



CITY OF INDIANOLA COUNCIL MEETING

April 15, 2019

6:00 p.m.

City Council Chambers

Agenda

1. Call to order
2. Pledge of allegiance
3. Roll call
4. **Page 5** Oath of Office to Paramedics/Firefighters — Robert Collier, Jason Kling and Samuel Hofer.
5. Public Comment
6. Consent
 - A. Approval of agenda
 - B. **Page 9** April 1, 2019 Minutes
 - C. Applications
 1. **Page 14** A renewal Class "B" Wine, Class "C" Beer, Class "E" Liquor and Sunday Sales Privilege for Wal Mart located at 1500 N Jefferson.
 2. **Page 15** A renewal Class "C" Liquor License and Sunday Sales Privilege for The Garage located at 114 E Ashland.
 3. **Page 16** A renewal Class "B" Wine, Class "C" Beer, Class "E" Liquor License and Sunday Sales Privilege for Indy 66, located at 1201 N Jefferson.
 - D. **Page 17** Approval of a sidewalk use agreement for The Local Vine and an addition of an outdoor area liquor license at 126 W Ashland.
 - E. **Page 21** Resolution authorizing the certification of liens to the Warren County Treasurer for purposes of assessing the cost of nuisance abatement against property.
 - F. **Page 24** Resolution adopting the FCC Small Cell Order Policy and adding it to the City Council Policy.

- G. **Page 54** Resolution approving the Warren County Geographic Information System (GIS) Commission 28E Agreement.
- H. **Page 60** Resolution approving the purchase of a Raw Pump for the North Plant.
- I. **Page 63** Resolution Approving Salaries
- J. **Page 67** Agreement between The Sports Page Grill, Inc. dba BrickHouse Tavern and the City of Indianola for a deck located at 107 N. Buxton
* Agreement shall be automatically renewed annually and shall not exceed five, one year renewals
- K. **Page 73** Noise permit for A.J. Nelson - Warren County Speedway
- L. **Page 77** Prior and Final approval on applications for Urban Revitalization Designation.
- M. **Page 78** Resolution setting dates of a consultation and a public hearing on a proposed Amendment No 1 to the Hillcrest/Downtown Unified Urban Renewal Plan in the City of Indianola, State of Iowa.
- N. **Page 105** Claims on the computer printout for April 15, 2019.
- 7. **Page 118** City Treasurer's Report for February 2019 - Doug Shull
 - 1. **Page 123** Receipt and file of the monthly update regarding the EMS Billing Activity
- 8. Council Reports
- 9. Mayor's Report - Kelly B. Shaw
- A. **Page 125** Proclamation declaring April 26, 2019 as Arbor Day
- B. Community Update
- 10. Old Business
 - A. **Page 128** Fiscal Year 2019 Budget Amendment
 - 1. **Page 129** Public hearing on the adoption of second amendment to FY 19 budget.
 - 2. **Page 130** Resolution approving the adoption of the second amendment to the FY 19 budget.
 - B. **Page 134** Public hearing and first consideration of a request from Mark Putney with Putney Auction Services for an amendment to Chapter 165 (Zoning Regulations), Section 09 to include "Auction Sales" under M-2 (General Industrial) as a permitted principal use (Planning and Zoning unanimously recommended approval on March 12, 2019)
 - C. RAGBRAI
 - 1. **Page 139** First consideration of an Ordinance amending the City Code establishing a temporary RAGBRAI Ordinance that will remain in effective until 5:00 p.m. on July 24, 2019

2. **Page 147** Discussion and direction and possible motion for RAGBRAI funding
 - D. **Page 148** Jerry Kelley Trail
 1. **Page 149** Continuation of the public hearing on the matter of adoption of plans, specs, form of contract and estimate of cost
 2. **Page 154** Resolution adopting plans, specs, form of contract and estimate of costs
 3. **Page 155** Resolution awarding contract
 - E. **Page 168** Discussion and recommendation from Hometown Pride regarding the Iowa Great Places Designation.
11. Public Consideration
- B. New Business
1. Indianola Bike Night
 - a. **Page 174** Approval of the Indianola Square Lease Agreement with Indianola Bike Night.
 - b. **Page 175** Resolution regarding temporary closure / no parking on the downtown square and one block in all directions for Indianola Bike Night.
 * Requested dates are May 17, June 21, July 19, August 19 and September 20, 2019, from 5:00 pm — 10:30 pm.
 - c. **Page 182** Noise Permit for Indianola Bike Night
 - d. **Page 185** A Class "B" Beer and Outdoor Area for Indianola Bike Night.
 2. **Page 186** Resolution approving the Hold Harmless Agreement between the City of Indianola and West Hill Brewing Company.
 3. **Page 194** Discuss and direction and possible motion for Dollars for Scholars.
12. Other Business
- A. **Page 196** City Manager's Report — Ryan Waller
 * Receive and file correspondence from March 29 and April 5, 2019.
1. **Page 264** Update regarding turkey vultures that are a nuisance at a home on West Clinton Ave
 2. **Page 265** Discussion and possible motion regarding the Banker's Trust Notice of Assignment to UMB Bank.
- B. **Page 269** Enter into closed session in accordance with Iowa Code Section 21.5(1)(c) to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation.

- C. Page 270** Enter into closed session in accordance with Iowa Code Section 21.5(1)(j) to discuss the purchase or sale of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property or reduce the price the governmental body would receive for that property.

- 13.** Adjourn

Meeting Date: 04/15/2019

Information

Subject

Oath of Office to Paramedics/Firefighters — Robert Collier, Jason Kling and Samuel Hofer.

Information

Mayor Shaw will administer the Oath of Office to Paramedics/Firefighters Robert Collier, Jason Kling and Samuel Hofer.

Fiscal Impact

Attachments

Oath Hofer

Oath Kling

Oath Collier

OATH OF OFFICE

I, **Samuel Hofer** do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Iowa, and that I will faithfully and impartially, to the best of my ability, discharge all the duties of **Paramedic/Firefighter** of the City of Indianola, Iowa, as now or hereafter required by law.

April 15, 2019

Attest:

Diana Bowlin, City Clerk

OATH OF OFFICE

I, **Jason Kling** do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Iowa, and that I will faithfully and impartially, to the best of my ability, discharge all the duties of **Paramedic/Firefighter** of the City of Indianola, Iowa, as now or hereafter required by law.

April 15, 2019

Attest:

Diana Bowlin, City Clerk

OATH OF OFFICE

I, **Robert Collier** do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Iowa, and that I will faithfully and impartially, to the best of my ability, discharge all the duties of **Paramedic/Firefighter** of the City of Indianola, Iowa, as now or hereafter required by law.

April 15, 2019

Attest:

Diana Bowlin, City Clerk

Information

Subject
April 1, 2019 Minutes

Information

Fiscal Impact

Attachments

Minutes

REGULAR SESSION – APRIL 1, 2019

The City Council met in regular session at 6:00 p.m. on April 1, 2019 in the City Hall Council Chambers. Mayor Kelly B. Shaw called the meeting to order and on roll the following members were present: Shirley Clark Joe Gezel, Bob Kling, Greg Marchant, John Parker and Greta Southall.

Karey Bishop, member of the Funding Committee for RAGBRAI, requested funding from the City for the RAGBRAI event (July 21-July 27, 2019) – this will be an item for the April 15, 2019 council agenda.

Item Q – claims on the computer printout for April 1, 2019 was pulled from the consent agenda.

Council member Kling moved to approve the consent agenda as follows and Southall seconded the motion. On roll call the vote was, AYES: Clark, Marchant, Gezel, Southall, Parker and Kling. NAYS: None. Whereupon the Mayor declared the motion carried unanimously.

Approval of agenda

March 19, 2019 Minutes

Applications - A renewal refuse hauling permit for Waste Connections of Iowa

Resolution No. 2019-63 approving order accepting acknowledgement/settlement agreements and imposing civil penalty with regard to cigarette permit holder (Wal Mart) violations of Iowa Code 453A.2 (The complete resolution may be viewed at the City Clerk's Office)

Resolution No. 2019-64 approving order accepting acknowledgement/settlement agreements and imposing civil penalty with regard to cigarette permit holder (Dollar General) violations of Iowa Code 453A.2 (The complete resolution may be viewed at the City Clerk's Office)

Authorize an I&I Loan in an amount of \$2,645.29 be sent to the Iowa Offset Program

Resolution No. 2019-65 approving salaries (The complete resolution may be viewed at the City Clerk's Office)

Approval of a sidewalk use agreement for Groggy Dog LLC - 116 W Ashland

Home Base Iowa Initiative Application from Carter Jacobson and authorization of a handwritten warrant in the amount of \$1,500

Home Base Iowa Initiative Application from Aaron Norgrant and authorization of a handwritten warrant in the amount of \$1,500

Request from the Indianola Chamber of Commerce for Friday Night Live Summer Concert Series at the Memorial Park - Dates will be June 7, June 28 and July 12, 2019 (4:00 p.m. - 9:30 p.m.)

Resolution No. 2019-66 suspending enforcement of Indianola Code 47.01(11) regarding the sale of beer and wine coolers in city parks for the Friday Night Live Summer Concert Series as requested by the Indianola Chamber of Commerce (The complete resolution may be viewed at the City Clerk's Office)

A new Class "B" Beer (includes Wine Coolers) and outdoor area for the Indianola Chamber of Commerce at the Memorial Park (North "G" and West Euclid Avenue)

A noise permit request from the Indianola Chamber of Commerce at the Memorial Park for Friday Night Live Summer Concert Series at Memorial Park on June 7, June 28 and July 12, 2019 from 4:00 p.m. - 9:00 p.m.

Resolution No. 2019-67 approving a Memorandum of Understanding for facility use during a public health emergency (The complete resolution may be viewed at the City Clerk's Office)

Noise permit for Mike Murphy - Indianola Classic Car & Truck Show & Shine at the Tru-Bank Parking Lot on April 20, 2019 – September 24, 2019 (Every third Saturday of the month)

Approval of a sidewalk waiver (no curb and gutter) for 983 East Hillcrest Avenue

Receipt and file of the monthly update regarding the EMS Billing Activity

Approval of a street closure request from the Mayor's Youth Council - Bike Fest 2019 - June 15, 2019 - 6:00 a.m. - 1:00 p.m. – will close the entire square

The claims on the computer printout for April 1, 2019 were approved on a motion by Clark and seconded by Kling. On roll call the vote was, AYES: Marchant, Gezel, Southall, Kling and Clark. NAYS: None. ABSTAINED: Parker. Whereupon the Mayor declared the motion carried.

Sally Dix, Executive Director, presented the BRAVO annual report.

It was moved by Marchant and seconded by Kling to approve the nomination of Bill Mettee to the Board of Adjustment/Appeals for a term to begin immediately and expire December 31, 2023. On roll call the vote was, AYES: Gezel, Southall, Parker, Kling, Clark and Marchant. NAYS: None. Whereupon the Mayor declared the motion carried unanimously.

Mike Metcalf, Electric Superintendent, presented a report on the decorative highway lights on north Highway 65/69. It was the consensus of the Council to move forward with this project.

The Mayor and City Council discussed the proposed development agreement with Autumn Ridge. It was the consensus of the City Council to move forward with the development agreement and bring back to a future council meeting.

The following Indianola High School students of Brock Elbert, Joe Menke, Matt Dieke, Isaac Dieke and Aidan Ruble discussed their Operation Recognition of Service banners and requested an extension of the time limit for displaying the banners and a waiver of the insurance. It was the consensus of the Council to allow the extension of the time limit the banners will be displayed, a waiver of the insurance and for flexible with other organizations that may want to display their banners.

A public hearing and first consideration to amend Chapter 122, Section 23, relating to Mobile Food and Beverage Vendors as requested by Ammon Taylor was held. There were no oral or written objections. A letter in favor of the request was received from the Indianola Chamber of Commerce. Ammon Taylor, 1303 S. "O", spoke in favor of his request. Nate Fehl, Director of Hy Vee and Brenda Easter, Indianola Chamber of Commerce, spoke in favor of this request. Southall moved and Gezel seconded to approve the first consideration of this request. On roll call the vote was, AYES: Parker, Kling, Clark, Marchant, Gezel and Southall. NAYS: None. Whereupon the Mayor declared the motion carried unanimously. Council member Clark moved to suspend the rules requiring an ordinance be considered at three separate meetings before its adoption and to approve ORDINANCE NO. 1610 entitled, "AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF INDIANOLA, IOWA, CHAPTER 122, ZONING REGULATIONS CONCERNING MOBILE FOOD UNITS." Council member Southall seconded the motion to adopt. On roll call the vote was, AYES: Marchant, Gezel, Southall, Parker, Kling and Clark. NAYS: None. Whereupon the Mayor declared the motion carried unanimously and the ordinance to be effective upon publication.

This being the time and place fixed for a public hearing on the matter of the adoption of plans, specifications, form of contract and estimate of cost relative to the 2019 Jerry Kelley Trail Improvement Project, the Mayor called for any oral objections to the adoption of the plans, specifications, form of contract and estimate of cost. No oral objections were offered and the City Clerk reported that no written objections had been filed. A motion was made by Marchant

and seconded by Kling to continue the public hearing and defer any action until the April 15, 2019 Council meeting. On roll call the vote was, AYES: Gezel, Southall, Parker, Kling, Clark and Marchant. NAYS: None. Whereupon the Mayor declared the motion carried unanimously.

A motion was made by Parker to approve the following resolution entitled, “RESOLUTION RENAMING CERTAIN STREETS WITHIN THE CORPORATE LIMITS OF INDIANOLA, IOWA.” Kling seconded the motion to adopt. On roll call the vote was, AYES: Kling, Clark, Marchant, Gezel, Southall and Parker. NAYS: None. Whereupon the Mayor declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 2019-68
RESOLUTION RENAMING CERTAIN STREETS WITHIN THE CORPORATE
LIMITS OF INDIANOLA, IOWA

(The complete resolution may be viewed at the City Clerk’s Office)

The following resolution entitled, “RESOLUTION APPROVING THE PROPERTY OWNERS PAVING OF THE ALLEY AT 404 SOUTH 1ST STREET WITHIN THE CITY OF INDIANOLA” was approved on a motion by Parker and seconded by Kling. On roll call the vote was, AYES: Kling, Clark, Gezel, Southall and Parker. NAYS: None. ABSTAINED: Marchant. Whereupon the Mayor declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 2019-69
RESOLUTION APPROVING THE PROPERTY OWNERS PAVING OF THE ALLEY AT 404 SOUTH 1ST
STREET WITHIN THE CITY OF INDIANOLA

(The complete resolution may be viewed at the City Clerk’s Office)

A motion was made by Southall and seconded by Parker to receive and file correspondence of the weekly updates dated March 15 and 22, 2019 from Ryan Waller, City Manager and the following update:

- The non-emergency offices at City Hall will be closed April 26, 2019 for a cleaning day

On roll call the vote was, AYES: Parker, Kling, Clark, Marchant, Gezel and Southall. NAYS: None. Whereupon the Mayor declared the motion carried unanimously.

The Mayor and Council discussed extending the West Euclid judgments for an additional 10 years in the Gray v. Indianola special assessment litigation. There is a limitation period on judgment enforcement, but it can be renewed. It was the consensus of the Council to not extend the judgments.

The Mayor and Council discussed the IDOT Agreement for highway signage along Jefferson Way. The Council gave direction in support of this effort.

It was moved by Kling and seconded by Marchant to enter into closed session in accordance with Iowa Code Section 21.5(1)(j) to discuss the purchase or sale of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property or reduce the price the governmental body would receive for that property. On roll call the vote was, AYES: Clark, Marchant, Gezel, Southall, Parker and Kling. NAYS: None. Whereupon the Mayor declared the motion carried unanimously.

Council member Marchant moved and Parker seconded to return to regular session. On roll call the vote was, AYES: Gezel, Southall, Parker, Kling, Clark and Marchant. NAYS: None. Whereupon the Mayor declared the motion carried unanimously.

Meeting adjourned at 8:10 p.m. on a motion by Marchant and seconded by Parker,

Meeting Date: 04/15/2019

Information

Subject

A renewal Class "B" Wine, Class "C" Beer, Class "E" Liquor and Sunday Sales Privilege for Wal Mart located at 1500 N Jefferson.

Information

This is a renewal of Walmart's liquor license, located at 1500 N Jefferson Way. All the paperwork is in order and staff has approved. Owners are Doug McMillon, Amy Thrasher, Phyllis Harris, Jeff Davis, Andrea Marie Lazenby, and James Robert Renfrow.

Fiscal Impact

Attachments

No file(s) attached.

Meeting Date: 04/15/2019

Information

Subject

A renewal Class "C" Liquor License and Sunday Sales Privilege for The Garage located at 114 E Ashland.

Information

This is a renewal of The Garage's liquor license, located at 114 E Ashland. All the paperwork is in order and staff has approved. Owners are Daniel Brown and Clinton Brightman.

Fiscal Impact

Attachments

No file(s) attached.

Meeting Date: 04/15/2019

Information

Subject

A renewal Class "B" Wine, Class "C" Beer, Class "E" Liquor License and Sunday Sales Privilege for Indy 66, located at 1201 N Jefferson.

Information

This is a renewal of Indy 66's liquor license, located at 1201 N Jefferson Way. All the paperwork is in order and staff has approved. Owners are Lee Adams, Daniel Moellers and Christine Adams.

Fiscal Impact

Attachments

No file(s) attached.

Meeting Date: 04/15/2019

Information

Subject

Approval of a sidewalk use agreement for The Local Vine and an addition of an outdoor area liquor license at 126 W Ashland.

Information

In your packet is a Sidewalk Use Agreement between the City and The Local Vine (Daniel and Andrea Palmer, owners), located at 126 W Ashland. Highlights of the agreement include:

- The term would begin April 15, 2019, and go to April 14, 2020.
- Business owner agrees to pay the City a permit fee as follows
 - \$.50 per square foot of occupied space
 - 9 feet by 6 feet, 8 inches, or 60 square foot area of occupied space.
 - \$30.00 permit fee due upon execution of this Agreement
- Insurance not less than \$1,000,000.

All of the paperwork is in order for the liquor license and staff has approved.

Fiscal Impact

Attachments

Sidewalk Use Agreement

SIDEWALK USE AGREEMENT

THIS AGREEMENT, made and entered into this 15th day of April 2019, by and between the City of Indianola, Iowa (hereinafter called the "City"), whose address is 110 N 1st Street, Indianola, Iowa 50125, and Daniel and Andrea Palmer, (hereinafter called the "Business Owner"), whose address is 126 West Ashland, Indianola, Iowa 50125.

