☐ Completed Application
- ☐ Property Address: \_\_\_\_\_
- ☐ Filing Fee: \$250
- ☐ Current Zoning: \_\_\_\_\_ Proposed Zoning: \_\_\_\_\_
- ☐ Legal description (electronic in word format)
- ☐ All items as required by Section 165.02(5) of the Code of Ordinances of Indianola, Iowa
- ☐ Other Information as required by Director

I certify that the information and exhibits submitted are true and correct to the best of my knowledge and that in filing this application I am acting with the knowledge, consent and authority of the owner(s) of the property. Pursuant to said authority, I hereby permit City officials to enter upon the property for the purpose of inspection related to this application.

Signature \_\_\_\_\_

Name (printed) \_\_\_\_\_

Date \_\_\_\_\_

**FOR OFFICE USE ONLY:** Code to 45989 (Rezoning)  
45681 (Comp Plan)

Date Received: \_\_\_\_\_

Receipt No: \_\_\_\_\_

Receipt Amount: \_\_\_\_\_



CONCRETE PAVING

PAVING FOR THE FUTURE

RECYCLED AGGREGATES

*To Whom it May Concern,*

*Re: The West 60 Acres of the W ½ of the NW ¼ of Section 20, Township 76 North, Range 23 West of the 5<sup>th</sup> PM,  
Warren County Iowa.*

*I am requesting the rezoning of the property described above be rezoned from M1 to M2. My plan is to develop the property into an industrial park development and relocate our existing business to the new site. With our concrete and asphalt recycling operation we will need M2 zoning for our crushing plant.*

*Regards,*

*Britt Sternquist  
Indianola Industrial Park LLC*

RESOLUTION NO. \_\_\_\_\_

RESOLUTION REFERRING A REZONING APPLICATION FOR 60 ACRES OF  
LAND SOUTHWEST OF THE INTERSECTION OF EAST HILLCREST AVENUE  
AND 143RD AVENUE TO THE PLANNING AND ZONING COMMISSION

WHEREAS, on December 22, 2021, an application to amend the Official Zoning Map of the City of Indianola, Iowa (rezoning) was received by the Community Development Department; and

WHEREAS, this application was for 60 acres of land southwest of the intersection of East Hillcrest Avenue and 143rd Avenue; and

WHEREAS, Section 165.02(5)(B) requires the Zoning Administrator to present such request to the City Council, who, at their discretion, may adopt a motion to refer the request to the Zoning Commission for consideration at a duly noticed public meeting in accordance with their procedures and the noticing requirements.

NOW THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF INDIANOLA IN THE STATE OF IOWA, that the application is referred to the Planning and Zoning Commission who shall forward its findings and recommendations to the City Council for consideration and action.

PASSED AND APPROVED this 3<sup>rd</sup> day of January 2022.

---

Stephanie Erickson, Mayor

ATTEST:

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Jackie Raffety, City Clerk



## MEMORANDUM

**To:** Mayor and City Council  
**From:** Doug Bylund, Recreation Director  
**Date:** January 3, 2022  
**Subject:** Resolution approving an extension amendment to the interim operating agreement between the City of Indianola and Bird Rides, Inc.

---

**Introduction:** This extension amendment will continue the agreement with Bird Rides, Inc, for the placement of scooters.

**Background:** In June 2021, the City entered into an interim agreement with Bird Rides, Inc, for the placement of scooters available for rent. This extension will extend the agreement for the placement of scooters during the spring, summer and fall.

**Discussion:** Staff met with Bird representatives in November 2021 to review the agreement and they have requested to extend the agreement into 2022. Bird will continue to have a local fleet manager that will maintain the scooters and attend to any issues. Their responsibility includes responding to lost or poorly parked scooters within 4 hours.

**Budget Impact:** The operation of the scooters is solely the responsibility of Bird Rides, Inc, and the City will have no financial obligations relating to the availability of the scooters.