WITNESSETH THAT:

1. PREMISES AND TERM. The City, in consideration of the agreements and conditions herein contained, on the part of the Business Owner to be kept and performed, grants the right unto the Business Owner to place barriers, tables, chairs and displays upon the following described real estate, situated in Warren County, Iowa, to wit:

Address: 126 West Ashland Avenue

Legal Description: Lots 12-13 & the West 2' of Lot 14, Block 8, of the Original Town Plan of Indianola, Iowa

which, more particularly, includes the space and premises as may be shown on "Exhibit A", if and as may be attached hereto, for a term of one (1) year, commencing at midnight of the day previous to the first day of the term, which shall be on the 15th day of April 2019, and ending at midnight on the last day of the term, which shall be on the 14th day of April 2020, upon the condition that the Business Owner performs as in this Agreement provided.

2. PERMIT FEE. Business Owner agrees to pay to City a permit fee as follows:

- (a) \$.50 per square foot of occupied space.
- (b) 9 feet by 6 feet, 8 inches, or 60 square foot area of occupied space.
- (c) \$30.00 permit fee due upon execution of this Agreement.

All sums shall be paid at the address of City, as above designated.

3. POSSESSION. Business Owner shall be entitled to possession on the first day of the term and shall yield possession to the City at the time and date of the close of the term, except as herein otherwise expressly provided.

4. USE OF PREMISES. Business Owner shall use the premises as an outdoor patio, during business hours only. The use is permitted provided there remains a free walking path with a minimum walking surface of five (5) feet in width.

5. ASSIGNMENT. This Agreement shall not be assigned, or any part thereof, without the written consent of the City.

6. CARE AND MAINTENANCE OF PREMISES.

(a) Business Owner accepts said property in its present condition. Business Owner shall, after taking possession of said premises and until the termination of this Agreement, at its own expense, care for and maintain said premises in a reasonably safe and serviceable condition. Business Owner will not permit or allow said premises to be damaged or depreciated in value by any act or negligence of the Business Owner, its agents or employees.

(b) Business Owner will be responsible for maintaining the sidewalk and shall keep the same free from ice, snow and other debris. Business Owner shall further not allow trash of any kind of accumulate on said premises.

7. SURRENDER OF PREMISES AT END OF TERM. Business Owner agrees that upon the termination of this Agreement Business Owner shall surrender, yield up and deliver the premises in good and clean condition, except the effects of ordinary wear and tear and depreciation arising from lapse of time, or damage without fault or liability of Business Owner.

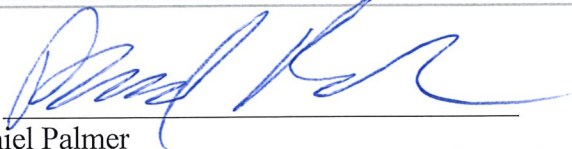
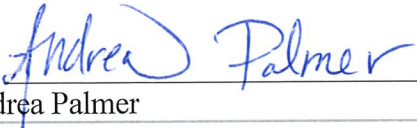
8. INDEMNITY AND LIABILITY INSURANCE. Business Owner shall protect, indemnify and save harmless the City from and against any and all loss, costs, damage and expenses occasioned by, or arising out of, any accident or other occurrence causing or inflicting injury and/or damage to any person or property, happening or done, in, upon or about the premises, or due directly or indirectly to the use or occupancy thereof, or any part thereof, by the Business Owner or any person claiming through or under the Business Owner. The Business Owner further covenants and agrees that Business Owner shall at Business Owner's expense procure and maintain casualty and liability insurance in a responsible company or companies authorized to do business in the State of Iowa, in amounts not less than \$1,000,000.00 for any one person insured, and \$1,000,000 for any one accident, and with the limits of \$100,000 for property damage, protecting the City against such claim, damages, costs or expenses on account of injury to any person or persons, or to any property belonging to any person or persons, by reason of such casualty, accident or other happening on or about the demised premises during the term of this Agreement.

Certificates or copies of the policies, naming the City, and providing for thirty (30) days' notice to City before cancellation shall be delivered to the City within twenty (20) days from the date of the commencement of the term.

9. CHANGES TO BE IN WRITING. None of the covenants, provisions, terms or conditions of this Agreement to be kept or performed by City or Business Owner shall be in any manner modified, waived or abandoned, except by a written instrument duly signed by the parties and delivered to the City and Business Owner. This Agreement contains the whole agreement of the parties.

[Remainder of Page Left Intentionally Blank]

IN WITNESS WHEREOF, the parties hereto have duly executed this Agreement in the day and year first above written.

The City of Indianola, Iowa, City	Daniel and Andrea Palmer
By: _____ Kelly B. Shaw, Mayor	By:  Daniel Palmer
Attest: By: _____ Diana Bowlin, City Clerk	By:  Andrea Palmer

Meeting Date: 04/15/2019

Information

Subject

Resolution authorizing the certification of liens to the Warren County Treasurer for purposes of assessing the cost of nuisance abatement against property.

Information

In your packet is the resolution and notice of filing of assessment of nuisance abatement.

The assessment term is for 10 years. The resolution authorizes publication/filing of the nuisance abatement and mailing of it to property owners.

Roll call is in order.

Per Iowa Code, property owners have the option to pay them (or any portion) within 30 days after the first publication (April 24, 2019) at the Clerk's Office

Fiscal Impact

Attachments

Resolution liens

Nuisance Abatement

RESOLUTION NO. 2019-

**A RESOLUTION AUTHORIZING THE CERTIFICATION OF LIENS TO THE
WARREN COUNTY TREASURER FOR PURPOSES OF ASSESSING THE COST OF
NUISANCE ABATEMENT AGAINST PROPERTY**

WHEREAS, those properties listed on the attached Exhibit have unpaid nuisance abatement costs with the City of Indianola; and

WHEREAS, in the event that a property owner fails to make payment within the required notice period the Iowa law allows for a lien to be placed upon that property; and

WHEREAS, a notice has been sent to each property owner requesting payment within 30 days, the deadline for which has now expired; and

WHEREAS, the City now wishes to authorize assessment of a lien against the property for the cost of nuisance abatement.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the City Council of the City of Indianola hereby authorizes the assessment of a lien against the property listed on the attached Exhibit.

BE IT FURTHER RESOLVED that the City Clerk is authorized to certify said list to the Warren County Treasurer and to publish the list as is required by law.

BE IT FURTHER RESOLVED that all assessments exceeding \$500.00 may be paid in up to ten (10) annual installments, to be paid in the same manner and with the same interest rate provided for assessments against benefited property under state law.

Passed and approved the 15th day of April, 2019.

Kelly B. Shaw, Mayor

Attest:

Diana Bowlin, City Clerk

**NOTICE OF FILING OF
ASSESSMENTS FOR NUISANCE ABATEMENT**

To the person(s) owning land located within the City of Indianola, Warren County, Iowa, particularly described as follows:

Parcel #	Legal Description	Property Owner	Property Address	Amount	Admin Fee 001-1700-47100	Street 321-2100-47100	Reason	Amount Pd and Date	Receipt #	Amount Unpaid
48535020130	36-76-24 McCord Estates Lot 13 Blk 2	Jeffrey Lee Schrader	303 W. 17 th Avenue	460.00	\$25.00	\$485.00	Debris removal			

Meeting Date: 04/15/2019

Information

Subject

Resolution adopting the FCC Small Cell Order Policy and adding it to the City Council Policy.

Information

In your packet is the resolution approving an addition of the Small Wireless Facility Antenna/Tower Right-of-Way Siting to the City Council policy (packet). Highlights of the policy include:

- The policy defines the general requirements for the installation of small wireless facilities within the rights-of-way of the City of Indianola.
- The policy creates requirements for the siting and design of wireless communication structures, facilities and related utilities.
- This policy is intended to regulate and guide the installation of small wireless facility antennas and related accessory structures on infrastructure and to regulate and guide the installation of new communications towers when needed.
- There will be an application for Small Wireless Facility Permit and a permit fee
- Standards and Regulations - small wireless facilities will be permitted to be placed in right-of-way within the jurisdiction of the City as attachments to existing utility poles, alternative antenna structures, or City-owned infrastructure subject to regulations.

Also in your packet is a Summary of Final FCC Small Cell Order as prepared in collaboration with Mark Del Bianco, Principal, Law Office of Mark C. Del Bianco.

Fiscal Impact

Attachments

FCC Small Cell Policy Resolution
Policy
FCC Small Cell Order

RESOLUTION NO. 2019-
RESOLUTION ADOPTING THE FCC SMALL CELL ORDER POLICY
AND ADDING IT TO THE CITY COUNCIL POLICY

WHEREAS, policy and procedures are added to the City of Indianola Council Policy over time;
and

WHEREAS, the policy regarding the FCC Small Cell Order Policy needs to be added to the
Council Policy; and

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
INDIANOLA, IOWA AS FOLLOWS:

That the Council Policy for the FCC Small Cell Order Policy shall be added to the City Council
Policy as attached to this resolution.

Passed and approved this 15th day of April, 2019.

Kelly B. Shaw, Mayor

ATTEST:

Diana Bowlin, City Clerk

POLICY TITLE: Small Wireless Facility
Antenna/Tower Right-of-Way Siting

PURPOSE:

1. This policy has been established to define the general requirements for the installation of small wireless facilities within the rights-of-way in the City of Indianola. The policy creates requirements for the siting and design of wireless communication structures, facilities, and related utilities. As such the provisions of this policy are intended to regulate and guide the installation of small wireless facility antennas and related accessory structures on infrastructure and to regulate and guide the installation of new communication towers when needed. It is the desire of the City to encourage the development of an aesthetically pleasing local environment. It is also the intent of the City to encourage the expansion of wireless technology, as it provides a valuable service to City residents and businesses. It is not the City's goal to unreasonably discriminate among providers of functionally equivalent services nor to have the effect of prohibiting, either directly or indirectly, the provisions of small wireless services. It is the City's goal to encourage wireless providers to construct new facilities disguised through techniques of camouflage design, as defined in this Policy. It is the intent of this Policy to achieve the following objectives:
 - 1) To minimize the adverse visual effects of communication structures through careful design, siting, locating and screening.
 - 2) To locate and engineer communications support structures in a manner which minimizes potential damage to adjacent properties from structural failure.
 - 3) To allow for the reasonable location and efficient use of communication structures through the co-location of carriers.
2. The City currently regulates all wireless telecommunications facilities in the public rights-of-way through a permit process. The City's existing code is in the process of being updated to reflect current telecommunications trends or necessary legal requirements. Further, the existing code provisions were not specifically designed to address the unique legal and practical issues that arise in connection with multiple small wireless facility installations deployed in the public rights-of-way.
3. A recent FCC Order suggests that all local jurisdictions comply with various rules and recommendations on the exercise of local aesthetic, zoning, public works, and fee schedules when dealing with small cell (**Small Wireless Facility**) installations. The FCC Order also concludes that local governments function as regulators of their rights-of-way. The FCC's Declaratory Rule and Third Order Rights concluded that when local governments regulate, they do so as a regulatory function. This section is supporting The Declaratory Ruling and Third Order Rights view of local governments acting as regulators. Thus, Indianola, Iowa is in clear need of policies that support their role as a regulator of their rights-of-way.

4. The City recognizes its responsibilities under the federal Telecommunications Act of 1996 and Iowa law and believes that it is acting consistent with Iowa Law in ensuring that development activity does not endanger public health, safety, or welfare. The City intends this Policy to ensure that the installation, augmentation and relocation of **small wireless facility** installations in the public rights-of-way are conducted in such a manner as to lawfully balance the legal rights of applicants under the federal Telecommunications Act and Iowa Law with the rights, safety, privacy, property and security of residents of the City.
5. This policy is not intended to, nor shall it be interpreted or applied to: (1) prohibit or effectively prohibit any wireless telecommunications service provider's ability to provide wireless services; (2) prohibit or effectively prohibit any entity's ability to provide any interstate or intrastate telecommunications service; (3) unreasonably discriminate among providers of functionally equivalent services; (4) deny any request for authorization to place, construct or modify wireless telecommunications service facilities on the basis of environmental effects of radio frequency emissions so long as such wireless facilities comply with the FCC's regulations concerning such emissions; (5) prohibit any collocation or modification that the City may not deny under federal or state law; or (6) otherwise authorize the City's to preempt any applicable federal or state law.
6. Based on the foregoing, the Indianola **City Council** finds and determines that the preservation of public health, safety and welfare requires that this Policy be enacted and be effective immediately upon adoption.

POLICY:

A. Application for Small Wireless Facility Permit:

An applicant must submit an application for a permit to install a **Small Wireless Facility**, in, over or under Indianola City rights-of-way. Upon issuance of a permit by the city, the applicant agrees to abide by the terms and conditions of a permit agreement to be approved by the Community Development Department. The application shall consist of the following:

- a) Application and Agreement for use of Street Right-of-Way for Utilities Accommodation
- b) Detailed drawing showing location(s) of proposed Small Wireless Facility
- c) Proposed location and routing of underground infrastructure (i.e. fiber, handholes/vaults). Fiber and handholes/vaults require separate license (permit) for installation and will be approved separately. Staff will review and provide comments to applicant at time of application for Small Wireless Facilities
- d) Signed copy of Special Terms and Conditions for any underground work that will be required for the Small Wireless Facility whether construction is included with installation of Small Wireless Facility or under separate project.

- e) Detail drawing of proposed and picture of Small Wireless Facility that will be installed. Detail and picture shall show everything that will be located on the pole/structure.
- f) Copy of agreement with pole/structure owner if not the City (proof of permission to locate on pole/structure).
- g) If installation is proposed on City owned pole/structure, applicant shall provide calculations as required in Section D Subsection H(I) of this Policy.
- h) If new pole is required, application shall include details on proposed pole installation.

B. Permit Fee:

Before any **Small Wireless Facility** permit is issued, the applicant shall be required to pay a permit fee in accordance with a fee schedule established from time to time and approved by the City Council. The City reserves the right to do a rate study at a future date to establish the Permit fee for a Small Wireless Facility permit.

- (a) The fee permissible in the most current FCC regulations but not less than \$500 for non-recurring fees, including a single up-front application for collocation applications that includes up to five Small Wireless Facilities, with an additional \$100 or the fee permissible in the most current FCC regulations, for each Small Wireless Facility beyond five;
- (b) The fee permissible in the most current FCC regulations but not less than \$1,000 for non-recurring fees for a new pole (*i.e.*, not a collocation) intended to support one or more Small Wireless Facilities; and
- (c) The fee permissible in the most current FCC regulations but not less than \$270 per Small Wireless Facility per year for all recurring fees, including any possible ROW access fee or fee for attachment to municipally-owned structures in the ROW.

C. Definitions:

Authority Used as a noun, means a state, county, or city governing body, board, agency, office or commission authorized by law to make legislative, quasi-judicial, or administrative decision relative to an application.

“Authority” does not include any of the following:

- a. State courts having jurisdiction over land use, planning, or zoning decisions made by an authority.
- b. The utilities division of the Public Works Department of commerce
- c. Any entities, including municipally owned utilities established under or governed by Title IX, subtitle 4 of the Code, that do not have zoning or permitting jurisdiction

Alternative Antenna Structure An existing pole or other structure within the public rights-of-way that can be used to support an antenna and is not a utility pole or a City-owned infrastructure.

Antenna means communications equipment that transmits and/or receives electromagnetic radio frequency signals used in the provision of Wireless Services. This definition does not apply to broadcast antennas, antennas designed for amateur radio use, or satellite dishes for residential or household purposes.

Applicant means the person submitting an application.

Application means the process by which a person submits a request to perform construction activity and/or indicates a desire to be granted permission in any way to utilize the rights-of-way of all, or a part, of the City. An application includes all written documentation, in whatever form or forum, made by a person to the City concerning: the installation of any type of public improvements, public utility facilities, the construction of a cable system or any type of information or telecommunications system over, under, on or through the rights-of-way.

Attached wireless facilities are those affixed to a structure except optical fiber, wires, coaxial cable and the mounting hardware used to attach optical fiber, wires, and coaxial cable. Examples of attached facilities include but are not limited to antennas, telephone boxes, power boxes, and other equipment boxes and cabinets on structures located on the ground.

Base Station a structure other than a tower that supports or houses an antenna, transceiver, or other associated equipment that constitutes part of a “base station” at the time the relevant application is filed with the City, even if the structure was not built for the sole or primary purpose of providing such support, but does not include structures that do not at that time support or house base station components.

Camouflage Design Structures and associated equipment taking on the appearance of a piece of art, a natural feature, an architectural structural component or other similar element and which aesthetically blends with the surrounding building environment. Examples of camouflage design include, but are not limited to: architecturally screened roof-mounted antennas; antennas integrated into architectural elements; antennas designed to look other than an antenna; antennas integrated into existing buildings, sports field lights, highway signs, water towers, etc; and towers designed to blend into the surrounding environment or to look other than a tower, such as flag poles, trees, clock towers, monuments, and church steeples. All such designs are subject to the review and approval of the Community Development Department.

City-Owned Infrastructure Infrastructure in public right-of-way within the boundaries of the City, including, but not limited to, streetlights, traffic signals, towers, structures, or buildings owned, operated or maintained by the City.

Collocate means to install or mount a Small Wireless Facility in the Public ROW on an existing Support Structure, an existing Tower, or on an existing Pole to which a Small Wireless Facility is attached at the time of the Application. “Collocation” has a corresponding meaning.

Collocated Small Wireless Facility Installation means a single telecommunication tower, pole, mast, cable, wire or other structure supporting multiple antennas, dishes, transmitters, repeaters, or similar devices owned or used by more than one public or private entity.