**Recommendation:** Staff recommends the approval of the extension agreement with Bird Rides, Inc.  
Roll call is in order.

**Attachments:**

1. Bird Agreement June 2021
2. Bird Extension Amendment Jan 3 2022
3. Resolution Extending Bird Rides Agreement

**Agreement  
Between  
The City of Indianola, Iowa  
and  
Bird Rides, Inc.**

This Agreement, dated for reference purposes the 21st day of June 2021, is made and entered into by and between the City of Indianola, Iowa (City) and Bird Rides, Inc. (Bird) (collectively, the Parties).

WHEREAS, Bird desires to offer electric scooter sharing services in City under the following terms and limitations identified within; and

WHEREAS, City desires to have an additional transportation option for citizens to increase mobility throughout the community; and

WHEREAS, the Parties desire to outline the terms and conditions to further their goals related to mobility in the community.

NOW, THEREFORE, IT IS AGREED BY AND BETWEEN THE PARTIES AS FOLLOWS:

Section 1. Scope: This Agreement and its terms apply to the nonexclusive privilege of deployment of stand-up electric scooter sharing system by Bird within the City of Indianola. Bird may provide electric scooters under the terms and limitations set forth herein.

Section 2. Term. The Term of this Agreement shall commence on the 7<sup>th</sup> day of June, 2021 and shall continue through December 31, 2021. Either party may terminate this Agreement for convenience and without cause upon delivering thirty (30) days written notice to the other party.

Section 3. Usage Regulations. Users of electric scooters must comply with the requirements of Iowa law and the City of Indianola Code of Ordinances Chapter 76 governing bicycles and Micromobility and may be fined for violations of such requirements.

#### Section 4. Bird Responsibilities.

- 1) Bird shall provide a minimum of 50 electric scooters at the time of commencement of the Term.
- 2) Prior to the placements of scooters by Bird in City, Bird shall receive approval from City to designated parking areas (including locations and identification of parking areas), no ride zones, no parking zones, and reduced speed zones. Bird must require users to park electric scooters upright, on hardscape, and without blocking foot travel or ADA access.
- 3) Bird shall provide easily visible contact information, including a toll-free phone number and/or an e-mail address on each electric scooter to allow members of the public to make relocation requests for abandoned electric scooters or to report other issues with electric scooters.
- 4) Stand-up electric scooters will be made available to rent from 4 a.m. to midnight. When in use between sunset to sunrise and when weather conditions provide insufficient lighting to render clearly discernable persons and vehicles on the road at a distance of 500 feet ahead, Bird shall assure that each electric scooter shall be equipped with a lamp on the front emitting a white light visible from a distance of at least 300 feet to the front and with a lamp on the rear exhibiting a red light visible from a distance of 300 feet to the rear, except that a red reflector on the rear, may be used in lieu of a rear light.
- 5) Bird shall provide materials, videos, and signage users to promote safe riding, to educate riders on rider responsibilities and to encourage safe and courteous riding and parking. This shall include a recommendation to wear helmets and the proper location for usage of scooters on roadways.
- 6) Bird shall provide data requested by City to assist with monitoring electric scooter usage.
- 7) Bird shall provide a local contact to respond to City issues related to Bird scooters. The local contact for Bird must respond within four (4) hours of contact from the City on an issue and provide notification upon resolution of the issue. Bird may not allow any electric scooter to be abandoned in a public place overnight or for more than four (4) hours and must retrieve all electric scooters daily for relocation to a designated parking area.

- 8) Upon termination of this agreement by City or Bird, Bird shall remove all equipment from City, and shall restore all parking areas to their original condition.

Section 5. Reservation of Rights by City. City reserves the right to remove abandoned scooters when the scooters are creating a hazard or if Bird fails to resolve an issue within four (4) hours of notification, at the sole discretion of the City. Scooters removed from the public right-of-way by the City will be stored in a location determined by the City until retrieved by Bird.

Section 6. Insurance: Bird Rides, Inc. shall provide City with proof of insurance coverage exclusively for the operation of Stand-up electric scooters including:

- a) Commercial General Liability insurance coverage with a limit of no less than \$1,000,000.00 each occurrence and \$2,000,000.00 aggregate. Include additional insured endorsement for the City of Indianola, including all it elected and appointed officials, all its employees and volunteers, all its boards, commissions and/or authorities and their board members, employees and volunteers (Use ISO form CG 20 26). Include Preservation of Governmental Immunities endorsement. Policy shall include Waiver of Right to Recover from Other endorsement;
- b) Automobile Insurance coverage with a limit of no less than \$1,000,000.00 each occurrence and \$1,000,000.00 aggregate. Include additional insured endorsement for the City of Indianola, including all it elected and appointed officials, all its employees and volunteers, all its boards, commissions and/or authorities and their board members, employees and volunteers (Use ISO form CG 20 26). Include Preservation of Governmental Immunities endorsement. Policy shall include Waiver of Right to Recover from Other endorsement; and
- c) where Bird Rides, Inc. employs persons within the City, Workers' Compensation coverage of no less than the statutory requirement. Policy shall include Waiver of Right to Recover from Other endorsement.

Section 7. Indemnification. Bird agrees to indemnify, defend and hold harmless the City of Indianola, its officers, employees, agents and affiliates (the Indemnified Parties) from and against all actions, damages or claims brought against the Indemnified Parties arising out of Bird's negligence or willful misconduct. Bird shall have no indemnification obligation under this Section if the loss or damage was caused solely by City's negligent construction or maintenance of public infrastructure as determined by City in its sole discretion. City's right to indemnification shall be contingent upon City notifying Bird promptly following receipt or notice of any claim against City arising out of or related to this Agreement.

Section 8. Notices. Any notice required by this Agreement must be provided to the Parties at the following addresses:

**CITY:** City of Indianola  
c/o City Manager  
110 North 1<sup>st</sup> Street  
Indianola, IA 50125

**BIRD:** Bird Rides, Inc.  
c/o Austin Marshburn  
406 Broadway #369  
Santa Monica, CA 90401

Section 9. Independent Contractor Status. In carrying out its responsibilities, Bird shall remain an independent contractor, and nothing herein shall be interpreted or intended to create a partnership, joint venture, employment, agency, franchise or other form of agreement or relationship between City and Bird.

Section 10. The parties acknowledge that Bird may utilize independent business logistics providers to facilitate local operations. Bird's use of these logistics providers does not constitute a transfer or assignment of this Agreement, and Bird Rides, Inc. remains responsible for all obligations and requirements under this Agreement.

Section 11. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Iowa.

Section 12. Assignment. This Agreement may not be assigned by Bird without the prior written consent of City.

City of Indianola, Iowa

By: 

Its: Mayor

Printed Name: Pam Pepper

Date: June 21, 2021

Bird Rides, Inc.

By: 

Its: Head of City & University Partnerships

Printed Name: Austin Marshburn

Date: 6/21/2021

**Extension Amendment to  
Interim Operating Agreement**

This extension amendment (this "Amendment") dated as of January 3, 2022 is entered into by and between Bird Rides, Inc., located at 406 Broadway, #369, Santa Monica, CA 90401 ("Company"), and the City of Indianola, located at 110 N First Street, Indianola, Iowa 50125 ("City"), and amends that certain Pilot Operating Agreement dated as of June 21, 2021, by and between Company and City (as further amended, restated, supplemented or modified from time to time prior to the date hereof, the "Agreement").