- A. A single ground or building mounted receive-only radio or television antenna including any mast, for the sole use of the tenant occupying the residential parcel on which the radio or television antenna is located; with an antenna height no higher than the height of the poles and antennas in the surrounding area;
- B. A ground or building mounted citizens band radio antenna, including any mast, if the height (post and antenna) does not exceed the height of the poles and antenna in the surrounding area;
- C. A ground or building mounted receive-only radio or television satellite dish antenna, which does not exceed thirty-six inches in diameter, for the sole use of the resident occupying a residential parcel on which the satellite dish is located; provided the height of said dish does not exceed the height of the ridgeline of the primary structure on said parcel.
- D. Mobile services providing public information coverage of news events of a temporary nature.
- E. Hand-held devices such as cell phones, business-band mobile radios, walkie-talkies, cordless telephones, garage door openers and similar personal-use devices.
- F. Government-owned and operated receive and/or transmit telemetry station antennas for supervisory control and data acquisition (SCADA) systems for water, flood alert, traffic control devices and signals, storm water, pump stations and/or irrigation systems, with heights no higher than the height of the poles and antennas in the surrounding area.
- G. Telecommunication facilities, including multiple antennas, in compliance with the applicable sections of this chapter, located on an industrial parcel and utilized for the sole use and purpose of a research and development tenant of said parcel, where it is found by the planning director to be aesthetically compatible with the existing and surrounding structures

Communications Facility means collectively, the equipment at a fixed location or locations within the Public ROW that enables Communications Services, including: (i) radio transceivers, Antennas, coaxial, fiber-optic or other cabling, power supply (including backup battery), and comparable equipment, regardless of technological configuration; and (ii) all other equipment associated with any of the foregoing. A Communications Facility does not include the Pole, Tower or Support Structure to which the equipment is attached.

Communication Structure any communications tower, antenna, and related accessory structure used in the transmission or reception of microwave energy, analog data transfer techniques, radio frequency energy, and other digital data transfer techniques.

Communications Structure Site a tract or parcel of land that contains the wireless communication structure, accessory building(s), on-site parking, and may include other uses associated with and necessary for wireless communication and transmission.

Distribute Antenna System (DAS) A type of **small wireless facility** consisting of a network of spatially separated antenna nodes connected to a common source via a transport medium that provides wireless service within a geographic area. Generally, serves multiple carriers.

Effectively Screen aesthetically pleasing construction meant to conceal small wireless facility equipment. Shall be required where needed to improve the aesthetics of the local environment.

Eligible Facilities Request any request for modification of any existing wireless tower or base station that involves (a) collocation of new transmission equipment; (b) removal of transmission equipment; or (c) replacement of transmission equipment.

Eligible Support Structure any tower or base station, as defined in this section, provided that it is existing at the time the relevant application is filed to the City.

Equipment Concealed Whenever technically feasible, antennas, cabling, and equipment shall be fully concealed within a Pole, or otherwise camouflaged to appear to be an integrated part of a Pole.

Facilities means any and all equipment, structures, materials or tangible components located in the rights-of-way and used to provide a service, including without limitation: all plants, whether inside or outside, fiber strands or optic lines, electronic equipment, amplification equipment, optic equipment, transmission and distribution structures, antennas of any type, lines, termination equipment, pipes, poles, ducts, mains, conduits, inner ducts, regenerators, repeaters, underground lines, vaults, manholes, pull boxes, splice closures, wires and cables, and all other like equipment, fixtures and appurtenances used in connection with transmitting, receiving, distributing, offering, and/or providing such service. Facilities shall include, as the context dictates, wireless telecommunication facilities, as defined herein.

Height means maximum height of the small wireless facility, including antenna, above established grade measured at the base of the structure

Landscape Screening The installation at grade of plantings, shrubbery, bushes or other foliage intended to screen the base of a **small wireless facility** from public view.

Lattice Tower an antenna support tower that is self-supporting with multiple legs and cross-bracing of structural steel

Permit Area Locations in city zones where **small wireless facilities** are permitted to be installed and operated pursuant to the requirements of this policy.

Major Wireless Telecommunications Facility means telecommunication towers, poles or similar structures greater than 50 feet in height, including accessory equipment such as transmitters, repeaters, microwave dishes, horns, and other types of equipment for the transmission or receipt of such signals, as well as support structures, equipment buildings and parking areas.

Micro Wireless Facility means a **small wireless facility** with dimensions no larger than twenty-four inches in length, fifteen inches in width, and twelve inches in height and that has an exterior antenna, if any, that is no more than eleven inches in length.

Minimum Height- the lowest vertical distance at which the structure can still operate at an efficient level of service. An efficient level of service is deemed to be 95% or greater of possible service levels.

Modification Includes collocation, removal, or replacement of an antenna or any other transmission equipment associated with the supporting structure.

Monopole A structure composed of a single spire, pole or tower designed and used to support antennas or related equipment and that is not a utility pole, an alternative antenna structure, or a City-owned infrastructure.

Provider means any person including a franchisee who is providing or is in the process of seeking permission to provide a service to citizens of the City through the placement of facilities or structures either owned or leased in and thereby occupying the rights-of-way, as defined herein.

Replacement exchanging of transmission equipment; not to include the structure on which the equipment is located.

Rights-of-way or ROW means the surface and space above and below any real property in which the City has a real property interest and/or which have been dedicated to the public or is hereafter dedicated to the public and maintained under public City or by others at the direction of the public City and located within the City including, but not limited to, public: streets, roadways, highways, avenues, lanes, alleys, bridges, sidewalks, easements, public ways and similar public property and areas.

Signage Signage is prohibited on all small wireless facilities and wireless support structures, including stickers, logos, and other non-essential graphics and information unless required by the FCC, except for a small placard identifying the service provider and contact information, which shall be placed at 6-feet above grade, facing away from the public rights-of-way.

Small Wireless Facility(ies) are low powered antennas that provide cellular and data coverage to small geographic areas supplementing the larger cellular network. It includes all equipment required for the operation and maintenance of radio-frequency communications systems that transmit and/or receive signals but are not "major wireless telecommunications facilities," including antennas, electronics, and other types of equipment required for the transmission or receipt of such signals.

Alternatively, Small Wireless Facility means either of the following:

- (a) Micro wireless facilities that are no larger in dimension than twenty-four (24) inches in length, fifteen (15) inches in width, and twelve (12) inches in height and that have an exterior antenna, if any, of no more than eleven (11) inches in length; or
- (b) A wireless service facility where each antenna is located inside an enclosure of no more than 6 cubic feet in volume and where primary equipment enclosures associated with the small wireless facility is cumulatively no more than twenty-

eight cubic feet in volume and shall be placed underground unless it is integrally incorporated inside the customary pole structure or base.

For purposes of this subparagraph volume shall be measured by the external displacement of the primary equipment enclosure, not the internal volume of each enclosure. An associated electric meter, concealment, telecommunications, demarcation box, ground-based enclosures, battery backup power systems, grounding equipment, power transfer switch, cutoff switch, cable, conduit and any equipment that is concealed from public view within or behind an existing structure or concealment may be located outside of the primary equipment enclosure and shall not be included in the calculation of the equipment volume.

For the purposes of this chapter, a **small wireless facility** does not include the following:

- A. Wireline backhaul facility, which shall mean a facility used for the transport of communications data by wire from wireless facilities to a network.
- B. Coaxial or fiber optic cables that are not immediately adjacent to or directly associated with a particular antenna or collocation.
- C. Underlying vertical infrastructure, which shall mean poles or similar facilities owned or controlled by the City that are in the public rights-of-way or public utility easements and meant for, or used in whole or in part for, communications service, electric service, lighting, traffic control, or similar functions

Small Wireless Facility Installation means all equipment required for the operation and maintenance of so-called "small cell" wireless communications systems that transmit and/or receive signals but are not "Major Telecommunications Facilities," including antennas, microwave dishes, power supplies, transformers, electronics, and other types of equipment required for the transmission or receipt of such signals.

Stealth Facility Any commercial wireless communications facility that is designed to blend into the surrounding environment by means of screening, concealment, or camouflage. The antenna and supporting antenna equipment are either not readily visible beyond the property on which they are located, or, if visible, appear to be part of the existing landscape or environment rather than identifiable as a wireless communications facility. Stealth facilities may be installed, but such installation methods are not limited to, undergrounding, partially undergrounding and landscaping.

Structure means anything constructed or erected with a fixed location below, on, or above grade, including, without limitation, service cabinets, junction boxes, foundations, fences, retaining walls, awnings, balconies, and canopies.

Structure Height the vertical distance measured from the base of the antenna support structure at grade to the highest point of the structure. If the support structure is on a sloped grade, then the average between the highest and lowest grades of the cell site shall be used in calculating the height.

Tower Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, or monopole towers, and that is not a utility pole, an alternative antenna structure, or a City-owned infrastructure. Except as otherwise provided for by this Policy, the

requirements for a tower and associated antenna facilities shall be those required in this Policy.

Utility Pole An upright pole or similar structure owned and utilized in a whole or in part by a public utility, municipality. It is designed and used to support electric cables, telephone cables, telecommunication cables, cable service cables, which are used to provide lighting, traffic control, signage, or a similar function.

Variance or Variation A grant of relief by the **Community and Economic Development Director** or his/her designee.

Wi-Fi Antenna An antenna used to support Wi-Fi broadband Internet access service based on the IEEE 802.11 standard that typically uses unlicensed spectrum to enable communication between devices.

D. Standards and Regulations:

Small Wireless Facilities will be permitted to be placed in right-of-way within the jurisdiction of the City as attachments to existing utility poles, alternative antenna structures, or City-owned infrastructure subject to the following regulations.

- A. Aesthetics.** A small wireless facility shall reasonably match the aesthetics of an existing utility pole or wireless support structure in the area that incorporates decorative elements. Furthermore, a small wireless facility will allow retroactive aesthetic or placement requirements.
- B. Number Limitation and Co-Location.** The **Community and Economic Development Director** or his/her designee may regulate the number of **small wireless facilities** allowed on each utility pole or unit of City-owned infrastructure. Up to **two (2) small wireless facilities** will be permitted on utility poles or Alternative Antenna Structure. This Policy does not preclude or prohibit co-location of **small wireless facilities** on towers or monopoles that meet the requirements as set forth elsewhere in this section or as required by federal law.
- C. Separation and Clearance Requirements for Existing Decorative Poles.** **Small wireless facilities** may be attached to a utility pole, alternative antenna structure, monopole, or City-owned infrastructure including decorative only where such pole, structure or infrastructure is located evenly behind the curb. This supports The FCC Order that creates a One-Touch-Make-Ready (“OTMR”) regiment for pole attachments. The City of Indianola, Iowa currently maintains three Corridors with decorative lighting.
- D. Separation and Clearance Requirement New Small Wireless Facilities.** For new **small wireless facilities** between existing decorative street lights no closer than a distance equal to one hundred (100) per cent of the height of such facility to any residential building and no closer than **Three Hundred (300)** feet from any other **small wireless facility** for the same carrier. A new small wireless facility shall be installed on the nearest lot line and not in front of the building or structure on the lot. A separation or lesser clearance may be allowed by the **Community and Economic Development Director** or his/her designee as an administrative variance to this Policy when the Applicant establishes that the

lesser separation or clearance is necessary to close a significant coverage or capacity gap in the Applicant's services or to otherwise provide adequate services to customers, and the proposed antenna or facility is the least intrusive means to do so within the right-of-way.

- E. City-Owned Infrastructure. The City's preference is that Small Wireless Facilities be installed on non-City-owned infrastructure.** If the facility is attached to City-owned infrastructure then the **Small Wireless Facilities** can only be mounted to City-owned infrastructure including, but not limited to, streetlights, towers or buildings, if authorized by a license or other agreement between the owner and the City.
- F. Construction Requirements. All Small Wireless Facility installations shall comply with the following:**
1. All needed traffic control shall comply with the most recent version of the Manual on Uniform Traffic Control Devices.
 2. Any needed lane closures on arterial roadways shall not start before 9:00 A.M. and end no later than 3:00 P.M.
 3. Small Wireless Facilities shall be installed on non-decorative facilities/poles wherever possible.
 4. Once new pole designs have been approved in an area, all providers shall use the same pole design.
 5. Installations shall foster an aesthetically pleasing environment, prevent visual blight, protect and preserve public safety and general welfare, and maintain the character of residential and nonresidential areas consistent with the adopted plans and compliance of applicable State and Federal legislation.
 6. All disturbed or damaged ROW shall be hydro-seeded, seeded with erosion mat or replaced with sod as soon as completed.
 - a) If seeding or hydro-seeding, prepare the area by hand raking to a depth of 3-4 inches and proper grade. When hydro-seeding, scarify the seedbed to facilitate lodging and germination of the seed.
 - b) If sodding, sod shall be rolled immediately after laying to create firm contact with the ground.

Areas shall be maintained by the permittee until satisfactory growth is established. Permittee shall water all seeded or sodded areas once per day for the first 15 days and as needed until established growth and signed off by the city. Any day that there is $\frac{1}{4}$ " or more rainfall in that 24-hr. period, watering does not need to take place.
 7. It will be the responsibility of the Permittee to work with property owners to identify location of any existing lawn irrigation system within the public right of way. Any damage to these systems is the responsibility of the Permittee to repair.

8. Installations shall maintain a minimum distance of 15 feet from existing trees in the ROW.
 9. Only equipment necessary for the installation of Small Wireless Facilities can sit on the right of way. Large trucks must stay on a hard surface at all times. No equipment can be left on the right of way overnight.
 10. Work **cannot** take place during City snow/ice operations.
 11. The City reserves the right to deny any future projects with the Permittee if the Permittee has failed to follow the aforementioned Construction Requirements on a previous permit.
- G. New Towers.** When approved by the City, a new monopole shall be installed on the nearest lot line and not in front of the building or structure on the lot. No new monopole or other tower to support **small wireless facilities** shall be installed in rights-of-way, that exceeds the height of surrounding existing poles, within the jurisdiction of the **Indianola, Iowa** unless the **Community and Economic Development Department** finds, based on clear and convincing evidence provided by the applicant, that locating the **small wireless facilities** on the rights-of-way is necessary to close a significant coverage or capacity gap in the Applicant's services or to otherwise provide adequate services to customers, and the proposed new monopole or other tower within the rights-of-way is the least intrusive means to do so.
- a. New monopole or tower installations, where approved by the City, shall maintain a minimum horizontal clearance of four (4) feet from all City utilities.
 - b. New monopole or tower installations, where approved by the City, shall maintain a minimum horizontal distance of 15 feet from existing trees in the ROW.
- H. Attachment Limitations.** No small wireless telecommunication antenna or facility within the rights-of-way will be attached to a utility pole, alternative antenna structure, tower, or City-owned infrastructure unless all of the following conditions are satisfied:
- a. **Surface Area of Antenna:** The small wireless telecommunication antenna, including antenna panels, whip antennas or dish-shaped antennas, cannot have a surface area of more than **six (6)** cubic feet in volume.
 - b. **Size of Above-Ground Small Wireless Facility:** The total combined volume of all above-ground equipment and appurtenances comprising a **small wireless facility**, exclusive of the antenna itself, cannot exceed **twenty-eight (28)** cubic feet.
 - c. **Small Wireless Facility Equipment:** The operator of a **Small wireless facility** must, whenever possible, locate the base of the equipment or appurtenances at a height of no lower than **twelve (12)** feet above grade.
 - d. **Small Wireless Facility Services Equipment Mounted at Grade:** Any equipment or appurtenances that are to be installed outside the exterior

of the pole, monopole or structure, must be installed below grade. Pedestals at grade are allowed. In the event that the operator of a **small wireless facility** proposes to install a facility where equipment or appurtenances are to be installed at grade outside of the right-of-way. Where required screening must be installed to minimize the visibility of the facility. Screening must be installed outside the right-of-way, at least **three (3)** feet from the equipment installed at-grade and **eight (8)** feet from a roadway.

- e. **Height:** The top of the highest point of the antenna cannot extend more than **three (3)** feet above the highest point of the utility pole, alternative antenna support structure, tower or City-owned infrastructure. If necessary, the replacement or new utility pole, alternative support structure or City-owned infrastructure located within the public rights-of-way may not be higher than existing poles adjacent to the replacement or new pole or structure.
- f. **Color:** A **small wireless facility**, including all related equipment and appurtenances, must be a color that blends with the surroundings of the nearest pole, structure tower or infrastructure on which it is mounted and use non-reflective materials which blend with the materials and colors of the surrounding area and structures. Any wiring must be covered with an appropriate cover.
- g. **Antenna Panel Covering:** A **small wireless facility** antenna may include a radome, cap or other antenna panel covering or shield, to the extent such covering would not result in a larger or more noticeable facility and, if proposed, such covering must be of a color that blends with the color of the pole, structure, tower or infrastructure on which it is mounted.
- h. **Wiring and Cabling:** Wires and cables connecting the antenna to the remainder of the facility must be installed in accordance with the electrical code currently in effect. No wiring and cabling serving the facility will be allowed to interfere with any wiring or cabling installed by a cable television or video service operator, electric utility or telephone utility.
- i. **Grounding:** The **small wireless facility** must be grounded in accordance with the requirements of the electrical code currently in effect in the City.
- j. **Guy Wires:** No guy or other support wires will be used in connection with a **small wireless facility** unless the facility is to be attached to an existing utility pole, alternative antenna support structure, tower or City-owned infrastructure that incorporated guy wires prior to the date that an applicant has applied for a permit.
- k. **Pole Extensions:** No pole extensions to utility poles, alternative support structures, towers and City-owned infrastructure are allowed.
- l. **Structural Integrity:** The **small wireless facility**, including the antenna, and all related equipment must be designed to withstand a wind force and ice loads in accordance with applicable standards established in

Chapter 25 of the National Electric Safety Code for utility poles, Rule 250-B and 250-C standards governing wind, ice, and loading forces on utility poles, in the American National Standards Institute (ANSI) in TIA/EIA Section 222-G established by the Telecommunications Industry Association (TIA) and the Electronics Industry Association (EIA) for steel wireless support structures and the applicable industry standard for other existing structures. For any facility attached to City-owned infrastructure or, in the discretion of the City, for a utility pole, tower, or alternative antenna structure, the operator of the facility must provide the City with a structural evaluation of each specific location containing a recommendation that the proposed installation passes the standards described above. The evaluation must be prepared by a professional structural engineer licensed in the State of Iowa.

- m. **Signage.** Other than signs required by federal law or regulations or identification and location markings, installation of signs on a **small wireless facility** is prohibited.
- n. **Screening.** Where screening is required, it must be natural landscaping material or a fence subject to the approval of the City and must comply with all regulations of the City. Appropriate landscaping must be located and maintained and must provide the maximum achievable screening, as determined by the City, from view of adjoining properties and public or private streets. Notwithstanding the foregoing, no such screening is required to extend more than **six (6)** feet in height. Landscape screening when permitted in the rights-of-way must be provided with a clearance of three (3) feet in all directions from the facility. The color of housing for ground-mounted equipment must blend with the surroundings. For a covered structure, the maximum reasonably achievable screening must be provided between such facility and the view from adjoining properties and public or private streets.
- I. **Permission to Use Utility Pole or Alternative Antenna Structure.** The operator of a **small wireless facility** must submit to the City written copies of the approval from the owner of a utility pole, monopole, or an alternative antenna structure, to mount the **small wireless facility** on that specific pole, tower, or structure, prior to issuance of the City permit.
- J. **Licenses and Permits.** The operator of a **small wireless facility** must verify to the City that it has received all concurrent licenses and permits required by other agencies and governments with jurisdiction over the design, construction, location and operation of said facility have been obtained and will be maintained within the corporate limits of the City.
 - a. The City currently maintains 3 corridors with decorative street lighting on them. The City maintains that it reserves to determine accessibility to the street lighting.

- b. The City reserves the right to deny any future projects with the Permittee if the General Terms and Conditions or Special Provisions of this Permit have not been stratified.

K. Abandonment and Removal. Any **small wireless facility** located within the corporate limits of the City that is not operated for a continuous period of twelve (12) months, shall be considered abandoned and the owner of the facility must remove same within ninety (90) days of receipt of written notice from the City notifying the owner of such abandonment. Such notice shall be sent by certified or registered mail, return-receipt-requested, by the City to such owner at the last known address of such owner. In the case of **small wireless facilities** attached to City owned infrastructure, if such facility is not removed within ninety (90) days of such notice, the City may remove or cause the removal of such facility through the terms of the applicable permit agreement or through whatever actions are provided by law for removal and cost recovery.

L. NOISE AND EMISSION STANDARDS.

- a. **Noise.** The incorporation of ambient noise suppression measures is required and/or it is required to place the equipment in locations less likely to impact adjacent residences or businesses to ensure compliance with all applicable noise regulations. The maximum allowable noise emitted by the Small Wireless Facility shall not exceed 30 dB measured at a distance of 3 feet from any portion of the facility.

The only exception is during emergencies or periodic routine maintenance which requires the use of a back-up generator, where the noise standards may be exceeded temporarily.

- b. **Emissions.** The Federal Telecommunications Act of 1996 gives the FCC sole jurisdiction to regulate radio frequency emissions. Facilities that meet the FCC standards shall not be conditioned or denied on the basis of emissions impacts. Applicants for tower sites shall be required to provide information on the projected power density of the facility and how this meets the FCC standards.

M. New Technologies Should, within the term of any lease, developments within the field for which the grant was made to the holder of the lease, present the opportunity to the holder of the lease to be more effective, efficient and economical through the use of a substance or material other than those for which the lease was originally made, the holder of the lease may petition the Community Development Department which, with such requirements or limitations as it deems necessary to protect public health, safety and welfare, may allow the use of such substances under the terms and conditions of the lease.

N. Safety Requirements

- a. **Prevention of failures and accidents.** Any Person who owns a Small Wireless Facility and/or Wireless Support Structure sited in the ROW shall at all times employ ordinary and reasonable care and install and maintain

in use industry standard technology for preventing failures and accidents which are likely to cause damage, injury, or nuisance to the public.

- b. Compliance with fire safety and FCC regulations.** Small Wireless Facilities, wires, cables, fixtures, and other equipment shall be installed and maintained in substantial compliance with the requirements of the National Electric Code, all FCC, state, and local regulations, and in such manner that will not interfere with the use of other property.
- c. Changes in state or federal standards and regulations.** If state or federal standards and regulations are amended, the owners of the Small Wireless Facilities and/or Wireless Support Structures governed by this chapter shall bring any facilities and/or structures into compliance with the revised standards and regulations within six months of the effective date of the standards and regulations, unless a different compliance schedule is mandated by the regulating agency. Failure to bring Small Wireless Facilities and/or Wireless Support Structures into compliance with any revised standards and regulations shall constitute grounds for removal at the owner's expense.
- d. Indemnification** Any Person who owns or operates Small Wireless Facilities or Wireless Support Structures in the ROW shall indemnify, protect, defend, and hold the City and its elected officials, officers, employees, agents, and volunteers harmless against any and all claims, lawsuits, judgments, costs, liens, losses, expenses, fees to include reasonable attorney fees and costs of defense, proceedings, actions, demands, causes of action, liability and suits of any kind and nature, including personal or bodily injury or death, property damage or other harm for which recovery of damages is sought, to the extent that it is caused by the negligence of the Operator who owns or operates Small Wireless Facilities and wireless service in the ROW, any agent, officer, director, representative, employee, affiliate, or subcontractor of the Operator, or their respective officers, agents, employees, directors, or representatives while installing, repairing, or maintaining facilities in the Rights-of-Way.
- e. Surety bond or equivalent financial tool for cost of removal.** All owners must procure and provide to the City a bond, or must provide proof of an equivalent financial mechanism, to ensure compliance with all provisions of this chapter. The bond must be maintained for as long as the owner has Small Wireless Facilities and/ or Wireless Support Structures located in the ROW. The bond or equivalent financial method must specifically cover the cost of removal of unused or Abandoned Small Wireless Facilities and/ or Wireless Support Structures or damage to City property caused by an Operator or its agent of each Small Wireless Facility and/ or Wireless Support Structure in case the City has to remove or pay for its removal. Two acceptable alternatives to a bond include a funds set-aside and a letter of credit.

- O. Severability** The various parts, sentences, paragraphs, Sections and clauses of this Chapter are hereby declared to be severable. If any part, sentence, paragraph, Section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Chapter shall not be affected thereby.

Conflict of Laws

Where the conditions imposed by any provisions of this Chapter regarding the siting and installation of **small wireless facilities** are more restrictive than comparable conditions imposed elsewhere in any other local law, policy, resolution, rule or regulation, the regulations of this Policy will govern.

Date of Policy: 4/15/19

Approved by Council: 4/15/19

Revised:

Summary of Final FCC Small Cell Order

Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment; Declaratory Ruling and Third Report and Order; WT Docket No. 17-79; WC Docket No. 17-84

*Prepared in collaboration with Mark Del Bianco, Principal,
Law Office of Mark C. Del Bianco*

DISCLAIMER: This document is intended to be a tool for education and information. It offers a summary of the proposed FCC order. This document is not intended to provide legal advice, or to be a legal analysis or a comprehensive list of all potential outcomes of this order. We offer this information for reference purposes only, as a starting point for analysis by interested parties.

At its September 2018 open meeting, the FCC adopted a report and order (collectively, the "Order") in its ongoing proceeding to streamline the rollout of infrastructure for broadband services, including small cells for 4G and 5G wireless service.[i] This summary addresses the effect of the Order on the issues of most importance to NCC members that have or are considering enacting small cell ordinances, or have or will be negotiating agreements with carriers or infrastructure providers such as Mobilitie or Crown Castle.

The Order has two parts: (1) a new set of regulations (the "Rules") that govern shot clocks and other limited aspects of the rollout of small wireless facilities (a/k/a "small cells") and (2) a Declaratory Ruling that does not enact any new regulations but is the FCC's interpretation of how the provisions of Section 253 and 332(c)(7) of the Communications Act that limit state or local regulations that "effectively prohibit" the provision of wireless services should be applied.[ii] The Declaratory Ruling portion of the Order adopts the position that a state or local government need only "materially inhibit" a particular small wireless facility deployment in order for its action to constitute an "effective prohibition" under Section 253 or 332(c)(7). Based on this conclusion, the Declaratory Ruling provides guidance on fees local governments may charge and on how they may regulate ancillary rollout issues such as tower spacing, equipment design and other aesthetic concerns. In lay terms, this means the FCC is making it easier for private companies to take local governments to court if they believe municipal policies are effectively prohibiting network investment.



Key Takeaways from the Order

- The Order is a blatant effort by the FCC to strengthen the hand of carriers in negotiations with local governments over small cell deployment and to limit the ability of local governments to negotiate in the public interest around small cells.
- The good news is that the FCC has left local governments with some power and flexibility to enact reasonable regulations governing small cell deployments. With the right approach and partner, local governments have a higher hill to climb but can still negotiate win-win outcomes that benefit carriers while addressing citizens' concerns.
- Local governments should immediately take proactive steps to maintain their leverage in possible negotiations with carriers.
- Local governments should move expeditiously to enact zoning and other regulations to address issues of importance to their community. These may include application processing cost recovery, antenna design, location and spacing, additional pole and equipment aesthetic requirements, and other factors of local concern.
- In particular, setting out and standardizing aesthetic requirements, including pre-approval of antenna, equipment cabinet and street furniture designs where appropriate, will make it easier for local governments to process applications reasonably expeditiously and to defend challenged siting decisions or failures to meet shot clock deadlines.

Key Issues for Members

What types of facilities does the Order apply to?

The Order applies to all types of facilities used to provide wireless services. There are specific shot clock and other rules that govern certain small wireless facilities, i.e., generally those less than 50 feet tall and on which the antenna size is less than 3 cubic feet.

What happens if a local government already has an agreement with a carrier or infrastructure provider that covers small wireless facilities?

- The FCC did not address whether existing agreements are preempted by the Order. While existing agreements were not explicitly grandfathered, there is no obvious means of voiding them. The result is that local governments should be able to keep existing agreements.
- In order to preempt existing agreements involving private parties, the FCC would have to make certain findings that doing so was in the public interest. It did not do so in the Order.



- Further evidence that the FCC did not intend to preempt existing agreements is its expressed intent in the Order to facilitate "mutually agreed solutions."
- Any attempt to preempt an existing agreement would require the carrier to file a lawsuit against the municipality, which seems very unlikely.
- Even if a carrier filed a case, we do not believe it would be able to convince a court to void a freely negotiated commercial agreement.

Going forward, can a local government negotiate new agreements with carriers or infrastructure providers? If so, are there issues that cannot be addressed in an agreement?

- Yes, local governments can still negotiate with carriers and infrastructure providers. Nothing in the Order preempts local governments' ability to negotiate future agreements in order to provide a mutually acceptable process for deployment of small cells.[iii] However, the Rules and presumptions created by the Order give carriers more leverage when negotiating with local governments and reduce the ability of local governments to enact regulations that achieve desirable outcomes when carriers are unwilling to engage in good faith negotiations, or to negotiate at all.
- The Declaratory Ruling provides guidance on some parameters of the deployment of small cells, including such factors as the cost, aesthetic requirements and location, but it does not prohibit local governments or carriers from reaching their own arrangements on these or any other factors. This means that if a local government wants to follow the Lincoln model of offering very rapid permitting in return for fees higher than the FCC sets, it may still do so.

Are there limits on the amounts that local governments can charge for small cell application and use fees?

- There is a presumed safe harbor for application and use fees, but no specific cap on fees.
- The safe harbor amounts are (a) \$500 for a single up-front application that includes up to five Small Wireless Facilities, with an additional \$100 for each Small Wireless Facility beyond five, (b) \$270 per Small Wireless Facility per year for all recurring fees, including any possible ROW access fee or fee for attachment to municipally-owned structures in the ROW, and (c) \$1,000 for non-recurring fees for a new pole.
- The FCC views these amounts as safe harbors because it believes they are low enough that no carrier would challenge them if they were imposed unilaterally in a local government's regulations.
- Nothing in the Order prevents a local government from charging higher fees. However, under the FCC's framework, if a carrier files a lawsuit challenging the fees imposed by a local government, the burden would be on the local government to demonstrate that the amount is a reasonable approximation of its costs and that its costs are reasonable.
- The FCC did not specify a methodology for calculating cost, or what expenses could be included.



- We believe that the revenue-reducing effect of a cost-based methodology will be much greater for usage fees than for application fees, because usage fees are recurring.

Can a local government require in-kind contributions or set application or use fees at levels to achieve social goals such as closing the digital divide?

- If a court were to accept the FCC conclusion that fees must be cost-based, local governments would not be able to require in-kind contributions or set application or usage fees above cost.
- Local governments can still negotiate agreements containing provisions for non-cost-based fees (as San Jose and Honolulu did), but the Order attempts to remove most of a local government's negotiating leverage on these issues, so there will now be little incentive for a provider to agree to do so.

What are the new application shot clocks?

- The Rules create four new shot clocks:
 - § Collocation of small wireless facilities: Local government has 60 days to act upon to an application
 - § Collocation of facilities other than small wireless facilities: 90 days.
 - § Construction of new small wireless facilities: 90 days.
 - § Construction of new facilities other than small wireless facilities: 150 days.
- The Rules also provide for the resetting or pausing of the shot clock when a local government determines that an application is incomplete. If a municipality determines that an application is materially incomplete within ten day of filing and notifies the applicant of the deficiencies, the shot clock resets when the completed application is filed. In order to prevent last minute "pausing" of the shot clock by local governments, an incompleteness determination must be made by the 30th day after an application is filed, and within 10 days after resubmission if a re-submitted application is still incomplete.

What is the legal effect of the new shot clocks?

- The shot clock deadlines have no direct legal effect.
- If an application is not acted on within the deadline, nothing happens unless a carrier either commences a formal complaint proceeding at the FCC or files a case in state or federal court. In either case, the carrier would have to demonstrate that the failure to act on the application amounts to an "effective prohibition" on wireless service under Section 253 or 332.
- Either process will take months, perhaps years.
- The Order recognizes that the shot clock is only a presumption, and that local governments have the ability to demonstrate to a court that the delay is reasonable under the circumstances.
- If a court finds that a shot clock violation is an effective prohibition, it will most likely order the local government simply to make a decision by a specific date in



the near future; a court is very unlikely to order a local government to grant a specific application.

- We believe that carriers prefer certainty and rather than litigate over a few shot clock violations will be willing to negotiate a reasonable time for guaranteed local government action on applications.

Do different shot clock deadlines apply when multiple applications are filed at the same time (batched)?

- No.
- However, the FCC acknowledged that batched applications could strain local governments' resources and potentially justify a failure to meet shot clock deadlines.[iv]
- We believe that in any carrier lawsuit that was based on a failure to meet the shot clock deadlines on a large batch of applications, a court would be very sympathetic to a local government's argument that the batch application had caused a legitimate overload on its permitting resources.

What types of local government permits/authorizations do the new shot clocks apply to?

- The Rule applies to any request for authorization to place, construct, or modify wireless service facilities, including a zoning permit, a building permit, an electrical permit, a road closure permit, and an architectural or engineering permit.
- The Order does not specify whether or how the shot clocks apply to requests to use light poles and other government facilities, whether located in or outside the right of way.

May a local government still take aesthetics into account in its small cell zoning regulations?

- Yes.
- Aesthetic requirements must be reasonable, no more burdensome than those applied to similar types of infrastructure deployments (e.g., equipment cabinet size and color requirements would need to be similar to those for telco or cable company cabinets), and objective and published in advance.[v]

May a local government require minimum spacing between small wireless facilities?

- Yes. The Order considers spacing requirements to be a subset of aesthetics requirements, and thus subject to same standard.
- The Order gives no guidance on what might be a reasonable spacing distance.



What if a local government has an undergrounding requirement for all utilities?

- Regulations requiring all utility facilities (including antennas) to be placed underground would effectively prohibit wireless services because antennas have to be placed above ground in order to function.
- Regulations requiring all wireless equipment other than antennas to be placed underground would be permissible, so long as they are applied on a non-discriminatory basis to other service providers, e.g. telco and cable companies.
- It is not clear what sorts of poles or other above ground antenna facilities a local government would have to allow access to in order to avoid being considered “effectively prohibiting wireless service.”

Frequently Asked Questions

What happens if a city is in negotiations with a carrier and they demand that the agreement provisions on such issues as fees, spacing and aesthetic requirements follow the "guidelines" in the FCC small cell Order?

In that case, the city has two or perhaps three options. First, the city can capitulate to the carrier's claims about what the Order requires. Obviously, we do not believe any city should do so. The second option is for the city to abandon the negotiation process and instead act unilaterally to adopt an ordinance, a set of regulations or a model franchise agreement (if it has a franchising process in place) that it believes is consistent with the desires of its residents and at the same time presents a low (and thus acceptable) risk of a court challenge.

If a city has already negotiated a small cell facility agreement with one or more carriers/infrastructure providers, it has a third option. It can adopt an ordinance or draft a template agreement reflecting essentially the same terms as the executed agreement. In either case, it becomes much more difficult (albeit not impossible) for other carriers to challenge the model agreement or ordinance on its face because it contains essentially the same terms that the first carrier has already agreed do not effectively prohibit it from providing a wireless service.

What are cities doing to prepare for the Jan 13 deadline?

Most NCC members seem to be either negotiating agreements with carriers, taking unilateral steps to develop and put in place a process for consideration of applications to place small cell wireless facilities, or doing both simultaneously.

If a city enters into an agreement with a carrier and then the Order is overturned, is the city stuck with the agreement?

The answer in general is yes. No city is required to enter into any agreement with a carrier or infrastructure provider. If a city does so voluntarily, it will almost certainly be held to the terms of the agreement by a court. However, a city might be able to resolve this problem by including in the agreement a clause voiding the agreement or requiring



its modification, in the event of a regulatory change (including the overturning of the Order). Many types of telecommunications agreements contain such regulatory change clauses because parties recognize that the wording or scope of specific provisions in the agreement has been dictated by the then-existing telecommunications regulatory scheme, and should be changed if the regulations change.

If a city enacts an ordinance and then the Order is overturned, can it adjust the ordinance?

Yes. However, unless the original ordinance specifically permits retroactive application of aesthetic or other requirements, existing wireless facilities approved under the first ordinance may be effectively grandfathered. Almost certainly, neither application nor usage fee increases could be applied retroactively.

What is the risk if a city does not have an ordinance in place prior to the Jan 13 deadline?

The only risk we are aware of for a city that has no process in place to consider applications for placement of small cell wireless facilities is the risk that it will be sued in state or federal court by a carrier arguing that the failure constitutes a city action that "effectively prohibits" it from providing wireless service. In the short term (say 180 days after January 13), there is very little risk that a carrier will bring such a lawsuit. There is little benefit to a carrier in doing so. The only relief a carrier could get in such a case would be an order requiring the city to enact an ordinance within a certain period of time. A court could not order the placement of specific antennas or create its own process for a city to follow. If a city is taking observable public steps to develop an ordinance, a lawsuit is unlikely and it is even more unlikely that a judge would rule against a city.