The Agreement is amended as follows:

1. Term. The term of the Agreement shall hereby continue through December 31, 2022 and shall automatically renew for successive one-month terms thereafter unless terminated by either party.
2. Except as set forth in this Amendment, the Agreement is unaffected and shall continue in full force and effect in accordance with its terms. If there is conflict between this Amendment and the Agreement or any earlier amendment, the terms of this amendment will prevail.
3. Unless otherwise stated in this Amendment, defined terms shall be given the meanings attributed to them in the Agreement.

**Company:**

**Bird Rides, Inc.**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: January 3, 2022

**City:**

**City of Indianola, Iowa**

By: \_\_\_\_\_

Name: Stephanie Erickson

Title: Mayor

Date: January 3, 2022

City of Indianola  
**RESOLUTION NO. 2022-\_\_\_\_\_**

**RESOLUION APPROVING AN EXTENSION AMENDMENT TO THE INTERIM OPERATING  
AGREEMENT BETWEEN THE CITY OF INDIANOLA AND BIRD RIDES, INC**

**WHEREAS**, the City has an interim agreement with Bird Rides, Inc for the placement of electric scooters for rent in Indianola; and

**WHEREAS**, Bird Rides, Inc desires to continue to offer electric scooter sharing services in Indianola under certain terms and limitations; and

**WHEREAS**, the City Council desires to have an additional transportation option for citizens to increase mobility throughout Indianola; and

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Indianola, Iowa, that the Extension Amendment to the Interim Operation Agreement between the City of Indianola, Iowa and Bird Rides, Inc is hereby approved.

Passed and adopted this 3rd day of January 2022.

\_\_\_\_\_  
Stephanie Erickson, Mayor

ATTEST:

\_\_\_\_\_  
Jackie Raffety, City Clerk



## MEMORANDUM

**To:** Mayor and City Council

**From:** Greg Chia, Fire Chief

**Date:** January 3, 2022

**Subject:** Resolution approving the Hold Harmless Agreement between the City of Indianola, Iowa and the Warren County Conservation Board regarding property located at 15875 118th Avenue, Indianola, Iowa.

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**Introduction:** This memorandum addresses the circumstances identified at the Middleswart Lodge at 15875 118th Avenue Indianola Iowa 50125.

**Background:** The occupancy classification is Group A2 per the 2018 International Fire Code, which is the adopted code by the Indianola Fire Department.

**Discussion:** The current water main is insufficient to support a sprinkler system. The installation of a stand-alone sprinkler system does not meet the purpose during a fire-related emergency. Even with supplemental components to the system, it fails in its required containment capabilities. Enforcing something unattainable does not meet the purpose of the 2018 International Fire Code.

The Middleswart Lodge, although outside of the city limits, must meet the adopted code of Indianola, Iowa. The Indianola Fire Department is the authority having jurisdiction at this location for all new construction which will inspect and enforce all appropriate codification requirements. The occupancy classification as defined for Group A2 with an occupant load greater than one hundred or more requires an automatic sprinkler system. The Middleswart Lodge has an occupancy load of 252 persons, which would require a sprinkler system. Attached is the definition for Group A2 classification. There were concerns from the owners that the A2 occupancy classification was not fitting for this type of structure and its use.

The owners are aware of the deficient water supply and the current water flow would not meet or support a sprinkler system. Per City Code 160.07, the Fire Chief has authority to modify and allow for a modification of accepted code under unusual circumstances. The inadequate water supply meets that circumstance. In its place, a third party monitored fire and smoke/heat detection system shall be operational and remain in-service for the existence of this structure as the accepted alternate at Middleswart Lodge 15875 118th Avenue, Indianola, Iowa 50125.

The fire and smoke/heat detection system will have a central panel and be monitored by a third-party vendor. Documentation showing the installation was completed by a licensed contractor in the State of Iowa for fire and smoke/heat detection systems. The structure will be inspected annually by the Indianola Fire Department for code compliancy.

The issue of food preparation at this facility will be that of warming and catering only. If the owners wish to cook on-site and use the kitchen to produce food, a Type 1 hood with a UL 300 suppression system shall be installed.