In the longer term (say after mid-2019), the risk of a lawsuit will increase and it becomes less defensible for a city not to have an approval process in place (or at least publicly in development). That is why we recommend that cities publicly begin developing a process for small cell facility regulation now. Doing so will allow adequate time for consideration of all the issues and the development of a policy that reflects residents' concerns, while at the same time providing for placement of infrastructure for the next generation of wireless services.

The Order identifies application and usage fee amounts that are neither caps nor safe harbors, but simply what the FCC believes are levels at which carriers will not file legal challenges. What local government usage fees are covered by these FCC "guidelines"?

The Order identifies \$270 per year as a presumptively reasonable annual usage fee. This covers the right to attach an antenna to a pole or other facility and to locate associated equipment nearby. But if a city is providing not just the right to place antennas on city-owned poles, but ancillary facilities or services (such as access to electricity, existing underground ducts and underground casements at each pole), the FCC fee "guidelines" do not apply and the city can set the usage fees at any level it



wishes. Cities should not be misled by carriers falsely claiming that the FCC's \$270 annual usage fee includes anything other than the right to mount an antenna on a pole and put equipment nearby.

Does the Order impose non-discrimination requirements, i.e., does it require municipalities to treat wireless carriers the same as they treat electric companies, cable companies or other utilities?

No. The non-discrimination requirements identified in the Order are the FCC's interpretations of the language of Sections 253 and 332(C)(7), and are limited in scope. Section 253(a) addresses only state or local government actions (including discrimination) that effectively prohibit "any interstate or intrastate telecommunications service," while Section 332(c)(7)(B)(i)(II) is even narrower: only actions that effectively prohibit "personal wireless services," which is a small subset of telecommunications service. Thus, Section 253 only limits discrimination between providers of "telecommunications service," and the only type of discrimination that could potentially be problematic under Section 332(C)(7) would be discrimination between "competing wireless services." Therefore, the Order does not (and the FCC could not) prohibit discrimination in fees, aesthetic requirements and application requirements as between wireless carriers and companies that do not provide "telecommunications service," a category that includes not only traditional utilities, but also cable companies and even wireline broadband Internet access providers (which under current FCC rules are not providers of telecommunications services).

How does the Order's interpretation of the "effective prohibition" language affect the ability of localities to regulate the number or location of small cell wireless antennas? If a carrier has full geographic coverage already, can a locality require it to justify the need to add additional capacity?

In the Small Cell Order, the FCC reaffirmed its interpretation that a locality can violate the "effective prohibition" language of Sections 253 and 332 by enacting regulations that merely "materially inhibit" the ability of wireless carriers to provide services. It specifically included in this category local regulations that affect carriers' ability to densify their networks or to add capacity to their networks. If this interpretation survives on appeal, then it would be unlikely that a locality could successfully defend a broad regulation that required a carrier to justify every requested small cell facility placement. However, NCC believes that a regulation that allows for reasonable rollout of small cell facilities based on objective criteria that reflect community concerns would be consistent with the FCC's interpretation. Such a regulation should not be seen as "materially inhibiting" any carrier's ability to offer its services, so long as a reasonable number of potential wireless facility locations would be available under the objective criteria. Such a regulation would be even more defensible if it has a "safety valve" that allows a carrier to meet capacity needs by allowing for placement of additional wireless facilities that do not meet the objective criteria. The regulation could even place the burden on the carrier to demonstrate the need for any additional non-compliant facility. A single "safety valve" decision would involve a limited geographic area and would be fact-specific, and should not be challengeable as a "material inhibition" on provision of wireless service in the locality.



Bottom Line

- This order significantly diminishes local decision making, but does not eliminate it.
- Local governments cannot say no to all small cell antennas within specific neighborhoods or other areas of their communities.
- Local governments can charge more than the recommended permitting fees and annual fees, but may have to show how the fees correlate with the local government's cost for managing the permitting and right of way.
- The order decreases a community's capacity to receive recompense for the use of their right of way that is in excess of the cost of managing that right of way.
- Local governments that are prepared by proactively putting in place policies and procedures will be able to retain some local control.
- If you have an existing agreement, we believe it will be hard for a vendor to justify a request to change that agreement and it seems unlikely that the courts would side with them.
- There will very likely be court challenges to this order.

Important Tips and Action Steps

- **ANTENNA PLACEMENT** - you cannot say no to any antennas on poles in an area. However, you can say no to a specific placement as long as there is a reasonable alternative.
- **UNDERGROUND** - you cannot require that all of this infrastructure be placed underground, but you may be able to require that all but the antenna be placed underground. However, if you are planning to do so, you must do so for ALL utilities and you must have an ordinance in place.
- **STREET FURNITURE** - you can require that street furniture have a certain aesthetic and a setback from the street (for both aesthetic and public safety reasons, such as to prevent loss of parking due to inability to open car doors). You must have an ordinance in place that applies to ALL utilities' street furniture in the local government's right of way.
- **SHROUDING** - You can require a certain aesthetic for certain neighborhoods and certain types of poles. If these requirements are in place in advance of a carrier approaching you, you are less likely to experience push back and your position will be more defensible if challenged in court.
- **PERMITTING** - The time to revise and organize your permitting process is now. If your permitting process includes a plan to adhere to the shot clocks in the order, you will more likely be able to meet them.
- **SHOT CLOCK DEADLINES** - The deadlines may be difficult to meet, but there is NO DEEMED GRANTED provision in this order. Batch permitting may be particularly problematic for local governments as the scope of such requests can overwhelm a permitting department, but if you work in good faith, keep the carrier updated, and are still unable to meet the deadline, it is likely the carrier will work with you. If instead they take you to court, your due diligence and proactive efforts will work in your favor.
- **APPLICATION COSTS** - The costs listed in the order are for guidance. If you stay at or below them, your fees very likely will not be challenged in court. However, you can charge more if you have evidence that your costs are higher.



Including your engineering costs, permitting staff costs, and post-installation inspection costs may justify a higher application fee. If those costs are reasonable, the fee is unlikely to be challenged and if challenged, will likely be upheld even under the FCC's test.

- ANNUAL ROW FEE - If at or below the cost specified by the order (\$270/year), this fee will very likely be unchallenged by carriers. If higher, a court may require the local government to justify the fee as being directly related to cost.
- NEGOTIATING - Remember that one of the single most valuable characteristics of your permitting from the carrier perspective is predictability. If you can give a high degree of certainty that permits will be finished in a predictable manner, carriers will be much more willing to negotiate for higher fees or more public interest requirements than those set by the FCC.



Endnotes

[i] Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment, Declaratory Ruling and Third Report and Order, WT Docket No. 17-79; WC Docket No. 17-84 (the "Order").

[ii] Section 253(a) provides that "[n]o State or local statute or regulation, or other State or local legal requirement, may prohibit or have the effect of prohibiting the ability of any entity to provide any interstate or intrastate telecommunications service." Section 332(c)(7) provides that "[t]he regulation of the placement, construction, and modification of personal wireless service facilities by any State or local government or instrumentality thereof—(I) shall not unreasonably discriminate among providers of functionally equivalent services; and (II) shall not prohibit or have the effect of prohibiting the provision of personal wireless services."

[iii] However, parts of the Declaratory Ruling and even the Rules acknowledge the ability of local governments and carriers to negotiate outcomes different from those envisioned in the Declaratory Ruling. For example, with regard to proposals to allow local governments to implement best practices or an informal dispute resolution process, the FCC stated "Although we do not at this time adopt these proposals, we note that the steps taken in this order are intended to facilitate cooperation between parties to reach mutually agreed upon solutions. For example, as explained below, mutual agreement between the parties will toll the running of the shot clock period, thereby allowing parties to resolve disagreements in a collaborative, instead of an adversarial, setting." Order, ¶ 131. That reference is to 47 C.F.R. § 1.6003(d), which allows local governments and carriers to agree to toll (i.e., lengthen) the shot clock period for any type of wireless facility. Similarly, nothing in the Declaratory Ruling prohibits local governments from reaching agreements with carriers and infrastructure providers that contain provisions fleshing out (or even departing from) the broad FCC guidelines on cost, aesthetic requirements, antenna location and other factors.

[iv] The FCC noted that under its "approach, in extraordinary cases, a siting authority, as discussed below, can rebut the presumption of reasonableness of the applicable shot clock period where a batch application causes legitimate overload on the siting authority's resources. Thus, contrary to some localities' arguments, our approach provides for a certain degree of flexibility to account for exceptional circumstances.

* * *

The siting authority then will have an opportunity to rebut the presumption of effective prohibition by demonstrating that the failure to act was reasonable under the circumstances and, therefore, did not materially limit or inhibit the applicant from introducing new services or improving existing services. Order, ¶¶ 115-119.

[v] The Order's discussion of the first two factors is brief and provides little guidance: "[A]esthetic requirements that are technically feasible and reasonable in that they are reasonably directed to avoiding or remedying the intangible public harm of unsightly or out-of-character deployments are also permissible. In assessing whether this standard has been met, aesthetic requirements that are more burdensome than those the state or locality applies to similar infrastructure deployments are not permissible, because such discriminatory application evidences that the requirements are not, in fact, reasonable



and directed at remedying the impact of the wireless infrastructure deployment." Order,
¶ 87.



Information

Subject

Resolution approving the Warren County Geographic Information System (GIS) Commission 28E Agreement.

Information

In your packet is the GIS 28E Agreement. Highlights of the agreement are:

- Agreement will create a legal entity under Iowa Code Chapter 28E to manage a geographic information system (GIS) in a coordinated and efficient manner to benefit citizens, taxpayers, and other consumers of public information.
- Commission shall be called the Warren County Geographic Information Commission.
- The Commission shall be comprised of the following members:
 - The Director of Community and Economic Development designated by the City Manager of the City of Indianola or their designee
 - An employee of Indianola Municipal Utilities designated by the General Manager of Indianola Municipal Utilities
 - The Director of Information Technology Department of the City of Indianola or their designee;
 - The Community Development Director of the City of Norwalk or their designee;
 - The City Administrator of the City of Carlisle or their designee;
 - An employee of the Warren County Assessor's Office as designated by the Warren County Conference Board or their designee;
 - The Director of Information Technology Department of Warren County as designated by the Warren County Board of Supervisors or their designee;
 - A member of the Warren County Board of Supervisors or their designee; and
 - The Warren County GIS System Administrator as designated by the Warren County Assessor
- The Commission shall establish policies, procedures and guidelines for the joint use of the GIS system
- All funds coming under the management of the Commission shall be held by the Warren County Auditor's Office

Fiscal Impact

Attachments

28E Agreement

28E Resolution

WARREN COUNTY GEOGRAPHIC INFORMATION SYSTEM COMMISSION 28E AGREEMENT

Be it remembered that in consideration of the mutual promises, covenants and consideration herein contained, the City of Indianola; Indianola Municipal Utilities; the City of Norwalk; the City of Carlisle; the Warren County Conference Board; and the Warren County Board of Supervisors (the “Creating Entities”) in order to jointly exercise certain powers, have entered into the following agreement, to wit:

Article 1. The purpose of this agreement is to create a legal entity under Iowa Code Chapter 28E to manage a geographic information system (the “GIS” system) in a coordinated and efficient manner to benefit citizens, taxpayers, and other consumers of public information.

Article 2. The Commission created by this agreement shall be called the Warren County Geographic Information System Commission (“Commission”). The Commission shall develop procedures for the joint use of the GIS system. This agreement shall continue until terminated by any one creating entity. Termination shall become effective one hundred and eighty days after written notice is received by the Commission. If a seat on the WCGIS Commission becomes vacant, the managing body or position that appointed the individual whose seat is vacant shall appoint another individual to serve in the interim until the position listed in Article 3 is filled.

Article 3. The Commission shall be comprised of the following members:

- a. The Director of Community and Economic Development designated by the city manager of the City of Indianola or their designee;
- b. An employee of Indianola Municipal Utilities designated by the General Manager of Indianola Municipal Utilities;
- c. The Director of Information Technology Department of the City of Indianola or their designee;
- d. The Community Development Director of the City of Norwalk or their designee;
- e. The City Administrator of the City of Carlisle or their designee;
- f. An employee of the Warren County Assessor’s Office as designated by the Warren County Conference Board or their designee;
- g. The Director of Information Technology Department of Warren County as

designated by the Warren County Board of Supervisors or their designee;

- h. A member of the Warren County Board of Supervisors or their designee; and
- i. The Warren County GIS System Administrator as designated by the Warren County Assessor.

Article 4. The members of the Commission shall each serve at the pleasure of the governing body that appointed them.

Article 5. The Commission shall establish the policies, procedures, and guidelines for the joint use of the GIS system and for its own management and the conduct of its affairs. The members of the Commission shall meet at least annually and shall elect one of its members as chairman. The Chairman shall conduct all meetings. The Commission shall have authority to do all things necessary to implement the purpose of this agreement.

Article 6. All funds coming under the management of the Commission shall be held by the Warren County Auditor's Office until the Commission determines how the funds shall be used. The Commission shall grant each creating entity the right to use the GIS data for which it has ownership. Any revenue derived from the sale or lease of data shall be provided directly to the creating entity that has ownership of that data.

Article 7. Each creating entity shall be the owner of their own data; however, the Warren County Board of Supervisors shall be the custodian of all data within the GIS system. At any time any of the creating entities may request an updated electronic copy of its own data. Each creating entity shall have the right to determine the media distribution methods for the data that it owns.

Article 8. Additional public entities within Warren County may apply for membership to the Commission at any time and membership shall be granted if the application is approved by two-thirds (2/3) of the existing Commission members. If approved, the public entity shall be considered a creating entity.

Article 9. If any provisions of these articles of agreement, or the application thereof to any person or circumstance, are held to be invalid, such invalidity shall not affect other provisions or applications of these articles which can be given effect without the invalid provisions or application, and to this end the provisions of these articles are declared to be severable.

Article 10. This agreement shall become effective upon adoption by resolution by each of the Creating Entities and its filing with the Secretary of State and recording in Warren County, Iowa.

Warren County Conference Board:

By: _____ dated: _____

Warren County Board of Supervisors:

By: _____ dated: _____

City of Indianola:

By: _____ dated: _____

Indianola Municipal Utilities:

By: _____ dated: _____

City of Norwalk:

By: _____ dated: _____

City of Carlisle:

By: _____ dated: _____

RESOLUTION NO. 2019-_____

**RESOLUTION APPROVING 28E AGREEMENT FOR THE WARREN
COUNTY GEOGRAPHIC INFORMATION SYSTEM (GIS) COMMISSION**

WHEREAS, the City Indianola, Iowa, is in need of entering into a 28E Agreement for a Warren County GIS Commission between the City of Indianola and Warren County Board of Supervisors; and

WHEREAS, the City of Indianola desires to enter into the 28E Agreement; and

WHEREAS, it is the determination of the City Council that the City of Indianola should enter into a 28E Agreement for the Warren County GIS Commission in form attached as Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Indianola, Iowa, that:

1. The 28E Agreement for the Warren County GIS Commission between the City of Indianola and the Warren County Board of Supervisors is in the public interest of the citizens of the City of Indianola and is hereby approved.

2. The Mayor is authorized and directed to execute the 28E Agreement for the Warren County GIS Commission between the City of Indianola and the Warren County Board of Supervisors.

PASSED this 15th day of April, 2018.

Kelly B. Shaw, Mayor

ATTEST:

Diana Bowlin, City Clerk

Meeting Date: 04/15/2019

Information**Subject**

Resolution approving the purchase of a Raw Pump for the North Plant.

Information

In your packet is Rick Graves, WPC Superintendent, memo and the resolution to purchase a Raw Pump for the North Plant. The Raw Pump Station pump has failed for the second time at the Wastewater Plant. This pump is a crucial component of the plant as it pumps the incoming wastewater up to the Grit building to begin its treatment.

Staff sent quotes to the following distributors:

Electric Pump (Flygt Pump)	\$31,729.00
Central Pump & Motor (Mody Pump)	\$31,904.35
Iowa Pump Works	Did Not Bid
Hydro Application	Did Not Bid

Staff recommends the pump from Electric pump in an amount of \$31,729.00. Funds for the new pump will come from the FY 20 CIP's Spare Lift Station pump line.

Fiscal Impact**Attachments**

WPC Pump Memo

Resolution to Purchase Pump



WATER POLLUTION CONTROL

To: Honorable Mayor and City Council

CC: Ryan Waller

From: Rick Graves

Date: April 9, 2019

Re: Raw Pump Station Pump Memo

Mayor and Council,

One of the Raw Pump Station pumps has failed for the second time at the Wastewater Plant. This pump is a crucial component of the plant as it pumps the incoming wastewater up to the Grit building to begin its treatment. The first time it failed was last October. I took it to Electric Pump and they pieced it back together with the hope it would last until the new plant was online. Unfortunately, it didn't, and now it needs to be replaced.

I asked four (4) distributors for quotes: Electric Pump, Iowa Pump Works, Central Pump & Motor, and Hydro Application Consulting. The costs for each are:

Electric Pump - \$31,729.00 Flygt Pump
Central Pump & Motor - \$31,904.35 Mody Pump
* Iowa Pump Works - Did not bid
** Hydro Application - Did not bid

* Iowa Pump Works said they would need to increase the pump size plus rewire the controls to make their pump work. If we didn't agree to do this then they would not bid. Reason for their no bid.

** Hydro Application had a contractor to install the pump, but they did not come to see what was needed and decided not to put a bid in.

The pump from Electric Pump has a lead time of 14 weeks which will put delivery in July. Funds for the new pump will come from my FY20 CIP's Spare Lift Station Pump line.

My recommendation would be to purchase the Flygt pump from Electric Pump.

Sincerely,

Rick Graves - WPC Supt.

RESOLUTION NO. 2019-____
RESOLUTION AUTHORIZING THE PURCHASE OF
A RAW PUMP STATION PUMP

WHEREAS, the FY 20 CIP's budget includes funding for the purchase of Spare Lift Station Pumps for the WPC Department;

WHEREAS, the WPC Department's Raw Pump Station Pump is a crucial component of the plant as it pumps the incoming wastewater to the Grit building to begin its treatment;

WHEREAS, the WPC requested quotes for a new Raw Pump Station Pump; and

WHEREAS, the WPC Department is recommending awarding the bid to Electric Pump in an amount of \$31,729.00; and

NOW, THEREFORE BE IT RESOLVED, by the Indianola City Council hereby approves the purchase of the Raw Pump Station Pump with Electric Pump and the Mayor is authorized and directed to execute on behalf of the City and the City Clerk is authorized and directed to attest to said signature and to affix the seal of the City to the documents.