Additionally, a Hold-Harmless Agreement, prepared by Indianola City Legal Counsel, outlining liability for the exception (alternative design) is being proposed. The agreement is subject to both parties signing the document.

**Budget Impact:**

**Recommendation:** Roll call is in order.

**Attachments:**

1. Definition
2. Res 2022- hold harmless agreement with WC Conservation Board
3. Hold Harmless Agreement re 15875 118th Avenue Middleswart Lodge

tained within buildings, magazines, structures or portions thereof, used to establish quantity-distance relationships.

**NORMAL TEMPERATURE AND PRESSURE (NTP).** A temperature of 70°F (21°C) and a pressure of 1 atmosphere [14.7 psia (101 kPa)].

**[BE] NOSING.** The leading edge of treads of *stairs* and of landings at the top of *stairway flights*.

**NOTIFICATION ZONE.** See “Zone, notification.”

**NUISANCE ALARM.** An alarm caused by mechanical failure, malfunction, improper installation or lack of proper maintenance, or an alarm activated by a cause that cannot be determined.

**[BG] NURSING HOMES.** Facilities that provide care, including both intermediate care facilities and skilled nursing facilities, where any of the persons are incapable of self-preservation.

**OCCUPANCY CLASSIFICATION.** For the purposes of this code, certain occupancies are defined as follows:

**[BG] Assembly Group A.** Assembly Group A occupancy includes, among others, the use of a building or structure, or a portion thereof, for the gathering of persons for purposes such as civic, social or religious functions; recreation, food or drink consumption; or awaiting transportation.

**[BG] Small buildings and tenant spaces.** A building or tenant space used for assembly purposes with an *occupant load* of less than 50 persons shall be classified as a Group B occupancy.

**[BG] Small assembly spaces.** The following rooms and spaces shall not be classified as assembly occupancies:

1. A room or space used for assembly purposes with an *occupant load* of less than 50 persons and accessory to another occupancy shall be classified as a Group B occupancy or as part of that occupancy.
2. A room or space used for assembly purposes that is less than 750 square feet (70 m<sup>2</sup>) in area and accessory to another occupancy shall be classified as a Group B occupancy or as part of that occupancy.

**[BG] Associated with Group E occupancies.** A room or space used for assembly purposes that is associated with a Group E occupancy is not considered a separate occupancy.

**[BG] Accessory with places of religious worship.** Accessory religious educational rooms and religious auditoriums with *occupant loads* of less than 100 per room or space are not considered separate occupancies.

**[BG] Assembly Group A-1.** Group A occupancy includes assembly uses, usually with fixed seating,

intended for the production and viewing of performing arts or motion pictures including, but not limited to:

- Motion picture theaters
- Symphony and concert halls
- Television and radio studios admitting an audience
- Theaters

**[BG] Assembly Group A-2.** Group A-2 occupancy includes assembly uses intended for food and/or drink consumption including, but not limited to:

- Banquet halls
- Casinos (gaming areas)
- Night clubs
- Restaurants, cafeterias and similar dining facilities (including associated commercial kitchens)
- Taverns and bars

**[BG] Assembly Group A-3.** Group A-3 occupancy includes assembly uses intended for worship, recreation or amusement and other assembly uses not classified elsewhere in Group A, including, but not limited to:

- Amusement arcades
- Art galleries
- Bowling alleys
- Community halls
- Courtrooms
- Dance halls (not including food or drink consumption)
- Exhibition halls
- Funeral parlors
- Greenhouses with public access for the conservation and exhibition of plants
- Gymnasiums (without spectator seating)
- Indoor swimming pools (without spectator seating)
- Indoor tennis courts (without spectator seating)
- Lecture halls
- Libraries
- Museums
- Places of religious worship
- Pool and billiard parlors
- Waiting areas in transportation terminals