Dated this 15th day of April, 2019.

Kelly B. Shaw, Mayor

ATTEST:

Diana Bowlin, City Clerk

Meeting Date: 04/15/2019

Information

Subject

Resolution Approving Salaries

Information

This action sets salaries per the personnel management guide, union contract and seasonal salaries. A list of seasonal employees and police officers are in your packet.

Fiscal Impact

Attachments

Resolution

RESOLUTION 2019-
APPROVING SALARIES

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

This action sets salaries per the personnel management guide, union contract and seasonal salaries:

Pool Seasonal Employees – Effective April 14, 2019:

<u>Name</u>	<u>Seasonal Title</u>	<u>Rate</u>
Elly Vinton	Manager	\$12.00/hour
Bradee Kalbus	Manager	\$11.50/hour
Alexis O'Meara	Manager	\$11.50/hour
Collin Geurts	Manager	\$11.00/hour
Abigail Hancock	Lesson Coordinator	\$10.25/hour
Macy Hixson	Lesson Coordinator	\$9.50/hour
Evan Baker	Lifeguard	\$8.50/hour
Noah Bell	Lifeguard	\$8.50/hour
Abbey Bowers	Lifeguard	\$9.50/hour
Chelsea Burchett	Lifeguard	\$8.50/hour
Liam Christensen	Lifeguard	\$8.50/hour
Allison Coffey	Lifeguard	\$9.50/hour
Matt Edgington	Lifeguard	\$8.00/hour
Lawrence Foster	Lifeguard	\$9.00/hour
Grace Gioffredi	Lifeguard	\$8.00/hour
Madeline Green	Lifeguard	\$9.00/hour
Ferris Hancock	Lifeguard	\$8.00/hour
Abigail Hancock	Lifeguard	\$10.25/hour
Trysta Hawkins	Lifeguard/Pickard Concessions	\$8.00/hour
Macy Hixson	Lifeguard	\$9.50/hour
Logan Hoger	Lifeguard	\$8.00/hour
Logan Darrah	Pickard Concessions	\$8.00/hour – effective April 10, 2019
Avery Jackson	Lifeguard	\$8.00/hour
Mitchell Klocke	Lifeguard	\$8.00/hour
Megan Lewiston	Lifeguard	\$8.50/hour
Ellie McCombs	Lifeguard	\$8.50/hour
Ava Moorlach	Lifeguard	\$8.50/hour
Nathan Parkins	Lifeguard	\$9.00/hour
Natalie Parkins	Lifeguard	\$8.00/hour
Karlyn Parkins	Lifeguard	\$8.00/hour
Ben Richardson	Lifeguard	\$9.00/hour
Elijah Ross	Lifeguard	\$8.00/hour
Annika Shaw	Lifeguard	\$9.50/hour
Jenna Strain	Lifeguard	\$8.50/hour
Lucas Wood	Lifeguard	\$8.00/hour
Anna Bell	Operations	\$8.25/hour
Hannah Eilers	Operations/Pickard Concessions	\$7.25/hour
Jadyn Forbes	Operations	\$7.75/hour
Eva Gabel	Operations/Pickard Concessions	\$7.50/hour
Macey Garrison	Operations	\$7.25/hour
Mackenzie Garrison	Operations/Pickard Concessions	\$7.25/hour
Katelyn Gerrish	Operations/Pickard Concessions	\$7.25/hour

Carissa Gilbert	Operations/Pickard Concessions	\$7.25/hour
Chloe Howell	Operations	\$7.25/hour
Jenna Lee-Johnson	Operations	\$7.50/hour
Isabella Parker	Operations/Pickard Concessions	\$7.25/hour
Benjamin Parkins	Operations	\$7.25/hour
Benjamin Parkins	Pickard Concessions	\$8.00/hour effective May 24, 2019
Emily Rolands	Operations/Pickard Concessions	\$7.25/hour
Joe Scheurenbrand	Operations/Pickard Concessions	\$7.75/hour
Allyson Steinke	Operations/Pickard Concessions	\$7.25/hour
Anne Marie Tate	Operations	\$7.25/hour
Katelyn Thessen	Operations/Pickard Concessions	\$7.75/hour
Kylie Tinder	Operations/Pickard Concessions	\$7.50/hour
Lauren Whitesitt	Operations/Pickard Concessions	\$7.25/hour
Laura Wilkinson	Operations	\$7.25/hour
Audrey Foster	Support Staff	\$7.25/hour
Roman Utsler	Support Staff	\$7.25/hour
Lucas Petersen	Support Staff	\$7.25/hour
Marcey Garrison	Operations	\$7.25/hour
Isabella Parker	Operations	\$7.25/hour
Megan Lewiston	Lifeguard	\$8.50/hour
Katelyn Thessen	Operations	\$7.75/hour

Romana Jahns, Seasonal Brush Facility Operator, from \$12.72/hour to \$13.22/hour effective March 31, 2019

Leigh Turnbull, Seasonal Brush Facility Operator, from \$12.046/hour to \$12.546/hour effective March 31, 2019

Morgan Estes, Seasonal Pickard Concessions, \$8.00/hour effective April 4, 2019

Lucas Petersen, Seasonal Support – Year 1, \$7.25/hour effective April 2, 2019

Roman Utsler, Seasonal Support – Year 1, \$7.25/hour effective April 2, 2019

Glenna Taylor, Seasonal Downtown Worker, from \$11.00/hour to \$11.50/hour effective April 14, 2019

Lyle Meyer, Seasonal Mower Operator, \$10.00/hour effective April 15, 2019

Mike Miller, Seasonal Park Maintenance/Mower Operator, from \$10.00/hour to \$10.50/hour effective April 15, 2019

Dalton Ebertowski, Police Officer, PO-1 \$54,208.15/year effective April 28, 2019

Tate DeGraff, Police Officer, PO-1 \$54,208.15/year effective April 28, 2019

Carrie Chambers, Seasonal Recreation Intern from \$9.00/hour to Seasonal Buxton Worker \$10.00/hour effective May 26, 2019

Passed and approved on the 15th day of April, 2019.

ATTEST:

Kelly B. Shaw, Mayor

Diana Bowlin, City Clerk

Meeting Date: 04/15/2019

Information

Subject

Agreement between The Sports Page Grill, Inc. dba BrickHouse Tavern and the City of Indianola for a deck located at 107 N. Buxton

* Agreement shall be automatically renewed annually and shall not exceed five, one year renewals

Information

In your packet is the public right-of-way lease agreement between Joe and Amanda Ripperger and the City of Indianola for a deck in front of The BrickHouse Tavern at 107 N. Buxton. A one-year agreement was previously approved by the City Council on March 19, 2019. This lease agreement has the same language as previously approved except for the following:

TERM: Unless sooner terminated as herein provided, the term of this lease shall be from April 1, 2019, to and including September 30, 2019. The term shall be an automatically renewed annually unless written notice is provided. Automatic renewals shall not exceed five, one year renewals. All renewals shall be on the same terms and conditions as set forth herein.

Fiscal Impact

Attachments

Deck Agreement

**THE SPORTS PAGE, INC., d/b/a THE BRICKHOUSE
PUBLIC RIGHT-OF-WAY LEASE AGREEMENT**

THIS LEASE made and entered into this ____ day of ____, 2019, by and between the City of Indianola, Iowa, a municipal corporation (hereinafter referred to as "City") and The Sports Page, Inc., d/b/a The BrickHouse (hereinafter referred to as "Lessee"), witnesseth:

WHEREAS, the City is the titleholder of certain real estate situated in Indianola, Warren County, Iowa, which real estate is commonly known as the downtown square; and

WHEREAS, the City is desirous of leasing a portion of the real estate to the Lessee for outdoor dining purposes; and

WHEREAS, said portion of the real estate is not likely to be needed for municipal purposes within the term of this lease;

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City and Lessee agree as follows, to wit:

1. PREMISES. The City leases unto Lessee and Lessee leases from the City certain real property in the City of Indianola, Warren County, Iowa, hereinafter referred to as the "Leased Premises," and more particularly described as an area 40' x 16' immediately adjacent to the curb in front of 107 N. Buxton Street. The Lessee may increase the total area of the Leased Premises on a temporary basis to accommodate special events at the restaurant, but only with prior written permission of the City Manager and the Chief of Police. Anytime the Lessee arranges for entertainment on the Courthouse grounds, Buxton Street between Ashland and Salem Avenues shall be closed to vehicular traffic and the Lessee shall give the City at least five (5) business days notice of such an event.
2. TERM. Unless sooner terminated as herein provided, the term of this Lease shall be from April 1, 2019, to and including September 30, 2019. The term shall be an automatically renewed annually unless written notice is provided. Automatic renewals shall not exceed five, one year renewals. All renewals shall be on the same terms and conditions as set forth herein.
3. CONSIDERATION. Lessee shall pay to the City for the use of the Leased Premises, a rental of \$0.50 per square foot (40 feet x 16 feet) per month. The rental shall be paid monthly on or before the first day of each month and partial months shall be prorated accordingly, at the office of the City Clerk, City Hall, 110 N. First Street, Indianola, Iowa 50125.
4. USE OF PREMISES. Lessee may use the Leased Premises for purposes of a patio, walk and outdoor café which may be covered or uncovered. An "Outdoor Café" is defined, for the purposes of this Lease, as any group of tables and chairs, and authorized decorative and accessory devices, situated

and maintained upon the public space on the downtown square for use in connection with the consumption of food and beverages sold to the public from, or in, an adjoining indoor restaurant, or other indoor business selling food for consumption on the premises. Lessee shall not use or knowingly permit any part of the Leased Premises to be used for any unlawful purpose. The following restrictions shall apply to Lessee's use of the Leased Premises:

- a. All outdoor dining furniture, including tables, chairs, umbrellas and authorized accessory items, shall be readily movable and such items shall not be stored or used upon the sidewalk, street or adjacent parking areas. Umbrellas must be secured with a minimum base of not less than sixty (60) pounds.
 - b. Barriers separating patrons from the pedestrian and vehicle traffic on the remainder of the square shall delineate the outdoor café. There shall be no more than one (1) break in the barrier to allow entrance to the outdoor dining area from the restaurant.
 - c. Lessee must restore the premises to a good and safe condition consistent with the use of the premises as a public way.
 - d. The outdoor preparation of food is prohibited. All exterior surfaces within the outdoor café shall be easily cleanable and shall always be kept clean by the Lessee. Restrooms for the café shall be provided in the adjoining indoor restaurant, or other indoor business selling food for consumption on the premises, and the café seating shall be counted in determining the restroom requirements of the indoor restaurant, or other indoor business selling food for consumption of the premises.
 - e. Overnight trash and refuse storage for the outdoor café shall not be permitted within the outdoor dining area, and the Lessee shall remove all trash and litter as they accumulate. The Lessee shall be responsible for maintaining the outdoor dining area, including the square surface and furniture and adjacent areas in a clean and safe condition.
 - f. The hours of operation are limited to between 6:00 A.M. and 12:00 Midnight. All outdoor music and/or entertainment shall cease at 10:00 P.M.
 - g. The City shall have the right and power, acting through the City Manager or his designee to prohibit the operation of the outdoor café at any time because of anticipated or actual problems or conflicts in the use of the square area.
 - h. Prior to October 1st of each year, Lessee shall remove all tables, chairs, barriers, other furniture, fixtures and decking from the Leased Premises and shall restore the Leased Premises to a good and safe condition consistent with the use of the premises as a public way.
5. DUTY TO MAINTAIN AND RIGHT TO INSPECT. Lessee has inspected the Leased Premises and leases it "as is." Lessee shall have the duty, at Lessee's sole expense, to maintain and repair the Leased Premises and keep same in as good a condition as when Lessee took possession thereof, except for the effects of ordinary wear and tear and depreciation arising from lapse of time or damage without fault or liability of Lessee; to remove debris from the Leased Premises and debris emanating from the leased premises which has migrated to adjoining areas, to cut or remove any weeds growing on the

Leased Premises and to immediately provide City with notice of any damage to the Leased Premises or of the development of any dangerous condition on the Leased Premises. City shall have the right to reasonably enter and inspect the Leased Premises.

6. TAXES. During the Lease term, Lessee shall be responsible for payment of all personal property taxes on property located on the Leased Premises and for any real estate taxes assessed against the Leased Premises.
7. CONVENANT OF QUIET ENJOYMENT. Lessee, upon payment of the rental herein reserved and upon performance of all the terms of this Lease, shall always during the Lease term and during any extension thereof peaceably and quietly enjoy the Leased Premises without any unreasonable disturbance from City, its agents or employees.
8. COMPLIANCE WITH LAW. Lessee at its sole expense shall comply with all laws, orders and regulations of federal, state and municipal authorities, and with any direction of any public officer, pursuant to law, which shall impose any duty upon the City of Lessee with respect to the Leased Premises. Lessee, at its sole expense, shall obtain all licenses or permits which may be required for the conduct of its business within the terms of this Lease, or for the making of repairs, alterations, improvements or additions. Must show proof that more than 50% of business sales are from the sale of food.
9. UTILITIES AND OTHER SERVICES. Lessee shall pay all charges for gas, electricity, light, heat and power, and telephone and other communication service used, rendered, or supplied upon or in connection with the Leased Premises, and shall indemnify the City against any liability or damages on such account.
10. HOLD HARMLESS. Lessee shall indemnify, protect, save and hold harmless the City from and against any and all liability, losses, and damages to property or bodily injury or death to any person, including payments made under workers' compensation laws, and including damages caused by or arising out of any act of negligent omission of Lessee, its officers, agents, employees or contractors, happening or done in, on or about the Leased premises, or arising out of or in any way connected with the tenancy, use or occupancy thereof, or any part thereof, by Lessee or any person claiming through or under Lessee. Lessee's obligation to indemnify, save, protect and hold harmless shall include the obligation to pay all reasonable expenses incurred by the City in defending itself with regard to any of the aforementioned claims, including all out-of-pocket expenses such as attorney's fees and the value of any services rendered by lawyers for the City or any other officers or employees of the City.
11. INSURANCE AND INDEMNIFICATION AGREEMENT. Lessee agrees to keep in force during the term of this Lease comprehensive general liability insurance coverage in the amount of \$2,000,000 combined single limit, with insurance underwriters authorized to do business in the State of Iowa 70

satisfactory to the City. Such insurance shall be provided on an occurrence basis and not on a claim made basis, and shall include coverage for premises and operations liability, and including independent contractors and for products-completed operations. The City shall be named as an additional insured on the insurance policy and the policy shall provide on its face that it may not be canceled except after at least thirty (30) days written notice to the City. The City Manager of the City, taking into account the financial resources of Lessee, risk involved to the City and to the general public, as well as other salient factors, shall approve the amount of the deductible. Lessee shall file with the City Clerk of the City a certificate of insurance, which clearly discloses on its face coverage in conformity with all of the foregoing requirements, and if requested by the City, the Lessee shall additionally submit a certified copy of the policy to the City.

12. TERMINATION OF LEASE AND DEFAULTS OF LESSEE. This Lease Agreement shall terminate upon expiration of the Lease Term. Upon default of payment of rental or upon any other default of Lessee in accordance with the terms and provisions of this Lease Agreement, this Lease may, at the option of City, be canceled and forfeited; provided, however, before any such cancellation and forfeiture, the City shall give Lessee written notice specifying the default, or defaults, and stating that this Lease will be canceled and forfeited ten (10) days after the giving of such notice, unless such default or defaults are remedied within such grace period. In addition, the City shall have the right to terminate or cancel this Lease prior to the expiration of the demised term upon a determination by the Indianola City Council that the Leased Premises are required for a public purpose and upon giving Lessee at least thirty (30) days written notice stating the intent to so terminate or cancel this Lease. If the City so terminates or cancels this Lease by giving thirty (30) days written notice, there shall be no damages except for prepaid rents, if any, which shall be refunded by the City upon request by Lessee on a pro rata basis.

13. SURRENDER OF PREMISES AT TERMINATION. Lessee agrees that upon termination of this Lease, Lessee shall surrender and deliver the Leased Premises in good and clean condition, except for the effects of ordinary wear and tear and depreciation arising from lapse of time or damage without fault or liability of Lessee.

14. REMOVAL OF FIXTURES. Lessee shall have the right at termination of this Lease, if Lessee is not in default thereof, to remove any fixtures or equipment which Lessee has installed in the Leased Premises other than fixtures installed to replace those which were in the Leased Premises immediately prior to commencement of the Lease term, providing Lessee fully repairs any and all damages caused by removal. Any such fixtures or improvements which remain on the Leased Premises after the date of termination shall be considered abandoned and thereafter may be removed or disposed of at the discretion of the City without the city incurring any liability therefor. However, at the termination of this Lease, Lessee shall remove any fixtures

placed on the Leased Premises by Lessee and restore the Leased Premises to its original condition if the City so directs.

NOTICES. Notices as provided for in this Lease Agreement to the City shall be deemed sufficient if sent by certified mail with return receipt to the City Clerk, City of Indianola, City Hall, 110 N. First Street, Indianola, Iowa 50125. Notices as provided for in this Lease Agreement to Lessee shall be deemed sufficient if sent by certified mail with return receipt requested to The BrickHouse, 107 North Buxton Street, Indianola, Iowa, 50125.

15. RIGHT TO ASSIGN AND SUBLEASE. Lessee may sublet all or portions of the Leased Premises for the remainder of the term only in conjunction with the sale and as a part of the transfer of the adjoining indoor restaurant business, to be operated at the same location, and only with the prior written approval of the Indianola City Council, which approval shall not be unreasonably withheld. The covenants, conditions and terms of this Lease Agreement shall be binding on Lessee's successors and assigns.
16. This Lease Agreement shall be governed by, construed and enforced in accordance with the laws of the State of Iowa.

IN WITNESS WHEREOF, the parties to this Lease Agreement have hereunto set their hands on this day and year as first above written.

CITY OF INDIANOLA, IOWA

By: _____
Kelly B. Shaw, Mayor

ATTEST:

Diana Bowlin, City Clerk

THE SP GRILL, INC.
d/b/a BRICKHOUSE TAVERN

By: _____
Joe Ripperger

By: _____
Amanda Ripperger

Meeting Date: 04/15/2019

Information

Subject

Noise permit for A.J. Nelson - Warren County Speedway

Information

In your packet is a noise permit application for the Warren County Speedway events, which will be held on April 20, May 4, May 18, June 1, June 15, June 29, July 12, August 3 and August 17, 2019, from 6:00 pm to 10:00 pm. This event will be held at the Warren County Fairgrounds. Council approval is necessary since this permit is for multiple days. Staff has reviewed and approved.