**[BG] Assembly Group A-4.** Group A-4 occupancy includes assembly uses intended for viewing of indoor sporting events and activities with spectator seating including, but not limited to:

- Arenas
- Skating rinks
- Swimming pools
- Tennis courts

**[BG] Assembly Group A-5.** Group A-5 occupancy includes assembly uses intended for participation in or viewing outdoor activities including, but not limited to:

- Amusement park structures
- Bleachers
- Grandstands
- Stadiums

City of Indianola  
**RESOLUTION NO. 2022-**

**RESOLUTION APPROVING THE HOLD HARMLESS AGREEMENT  
BETWEEN THE CITY OF INDIANOLA, IOWA AND WARREN COUNTY  
CONSERVATION BOARD REGARDING PROPERTY LOCATED AT 15875 118<sup>TH</sup>  
AVENUE, INDIANOLA, IOWA**

**WHEREAS**, the City of Indianola, Iowa, (the “City”) requires a sprinkler system to be installed for the operation of a business at 15875 118<sup>th</sup> Avenue, Indianola, Iowa which is to be owned and operated by the Warren County Conservation Board (the “Owner”); and

**WHEREAS**, the Owner has determined that the building at 15875 118<sup>th</sup> Avenue, Indianola, Iowa has an insufficient water supply to support a sprinkler system; and

**WHEREAS**, the City Fire Chief has the authority to modify and allow for a modification of the City Code requirements concerning sprinkler systems under the circumstances; and

**WHEREAS**, the City is willing to allow fire and smoke/heat detection systems to be installed subject to the owner holding the City harmless for any and all damages resulting from the building not containing a fire sprinkler system; and

**WHEREAS**, the Owner has agreed to enter into such Hold Harmless Agreement attached hereto, and incorporated herein by this reference; and

**WHEREAS**, all parties are in agreement as to the Hold Harmless Agreement.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Indianola, Iowa, hereby authorizes the Mayor to execute the Hold Harmless Agreement on behalf of the City and the City Clerk is authorized and directed to attest to the signature and to affix the seal of the City.

PASSED this 3<sup>rd</sup> day of January 2022.

\_\_\_\_\_  
Stephanie Erickson, Mayor

ATTEST:

\_\_\_\_\_  
Jackie Raffety, City Clerk

**WHEN RECORDED RETURN TO:**

City of Indianola  
City Clerk  
110 N First Street  
Indianola, IA 50125

**HOLD HARMLESS AGREEMENT**

WHEREAS, the City of Indianola, Iowa (hereinafter "City") requires a sprinkler system to be installed for the operation of a business known as the Middleswart Lodge at 15875 118th Avenue, Indianola, Iowa, which real property is legally described as follows:

*Need to insert legal description of lodge property*

and;

WHEREAS, the Warren County Conservation Board (hereinafter "Owner"), that owns the Middleswart Lodge, has determined that the building on the real property has insufficient water supply to support a sprinkler system; and

WHEREAS, the Fire Chief of the City has the authority to modify and allow for a modification of the City Code requirement under these circumstances; and

WHEREAS, the City is willing to allow a fire and smoke/heat detection system be installed subject to the Owner holding the City harmless for any and all damages resulting from the building not containing a fire sprinkler system.

NOW, THEREFORE, it is hereby agreed as follows:

1. The Owner shall install a fire and smoke/heat detection system with a central panel and monitored by a third-party contractor. Installation will be completed by a licensed contractor in the State of Iowa for fire and smoke detection systems prior to issuance of a Certificate of Occupancy.
2. The City shall not be liable for any damages including but not limited to damages incurred by any person or property or damages to structure or improvements resulting from the building not containing a sprinkler system. The City shall be held harmless of and from and indemnified for and against all loss, damages, costs and expenses, including reasonable attorney fees, and all other sums which the City may hereafter incur, pay, be required or become obligated to pay on account of any and every demand, claim, or suit by or on behalf of any person or any injuries to or the death of any person as provided in this release, or for any contest or attempt to modify, change, reform, break, set aside, nullify, cancel or negate this release or any part or provision of said release for any reason whatsoever, arising from the structure and improvements not containing the sprinkler system.
3. The Owner agrees that this Agreement shall be effective and binding from and after the Agreement is approved by the City and the Owner and shall be binding on any and all third parties, transferees, assignees, and successors-in-interest.

4. The Owner agrees that food preparation shall be limited to food warming only in the kitchen unless the Owner installs and notifies the City of the installation of a Type 1 hood with a UL 300 suppression system. The Owner agrees that alcohol may be used but not sold on the real property.
5. This Agreement is made and entered into in the State of Iowa and shall in all respects be interpreted, enforced and governed under the laws of Iowa.

In witness whereof, the City of Indianola has caused this Agreement to be duly executed in its name and on behalf by its Mayor and its seal to be hereunto duly fixed and attested by its City Clerk. The Owner has caused this Agreement to be executed by its President and a Director.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2022.

CITY OF INDIANOLA, IOWA

By: \_\_\_\_\_  
Stephanie Erickson, Mayor

Attest:

By: \_\_\_\_\_  
Jackie Raffety, City Clerk

STATE OF IOWA, COUNTY OF WARREN, ss:

On the \_\_\_\_ day of \_\_\_\_\_, 2022, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Stephanie Erickson and Jackie Raffety to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk of the City of Indianola, Iowa, a municipal corporation; that the seal affixed to the above and foregoing instrument is the corporate seal of said municipal corporation, and that said instrument was signed and contained in the Resolution adopted by the City Council of Indianola, Iowa, on the \_\_\_\_ day of \_\_\_\_\_, 2022, and the Mayor and City Clerk acknowledged the execution of said instrument to be their voluntary act and deed and the voluntary act and deed of said municipal corporation, by it and by them voluntarily executed.

\_\_\_\_\_  
Notary Public in and for the State of Iowa

Warren County Conservation Board

By: \_\_\_\_\_  
Mark Kickbush, President

By: \_\_\_\_\_  
Mark Wilson, Director

STATE OF IOWA, COUNTY OF WARREN, ss:

On this \_\_\_\_\_ day of \_\_\_\_\_, 2022, before me, the undersigned, a Notary Public personally appeared Mark Kickbush, as President, and Mark Wilson, as Director, Warren County Conservation Board of Directors, an Iowa Government entity, who acknowledged execution of the foregoing instrument to be the voluntary act and deed of the Warren County Conservation Board, by it voluntarily executed.

\_\_\_\_\_  
Notary Public in and for the State of Iowa



## MEMORANDUM

**To:** Mayor and City Council  
**From:**  
**Date:** January 3, 2022  
**Subject:** Discussion and Direction on City Manager Job Description

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**Recommendation:**

**Attachments:** 1. City Manager\_12.2021



## JOB DESCRIPTION

**POSITION:** CITY MANAGER  
**DEPARTMENT:** ADMINISTRATION  
**REPORTS TO:** CITY COUNCIL  
**PAY GRADE:** COMPENSATION AS ESTABLISHED BY RESOLUTION OF THE COUNCIL

**CIVIL SERVICE:** NO  
**FLSA STATUS:** EXEMPT

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### SUMMARY:

Will perform administrative, technical and supervisory work in directing the affairs of the City; exercises supervision over all departments including various levels of administrative, financial, supervisory, clerical utilities, law enforcement, recreation, and maintenance personnel in performance of both line and staff functions of full-time, part-time, and seasonal employees of approximately 150 employees.

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### SUPERVISES:

City Department Heads

### EQUIPMENT USED:

Vehicles and standard office equipment

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### ESSENTIAL DUTIES AND RESPONSIBILITIES:

The following duties are normal for this position. These are not to be construed as exclusive or all inclusive. Other duties may be required and assigned.