Fiscal Impact

Attachments

Noise Permit - Speedway

Date: 4/5/19

Noise Permit Application

For Warren County Speedway

**Event Date: April 20, May 4, May 18, June 1, June 15, June 29, July 12, August 3
and August 17, 2019 (6:00 p.m. - 10:00 p.m.)**

Staff Recommendation

Attached is an noise permit application. Please review; add any comments you feel are necessary, such as concerns or other items to be considered regarding the request. Initial and date under either approval or disapproval.

Approve

Disapprove

Police Department – Dave Button

DB 4-8-19

City Manager – Ryan Waller

RW 4-8-19

Comments:

Please return to Diana Bowlin by: ASAP

Thank you for your time and consideration!

Event Name: Warren County Speedway
Date/Time of Event: 4-6, 4-20, 5-4, 5-18, 6-1, 6-15, 6-29, 7-12, 8-3, 8-17
Location of Event: Warren County Fairgrounds
Event Sponsor(s): Warren county speedway AS Nelson

Contact Information:

Organization: Warren County Speedway
Contact Name: AS Nelson
Address: 1103 E. Jackson Pl.
Telephone Number: _____
Cell Phone Number: 515-681-2881
Fax Number: _____
Email Address: ajbaitfs@gmail.com
Today's Date: 4-5-19

Anticipated Attendance: 1,000 Per Day _____ Total

Event Information:

Event Starts	Date: <u>4-20</u>	Time <u>6:00</u>	Day of Week <u>Sat.</u>
Event Ends	Date: _____	Time <u>10:00</u>	Day of Week _____

Previous Event Information

Date of Event: _____ Time of Event: _____

Please provide a map showing the event location and location of band/music, please specify: _____ Band _____ DJ _____ Other (please specify)

Racing - Dirt Track

RETURN NOISE APPLICATION TO:

110 North First Street, PO Box 299
Indianola, Iowa 50125

Phone: 515-961-9410 Fax: 515-961-9402

www.indianolaiowa.gov

E-Mail: dbowlin@indianolaiowa.gov

APPLICANT SIGNATURE: AS Nelson

Late Fee: Cash: _____ Check: _____ Received By: _____

OFFICE USE ONLY

DATE RECEIVED:				
	Signature	Date	Approved	Denied
Police Department:				
City Manager:				

RETURN NOISE APPLICATION TO:
 110 North First Street, PO Box 299
 Indianola, Iowa 50125
 Phone: 515-961-9410 Fax: 515-961-9402
www.indianolaiowa.gov
 E-Mail: dbowlin@indianolaiowa.gov

Meeting Date: 04/15/2019

Information**Subject**

Prior and Final approval on applications for Urban Revitalization Designation.

Information

The following comprise a list of prior and final applications for Urban Revitalization Designation. The paperwork is in order.

Prior

Jerry's Homes - 1707 E. Clinton Avenue - SFD - \$143,800

Happe Homes - 1303 S L Ct - SFD - \$262,900

Final

Donald & Regina Bendon - 1210 S R St

Below is a list of permits issued through March 2018 and previous years.

	2019		2018		2017		2016		2015	
SFD	17	\$1,505,877 \$88,581	2	\$281,000 \$140,500	14	\$2,529,350 \$180,668	6	\$1,305,500 \$217,538	1	\$184,000
Duplexes	0	-0-	0	-0-	1	\$241,000	0	-0-	0	-0-
MFD	0	-0-	0	-0-	0	-0-	1	\$10,944,453	0	-0-
Add/Alt	12	\$214,324	10	\$208,847	10	\$112,595	9	\$115,538	4	\$49,700
Non-Residential	5	\$216,294	12	\$2,127,717	12	\$393,652	7	\$4,998,869	9	\$10,330,710
Total	34	\$1,936,495	24	\$2,617,564	37	\$3,276,597	23	\$17,364,360	14	\$10,564,410

Fiscal Impact**Attachments***No file(s) attached.*

Meeting Date: 04/15/2019

Information

Subject

Resolution setting dates of a consultation and a public hearing on a proposed Amendment No 1 to the Hillcrest/Downtown Unified Urban Renewal Plan in the City of Indianola, State of Iowa.

Information

In your packet is the resolution as prepared by Nathan Overberg, Ahlers and Cooney, which will set April 24, 2019, as the consultation meeting and May 20, 2019, as the public hearing to consider Amendment No 1 to the Hillcrest/Downtown Unified Urban Renewal Plan.

The general scope of the urban renewal activities under consideration in the Amendment is to promote the growth and retention of qualified industries and businesses in the Urban Renewal Area through various public purpose and special financing activities outlined in the Amendment. To accomplish the objectives of the Amendment, and to encourage the further economic development of the Urban Renewal Area, the Amendment provides that such special financing activities may include, but not be limited to, the making of loans or grants of public funds to private entities under Chapter 15A of the Code of Iowa.

Fiscal Impact

Attachments

Resolution UR Amendment
Amend No 1

Council Member _____ then introduced the following proposed Resolution entitled "RESOLUTION SETTING DATES OF A CONSULTATION AND A PUBLIC HEARING ON A PROPOSED AMENDMENT NO. 1 TO THE HILLCREST/DOWNTOWN UNIFIED URBAN RENEWAL PLAN IN THE CITY OF INDIANOLA, STATE OF IOWA", and moved that the same be adopted. Council Member _____ seconded the motion to adopt. The roll was called and the vote was,

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the Resolution duly adopted as follows:

RESOLUTION NO. _____

RESOLUTION SETTING DATES OF A CONSULTATION
AND A PUBLIC HEARING ON A PROPOSED AMENDMENT
NO. 1 TO THE HILLCREST/DOWNTOWN UNIFIED URBAN
RENEWAL PLAN IN THE CITY OF INDIANOLA, STATE OF
IOWA

WHEREAS, the City of Indianola (the "City") adopted the Hillcrest Urban Renewal Plan for the Hillcrest Urban Renewal Area by Resolution No. 11-94 on July 5, 1994, and subsequently amended the Hillcrest urban Renewal Plan six times; and

WHEREAS, the City adopted the Downtown Urban Renewal Plan for the Downtown Urban Renewal Area by Resolution No. 08-01 on September 4, 2001 and subsequently amended the Downtown Urban Renewal Plan two times; and

WHEREAS, the City adopted the Hillcrest/Downtown Unified Urban Renewal Plan (the "Unified Plan" or "Unified Urban Renewal Plan") for the Hillcrest/Downtown Unified Urban Renewal Area (the "Area" or "Urban Renewal Area") described therein, by Resolution No. 2015-44 on November 16, 2015, when the City unified the existing Hillcrest Urban Renewal Area and Downtown Urban Renewal Area, and combined and renamed the original urban renewal plans for the two areas, which Unified Plan is on file in the office of the Recorder of Warren County; and

WHEREAS, this Urban Renewal Area currently includes and consists of the following Subareas:

HILLCREST ORIGINAL URBAN RENEWAL AREA

A part of the North ½ of Section 19, Township 76 North, Range 23 West of the 5th P.M., Warren County, Iowa described as follows: Beginning at the North 1/4 corner of said Section 19, thence North 89° 06' West 6.15 feet, thence South 01° 36' 20" East 1323.7 feet to the Southwest corner of the NW 1/4 NE 1/4 of said Section 19; thence East 1552.0 feet to the West right-of-way line of the C.R. I. & P.R.R.; thence Northwesterly along a 3° 36' 36" curve with a central angle of 51° 58' a distance of 659.0 feet, thence North 21° 03' West 711.24 feet to the North line of said Section 19; thence West 1263.0 feet to the point of beginning, and being a part of the City of Indianola, Iowa. (Also known as a portion of Parcels K & L of the Replat of Hillcrest Industrial Park 1.)

HILLCREST AMENDMENT NO. 1 SUBAREA

Beginning at a point 269.5' North of the Southeast corner of the NW 1/4 of the SE 1/4 of Section 19-76-23 thence North along West line until said line intersects the East boundary of the former C.R.I. & P. Railroad, thence North following R.R. ROW to North line of Section 19, thence East along Section line a distance of

1,980' to East Corporate Limits; thence South along East Corporate Limits line within Section 20 a distance of 3,300', thence East along East Corporate Limits line 660' to East line of the NW 1/4 SW 1/4 of 20-76-23, thence South along corporate limits line to the center line of East Iowa Avenue, thence West along center line a distance of 2,458.22', thence North (N 00-05'-00" E) 269.5', thence West (N 00-08'-00" W) 165' to point of beginning. (Area includes Indianola Industrial Park Plats 1 & 2 and additional property.)

HILLCREST AMENDMENT NO. 2 SUBAREA

The East 808.65' of North 777.46' of the NE 1/4 of the NW 1/4 of Section 19, Township 76, Range 23, Indianola, Iowa. (Also known as a portion of Hillcrest Industrial Park Plat 2.)

HILLCREST AMENDMENT NO. 3 SUBAREA

All of the SW 1/4 SE 1/4 of Section 18-76-23, now known as Quail Meadows Subdivision, lying west of the east line of the former Railroad Right of Way including all adjacent Public Right of Way and Road Easements of record.

Beginning 555' South of the NW corner of Section 18-76-23 and running thence East 289'; thence South 170'; thence West 289'; thence North 170' to the P.O.B, and including all adjacent highway right-of-way of record.

All of the NE 1/4 NW 1/4 of Section 19-76-23 including all adjacent Public Right of Way and Road Easements of record except 18.54 acres in the NE Corner.

West 50' of the East 43 Acres in the N 1/2 of the NW 1/4 of Section 19-76-23.

Lots 1-7 of Hulen's Subdivision including all north and west adjacent Public Right of Way and Road Easements of record.

Lots 1-5 of Scenic Pointe Subdivision including all adjacent Public Right of Way and Road Easements of record.

Lots C, D, E, F, G, and H of Goodale Place within SE 1/4 SE 1/4 of Section 12-76-24 including all adjacent Public Right of Way and Road Easements of record.

Part of the SE 1/4 SE 1/4 of Section 12-76-24 described as follows: Beginning 294' West of SE Corner of said Section 12, thence West 156', thence North 170', thence East 156', thence South 170' to Point of Beginning including all adjacent Public Right of Way and Road Easements of record.

Part of the SE 1/4 SE 1/4 of Section 12-76-24 described as follows: Beginning 450' West of the SE Corner of said Section 12, thence West 242', thence North 120',

thence East 242', thence South 120' to the point of beginning including all adjacent Public Right of Way and Road Easements of record.

Lots 1, 2, 3, 4 and Parcel A of Lot 2 of Langfitt Subdivision Plat 2 including all adjacent Public Right of Way and Road Easements of record. Lot 2 was included in the Amendment No. 3 map but inadvertently omitted from the legal description.

Lots 1 & 2 of Langfitt Subdivision Plat 1 including all adjacent Public Right of Way and Road Easements of record.

Lots 1, 2, 3, and 4 of Bob Moore Subdivision including all adjacent Public Right of Way and Road Easements of record.

All of the West 229' of the North 96' of the South 242' of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 18-76-23 including all adjacent Public Right of Way and Road Easements of record.

Lots 10-12 of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 18-76-23 including all adjacent Public Right of Way and Road Easements of record.

All of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 13-76-24 including all adjacent Public Right of Way and Road Easements of record except West 200' East 355.5' North 96' and except South 416' North 512' West 416' East 571.5'.

All Public Right of Way and Road Easements of record along the north boundary of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 19-76-23, all Public Right of Way and Road Easements of record along the south boundary of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 18-76-23, all Public Right of Way and Road Easements of record along the south and west boundary of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 18-76-23, all Public Right of Way and Road Easements of record along the west boundary of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 18-76-23, all Public Right of Way and Road Easements of record along the E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 13-76-24, all Public Right of Way and Road Easements of record along the east boundary of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 13-76-24, all Public Right of Way and Road Easement of record along the west boundary of NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 18-76-23, and all Public Right of Way and Road Easements of record along the west boundary of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 7-76-24.

HILLCREST AMENDMENT NO. 4 SUBAREA

The Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ lying west of railroad right-of-way except the North 100' of 18-76-23:

AND

The Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ except the North 100' of 18-76-23:

AND

The Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ except U.S. Highway right-of-way of 18-76-23 (Area includes a portion of Summercrest Hills Plat 3):

AND

The Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ except the U.S. Highway right-of-way and except the North 100' (Area includes Summercrest Hills Plat 1.)

AND

The Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 18, Township 76, Section 23 (Area includes Summercrest Hills Plat 2 and a portion of Summercrest Hills Plat 3.)

AND

Parcel "J"

All that part of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 24, Township 76 North, Range 24 West of the 5th P.M., Indianola, Warren County, Iowa being more accurately described as follows: Commencing at the Northeast corner of said Section 24, thence South 00 -00'-00" East along the East line of the Northeast $\frac{1}{4}$ of said Section 24 a distance of 1330.90 feet to the Southeast corner of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 24; thence North 88 -59'-20" West along the South line of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 24 a distance of 85.01 feet to a point on the West Right of Way line of U.S. Highway 65-69, as it is presently established, said point being the POINT OF BEGINNING; thence continuing North 88-59'-20" West along the South line of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 24 a distance of 159.59 feet to the Southeast corner of Lot 1, Brookwood, an Official Plat, Indianola, Warren County, Iowa; thence North 45 -00'-00" West along the East lines of Lots 1, 2 and 3 of said Brookwood, a distance of 352.76 feet to the Northeast corner of said Lot 3; thence North 88 -59'-20" West along the North line of said Lot 3 a distance of 80.00 feet to the Northwest corner of said Lot 3; thence North 01 -00'-40" East a distance of 130.00 feet; thence South 88 -59'-20" East a distance of 486.77 feet to a point on the West Right of Way line of said U.S. Highway 65- 69; thence South 00 -00'-00" East along the West Right of Way line of said U.S. Highway 65-69 a distance of 375.06 feet to the POINT OF BEGINNING. Said tract of land contains 3.055 acres more or less:

AND

The east 140 feet of Outlot 2 in Berry's Addition to Indianola, Iowa, except the East 30 feet thereof, and except the South 150 feet thereof, and except beginning 30 feet west of the northeast corner of said Outlot 2, thence South 86.4 feet, thence northwest 121 feet to a point of beginning, thence east 85 feet to point of beginning:

AND

The South 150 feet of the East 140 feet of Outlot 2, Berry's Addition to Indianola, Iowa, EXCEPT the East 30 feet thereof:

AND

Beginning at the Northeast corner of Outlot No. 1 of Berry's Addition to the City of Indianola, Warren County, Iowa, thence West 270 feet; thence South 83 feet; thence East 20 feet; thence South 75 feet; thence East to the East line of said Outlot No. 1; thence North 158 feet to the place of beginning.

AND

Commencing at the Northeast Corner of Outlot No. 1 of Berry's Addition to the City of Indianola, Warren County, Iowa, thence West 270 feet to the point of beginning, thence South 01 26'46" East 83.00 feet, thence South 90 00'00" East 20.00 feet, thence South 01 26'46" East 75 feet, thence South 90 00'00" West 38.30 feet, thence North 01 26'46" West 158 feet, thence North 90 00'00" East 18.31 feet to the point of beginning:

AND

The West 60 feet of the East 120 feet of the S $\frac{1}{2}$ of Outlot 1 in Berry's Addition to Indianola, Iowa; NOW KNOWN as Lot 2 in Auditor's Sub-division of the East 420 feet of the S $\frac{1}{2}$ of Outlot 1 in Berry's Addition to Indianola, Iowa.

The W $\frac{1}{2}$ of the East 60 feet of the S $\frac{1}{2}$ of Outlot 1 in Berry's Addition to the City of Indianola, Iowa, also known as the W $\frac{1}{2}$ of Lot 1, Auditors Subdivision of Outlot 1, Berry's Addition to the City of Indianola, Iowa.

Lot 3 in Auditor's Subdivision of the East 420 feet of the South one-half of Outlot 1 in Berry's Addition to Indianola, Iowa:

AND

All of Auditor's Outlot 111, except the North 30 feet thereof, in Indianola, Warren County, Iowa; and

AND

Parcel 1:

A part of the Northwest Quarter of the Southwest Quarter of Section 19, Township 76 North, Range 23 West of the Fifth Principal Meridian, in the City of Indianola, County of Warren, State of Iowa, more particularly described as follows:

AND

Beginning at a point 33 feet East of the Southwest corner of the said Northwest Quarter of the Southwest Quarter of Section 19; thence North 238.5 feet; thence East 208.5 feet; thence South 238.5 feet; thence West 208.5 feet to the Point of Beginning, EXCEPTING therefrom the South 30 feet thereof AND EXCEPTING therefrom the North 108.5 feet thereof.

Parcel 2:

A part of the Northwest Quarter of the Southwest Quarter of Section 19, Township 76 North, Range 23 West of the Fifth Principal Meridian, in the City of Indianola, County of Warren, State of Iowa, more particularly described as follows:

Beginning at a point 33 feet East and 238.5 feet North of the Southwest corner of the said Northwest Quarter of the Southwest Quarter of Section 19; thence East 208.5 feet; thence South 108.5 feet; thence West 208.5 feet; thence North 108.5 feet to the Point of Beginning.

Parcel 3:

A part of the Northwest Quarter of the Southwest Quarter of Section 19, Township 76 North, Range 23 West of the Fifth Principal Meridian, in the City of Indianola, County of Warren, State of Iowa, more particularly described as follows:

The South 210.0 feet of the West 158.93 feet of the following described parcel of land; Commencing at the lead plug in the pavement marking the West Quarter corner of said Section 19; thence South 1332.5 feet; thence South 87 25' East, 241.5 feet to the Point of Beginning; thence continuing South 87 25' East, 710.18 feet; thence North 392 feet; thence West 710.18 feet; thence South 392 feet to the Point of Beginning; EXCEPT the South 30 feet thereof. (The West line of said Section 19 is taken as due North in describing this parcel of land.):

Beginning at a point 33 feet East and 238 ½ feet North of the Southwest corner of the Northwest Quarter of the Southwest Quarter Section 19, Township 76 North, Range 23 West of the 5th P.M., Warren County, Iowa, thence North 103 feet,

thence East 208 ½ feet, thence South 103 feet, thence West 208 ½ feet to the place of beginning:

AND

The North 50 feet of the South Half (S ½) of the following described real estate: Beginning 33 feet East and 238 ½ feet North of the Southwest corner of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of Section 19, Township 76 North, Range 23 West of the 5th P.M. of Iowa, in Indianola, Iowa, thence North 306 feet, thence East 208 ½ feet, thence South 306 feet, thence West 208 ½ feet to the place of beginning:

AND

The N ½ of the following described real estate: Beginning at a point 33 feet East and 238 ½ feet North of the Southwest corner of the NW ¼ SW ¼ of Section 19, Township 76 North, Range 23 West of the 5th P.M., Iowa, in Indianola, Iowa thence North 306 feet, thence East 208 ½ feet thence South 306 feet, thence West 208 ½ feet to the place of beginning.