- To supervise enforcement and execution of the City laws.
- To attend all meetings of the Council unless excused.
- To recommend to the Council such measures as may be deemed necessary or expedient for good government and welfare of the City.
- To generally supervise and direct the administration of the City government and, with the approval of the Council, create such positions as shall be deemed advisable.
- To supervise and direct the official conduct of all officers of the City whom the City Manager has power to appoint and the Police Chief and the City Clerk. The City Manager shall also be responsible for and assist in the management of all departments of the City.
- To account for all contracts for work to be done for the City, all purchases of materials and supplies, and to assure that such materials and supplies are received and are of the quality and character called for by the contract.
- Subject to the approval of the Council, to fix the compensation to be paid to all of the City employees which the City Manager has the power to appoint as well as the Police Chief and the City Clerk. The City Manager shall have power to employ, reclassify, or discharge all employees of the City except the City Attorney, the City Treasurer, City Clerk, the Board of Library Trustees, the Memorial Commission, and the Utilities Board of Trustees.
- To assist in the management of all property and facilities, except property improvements.

- To cooperate with the Mayor and other administrative agencies; to cooperate and assist in the management of the Library Board of Trustees and Memorial Commission. The City Manager shall also assist in the preparation of their budgets and be responsible for their submission to the Council as a part of the City's total budget. The City Manager or a designated assistant shall be the liaison and contact person between the above listed boards and commissions and the Council.
- To investigate the conduct of City affairs under the City Manager's supervision.
- To issue all licenses and permits required by State statute or ordinance and to provide for and cause records to be kept of the issuance and revocation of such licenses and permits.
- To prepare and submit to the Council and Mayor annually the required budgets. Be able to attest accuracy of the City's financial position.
- To assume other duties as duly directed by the Council.
- Follows OSHA procedures to ensure safety policies and procedures are enforced for the protection of the crews, co-workers and public.

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**MINIMUM QUALIFICATIONS:**

- Graduation from college with a master's degree in public administration or business administration desired and three (3) years of progressively responsible experience in public sector administration.
- Or a bachelor's degree in public or business administration related field and seven (7) years local government experience; experience and demonstrated ability in budget, finance, capital improvement planning, staff relations & supervision, business, community & intergovernmental relations; strong organizational skills, willingness to become involved in community, and highly energetic leader. Economic development experience would be beneficial.
- Valid driver's license and good driving record.
- Subject to a post-offer drug and alcohol screening and background check.

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**ENVIRONMENTAL CONDITIONS:**

- The work is performed in a typical office or administrative environment. The worker is not substantially exposed to adverse environmental conditions.

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**PHYSICAL REQUIREMENTS:**

- Driving, climbing, stooping, kneeling, crouching, walking, lifting, reaching, talking, hearing, grasping, and finger dexterity, repetitive motions.
  - Sitting approximately 80 percent of the time.
  - Standing approximately 8 percent of the time.
  - Walking approximately 8 percent of the time.
  - Driving approximately 4 percent of the time.
  - Requires the exertion of up to 10 pounds of force continuously.
  - Up to 50 pounds of force infrequently to lift or otherwise move objects.
-

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**VISION REQUIREMENTS:**

- The minimum standard for use with those whose work deals largely with preparing and analyzing data and figures, accounting, transcription, computer terminal and extensive reading.
- 

**EQUAL OPPORTUNITY EMPLOYER:**

The City of Indianola is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the City will provide reasonable accommodations to qualified individuals and encourages prospective employees and incumbents to discuss potential accommodations with the employer.

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The City of Indianola reserves the right to change this job description at any time.

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**EMPLOYEE ACKNOWLEDGEMENT:**

I acknowledge receiving a copy of my job description. I understand the requirements, essential functions and duties of my position. I understand that should I have any questions regarding my position, I should ask my supervisor or human resources.

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Print Name

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Signature

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Date