AND

Lot 9 of Woodward's Subdivision in Indianola, Iowa (also described below).

AND

The Northwest ¼ of the Southwest ¼ of Section 19, Township 76, Range 23 Except Sunset Knolls Subdivision and except Sunset Terrace Plat 1 and except Parcel P and except parcel Q.

AND

Southwest ¼ of the Northwest ¼ of Section 19, Township 76, Range 23 except Sunset Terrace Plat 1 and except Hulen's Subdivision and except the east 110' of the North 250' of the Southwest ¼ of the Northwest ¼ of Section 19, Township 76, Range 23.

AND

A tract of land located in the SW ¼ of the NW ¼ of Section 19, Township 76, Range 23 West of the 5th P.M. in the City of Indianola, Warren County, Iowa more particularly described as: Beginning at the West ¼ corner of said Section 19, thence S87°36'50"E along the South line of the SW ¼ of the NW ¼ of said Section 19, a distance of 60.06' to an iron pin, said pin being on the East right of way line of U.S. Highways 65 & 69, thence N06°10'10"E along the East right of way line of U.S. Highways 65 & 69, a distance of 269.99' to an iron pin, thence

N15 37'30"E along the East right of way line of U.S. Highways 65 & 69 a distance of 158.07' to an iron pin. Said pin being the true point of beginning, thence N15 37'30"E along the East right of way line of U.S. Highway 65 & 69, a distance of 116.76' to an iron pin. Thence N 89 47'20"E a distance of 210.00' to an iron pin, thence N00 12'40"W a distance of 399.00' to an iron pin, thence N89 47'20"E a distance of 560.00' to an iron pin, thence S00 12'40"E a distance of 360.60' to an iron pin, thence S89 47'20"W a distance of 290.00' to an iron pin, thence N00 12'40"W a distance of 25.50' to an iron pin, thence S89 47'20"W a distance of 198.53' to an iron pin, thence S14 20'30"W a distance of 182.20' to an iron pin, thence S89 48'50"W a distance of 267.55' to an iron pin, said pin being the true point of beginning, containing 5.257 acres. SUBJECT to all easements, restrictions, encumbrances, and other matters, if any, of record:

AND

A lot 399 feet by 275 feet situated 530 feet north and 100 feet east of the west ¼ corner, Section 19, Township 76, Range 23, Warren County, Iowa, and locally known as 1508 North Jefferson, Indianola, Iowa.

AND

Lots 1 and 4 of Orchard Plaza Plat

AND

Lots 1, 2, 3, 4, 5 and 6 of Orchard Plaza Replat

AND

Berry's Outlots 3 and 4 except the West 75' of the South 150' of Lot 4

AND

Parcels A and C of Berry's Outlot 5

AND

Lots 1, 4 and 5 and 12' alley adjoining West, Except the East 5.5', Block 25, College Addition

AND

All of Block 9 and alleys except the former Railroad R.O.W., All of Block 10 and alleys and former street R.O.W. between Blocks 9 and 10 and All of Block 12 and alleys except the West 5.5' of Windle's Addition

AND

Lots 1, 2, 3, 4, 5, 6, 7, 8 and 9 of Woodward's Subdivision

AND

All of the Wal-Mart Subdivision

AND

The area includes the full right-of-way of all streets forming the boundary.

AND

DOWNTOWN ORIGINAL URBAN RENEWAL AREA

Beginning at the intersection of Highway 65/69 and Highway 92, then North on Highway 65/69 to Franklin Avenue, then West to North 1st Street, then South on North 1st Street to East Detroit Avenue, then West on East Detroit Avenue to North Buxton Street, then South on North Buxton Street to Boston Avenue, then West on Boston Avenue to B Street, then South on B Street to Highway 92, then East on Highway 92 to the point of beginning.

The area includes the full right-of-way of all the streets forming the boundary.

DOWNTOWN AMENDMENT NO. 1 SUBAREA

All of Blocks 1, 2, 3, 4, & 8 of South Indianola Addition; all of Blocks 3 & 4 of Hayworths Addition; all of Blocks 3, 4, 9, 10, & 15 of East Indianola Addition; all of Parcel A and Parcel B of Auditors Outlot 93, and Parcel D, E, & F of former Railroad Right of Way west of Auditors Outlots 103, 104, & 106, and all of Auditors Outlots 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, and former Railroad Right of Way; all of Blocks 13, 14, & 15 Windles Addition; all of the public street Right of Ways of record adjacent thereof.

DOWNTOWN AMENDMENT NO. 2 SUBAREA

All of Block 24, Original Town Plat; all of Blocks 18 and 19, Jones and Windles Addition; All of Lots 15 and 16, Jones and Windles Outlots; All of North/South alley between Lots 15 and 16, Jones and Windles Outlots and Block 31, Cheshires Addition; All of Blocks 31, 32, 33, 34, 35, 36, 37, 38, 39 and 40, Cheshires Addition; All of Block 4, Fairview Addition; All of Lots 4, 5 and 6, Block 3 and North/South alley between Lots 4, 5 and 6, Block 3, Fairview Addition; All of Lots 1 and 9, Van-El Addition; All of Auditor's Outlot 121; Lots 1 through 11 of Day's Outlots; All of Lot 122 of Auditor's Outlots; Lots 1, 2, 3 and 24 of Replat of Lots 45 through 52 of Kenwood Place; Lots 1, 2 and 3 of Kenwood Place; All of Parcel G in the NE ¼ of the SW ¼ of Section 26, Township 76 North, Range 24,

Lots 5 and 6, Leonard Subdivision, Plat 2; Beginning at a point 2119.55' east and 559.0' south of the NW corner of the North $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 26, Township 76 North, Range 24, Thence South 300' to North right-of-way, Thence West 200', thence North 300', thence East 200' to point of beginning. Lots 1, 2, 3, 4 and 5 in Leonard's Subdivision; Parcels A, B and C in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 26, Township 76 North, Range 24; The West 150' of the NW $\frac{1}{4}$ of Section 26, Township 76 North, Range 24; Lots 1, 2, 3, 4 and 5 of the Newsome Subdivision; The West 677.6' of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$, except the South 436' of Section 23, Township 76 North, Range 24; The East 150' of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 22, Township 76 North, Range 24; The East 150' of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 27, Township 76 North, Range 24; The east 660' of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 27, Township 76 North, Range 24, The N $\frac{1}{2}$ of the SE $\frac{1}{4}$ Section 27, Township 76 North, Range 24; And the South 421.5' of the North 1066.1' of East 319' of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 27, Township 76 North, Range 24; Outlot X of Wesley Corner Plat 1; The East $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 27, Township 76 North, Range 24; Lot 1 of Naberhaus Subdivision; Lots 1, 2 and 3 of the Subdivision of Lot 1, except the South 125' of the Naberhaus Subdivision Plat 2; South 125' of Lot 1 of Naberhaus Subdivision Plat 2; South 150' of East 512.5' and the West 2' of the East 512.15' of North 125' South 275' of Lot 2 Naberhaus Subdivision Plat 2; The East 512.15' of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of 1 Section 34, Township 76 North, Range 24, except the North 950'; East 512.15' of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ except the South 438.9' of Section 34, Township 76 North, Range 24; Lots 1, 2, 3, 39, 40 and 41 Deer Run Plat 2; Lot 1 Deer Run Plat 4; All portions of Lot 3 Deer Run Subdivision which lies in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 26, Township 76 North, Range 24; All portions of Lot 3 Deer Run Subdivision which lies in NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 26, Township 76 North, Range 24; Parcel A of Lot 3 Deer Run Plat the West 430' of SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ Section 26, Township 76 North, Range 24; The West 430' of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 35, Township 76 North, Range 24 except Deer Run Subdivision Plat 2; The West 430' of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ Section 35, Township 76 North, Range 24 which lies within the corporate limits except for Deer Run Subdivision Plat 2; Lot 1 and Lots 8 through 29 Lennie's Subdivision; Lots 1 through 7 Block 2, Buxton Addition; Lots 1 and 2, Block 1, Buxton Addition; Lots 1, 2 and Outlot X in the F.S.I. Addition; Auditor's Outlot 123; All of Blocks 1, 4 and 5 of Day's Addition; Auditor's Outlots 133, 134, 135, 137, 138 and Lot 136 except the South 282' and Lot A of Auditor's Outlot 139, 140 and 141; All of Auditor's Outlots 142, 143, 144, 145 and 146, all of the Public Alley and Street Right of Ways of Record Adjacent Thereof.

The Unified Urban Renewal Area also includes the full boundary of any City-owned right-of-way within or adjacent to any Hillcrest Urban Renewal Subarea and any Downtown Urban Renewal Subarea as unified by the Hillcrest/Downtown Unified Urban Renewal Plan.

WHEREAS, City staff has caused there to be prepared a form of Amendment No. 1 to the Unified Plan ("Amendment No. 1" or "Amendment"), a copy of which has been placed on file

for public inspection in the office of the City Clerk and which is incorporated herein by reference, the purpose of which is to remove land from the Urban Renewal Area; and

WHEREAS, it is desirable that the area be redeveloped as part of the overall redevelopment covered by the Plan, as amended; and

WHEREAS, this proposed Amendment No. 1 to the Unified Urban Renewal Plan removes land from the Urban Renewal Area, as follows:

Beginning at a point 269.5' North of the Southeast corner of the NW ¼ of the SE ¼ of Section 19-76-23 thence North along the West line until said line intersects the East boundary of the former C.R.I. & P. Railroad, thence North following R.R. ROW to North line of Section 19, thence East along Section line a distance of 1,980' to East Corporate Limits; thence South along East Corporate Limits line within Section 20 a distance of 3,300', thence East along East Corporate Limits line 660' to East line of the NW ¼ SW ¼ of 20-76-23, thence South along corporate limits line to center line of East Iowa Avenue, thence West along center line a distance of 2,458.22', thence North (N 00°-05'-00" E) 269.5', thence West (N 00°-08'-00" W) 165' to point of beginning. (area includes Indianola Industrial Park Plats 1 & 2 and additional property)

WHEREAS, the Iowa statutes require the City Council to notify all affected taxing entities of the consideration being given to the proposed Amendment No. 1 and to hold a consultation with such taxing entities with respect thereto, and further provides that the designated representative of each affected taxing entity may attend the consultation and make written recommendations for modifications to the proposed division of revenue included as a part thereof, to which the City shall submit written responses as provided in Section 403.5, as amended; and

WHEREAS, the Iowa statutes further require the City Council to hold a public hearing on the proposed Amendment No. 1 subsequent to notice thereof by publication in a newspaper having general circulation within the City, which notice shall describe the time, date, place and purpose of the hearing, shall generally identify the urban renewal area covered by the Amendment and shall outline the general scope of the urban renewal project under consideration, with a copy of the notice also being mailed to each affected taxing entity.

NOW THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF INDIANOLA, STATE OF IOWA:

Section 1. That the consultation on the proposed Amendment No. 1 required by Section 403.5(2) of the Code of Iowa, as amended, shall be held on the April 24, 2019, in the Council Chambers, City Hall, 110 North First Street, Indianola, Iowa, at 9:00 A.M., and the Director of Community & Economic Development, or his delegate, is hereby appointed to serve as the designated representative of the City for purposes of conducting the consultation, receiving any recommendations that may be made with respect thereto and responding to the same in accordance with Section 403.5(2).

Section 2. That the City Clerk is authorized and directed to cause a notice of such consultation to be sent by regular mail to all affected taxing entities, as defined in Section 403.17(1), along with a copy of this Resolution and the proposed Amendment No. 1, the notice to be in substantially the following form:

NOTICE OF A CONSULTATION TO BE HELD BETWEEN
THE CITY OF INDIANOLA, STATE OF IOWA AND ALL
AFFECTED TAXING ENTITIES CONCERNING THE
PROPOSED AMENDMENT NO. 1 TO THE
HILLCREST/DOWNTOWN UNIFIED URBAN RENEWAL
PLAN FOR THE CITY OF INDIANOLA, STATE OF IOWA

The City of Indianola, State of Iowa will hold a consultation with all affected taxing entities, as defined in Section 403.17(1) of the Code of Iowa, as amended, commencing at 9:00 A.M. on April 24, 2019, in the Council Chambers, City Hall, 110 North First Street, Indianola, Iowa concerning a proposed Amendment No. 1 to the Hillcrest/Downtown Unified Urban Renewal Plan, a copy of which is attached hereto.

Each affected taxing entity may appoint a representative to attend the consultation. The consultation may include a discussion of the estimated growth in valuation of taxable property included in the Urban Renewal Area, the fiscal impact of the division of revenue on the affected taxing, the estimated impact on the provision of services by each of the affected taxing entities in the Urban Renewal Area, and the duration of any bond issuance included in the Amendment.

The designated representative of any affected taxing entity may make written recommendations for modifications to the proposed division of revenue no later than seven days following the date of the consultation. The Director of Community & Economic Development, or his delegate, as the designated representative of the City of Indianola, State of Iowa, shall submit a written response to the affected taxing entity, no later than seven days prior to the public hearing on the proposed Amendment No. 1 to the Hillcrest/Downtown Unified Urban Renewal Plan, addressing any recommendations made by that entity for modification to the proposed division of revenue.

This notice is given by order of the City Council of the City of Indianola, State of Iowa, as provided by Section 403.5 of the Code of Iowa, as amended.

Dated this _____ day of _____, 2019.

City Clerk, City of Indianola, State of Iowa

(End of Notice)

Section 3. That a public hearing shall be held on the proposed Amendment No. 1 before the City Council at its meeting which commences at 6:00 P.M. on May 20, 2019, in the Council Chambers, City Hall, 110 North First Street, Indianola, Iowa.

Section 4. That the City Clerk is authorized and directed to publish notice of this public hearing in the Indianola Record Herald, once on a date not less than four (4) nor more than twenty (20) days before the date of the public hearing, and to mail a copy of the notice by ordinary mail to each affected taxing entity, such notice in each case to be in substantially the following form:

(One publication required)

NOTICE OF PUBLIC HEARING TO CONSIDER APPROVAL
OF A PROPOSED AMENDMENT NO. 1 TO THE
HILLCREST/DOWNTOWN UNIFIED URBAN RENEWAL
PLAN FOR AN URBAN RENEWAL AREA IN THE CITY OF
INDIANOLA, STATE OF IOWA

The City Council of the City of Indianola, State of Iowa, will hold a public hearing before itself at its meeting which commences at 6:00 P.M. on May 20, 2019 in the Council Chambers, City Hall, 110 North First Street, Indianola, Iowa, to consider adoption of a proposed Amendment No. 1 to the Hillcrest/Downtown Unified Urban Renewal Plan (the "Amendment") concerning the Hillcrest/Downtown Unified Urban Renewal Area in the City of Indianola, State of Iowa, which Amendment removes the following property from the Urban Renewal Area:

Beginning at a point 269.5' North of the Southeast corner of the NW ¼ of the SE ¼ of Section 19-76-23 thence North along the West line until said line intersects the East boundary of the former C.R.I. & P. Railroad, thence North following R.R. ROW to North line of Section 19, thence East along Section line a distance of 1,980' to East Corporate Limits; thence South along East Corporate Limits line within Section 20 a distance of 3,300', thence East along East Corporate Limits line 660' to East line of the NW ¼ SW ¼ of 20-76-23, thence South along corporate limits line to center line of East Iowa Avenue, thence West along center line a distance of 2,458.22', thence North (N 00°-05'-00" E) 269.5', thence West (N 00°-08'-00" W) 165' to point of beginning. (area includes Indianola Industrial Park Plats 1 & 2 and additional property)

A copy of the Amendment is on file for public inspection in the office of the City Clerk, City Hall, City of Indianola, Iowa.

The City of Indianola, State of Iowa is the local public agency which, if such Amendment is approved, shall undertake the urban renewal activities described in such Amendment.

The general scope of the urban renewal activities under consideration in the Amendment is to promote the growth and retention of qualified industries and businesses in the Urban Renewal Area through various public purpose and special financing activities outlined in the Amendment. To accomplish the objectives of the Amendment, and to encourage the further economic development of the Urban Renewal Area, the Amendment provides that such special financing activities may include, but not be limited to, the making of loans or grants of public funds to private entities under Chapter 15A of the Code of Iowa. The City also may reimburse or directly undertake the installation, construction and reconstruction of substantial public improvements, including, but not limited to, street, water, sanitary sewer, storm sewer or other public improvements. The Amendment provides that the City may issue bonds or use available funds for purposes allowed by the Urban Renewal Plan, as amended, and that tax increment reimbursement of the costs of urban renewal projects may be sought if and to the extent incurred by the City. The Amendment initially proposes no specific public infrastructure or site

improvements to be undertaken by the City, and provides that the Amendment may be amended from time to time.

Other provisions of the Urban Renewal Plan not affected by the Amendment would remain in full force and effect.

Any person or organization desiring to be heard shall be afforded an opportunity to be heard at such hearing.

This notice is given by order of the City Council of the City of Indianola, State of Iowa, as provided by Section 403.5 of the Code of Iowa.

Dated this _____ day of _____, 2019.

City Clerk, City of Indianola, State of Iowa

(End of Notice)

Section 5. That the proposed Amendment No. 1, attached hereto as Exhibit 1, for the Urban Renewal Area described therein is hereby officially declared to be the proposed Amendment No. 1 referred to in the notices for purposes of such consultation and hearing and that a copy of the Amendment shall be placed on file in the office of the City Clerk.

PASSED AND APPROVED this 15th day of April, 2019.

Mayor

ATTEST:

City Clerk

Label the Amendment as Exhibit 1 (with all exhibits) and attach it to this Resolution.

AMENDMENT NO. 1

TO

**HILLCREST/DOWNTOWN UNIFIED
URBAN RENEWAL PLAN**

CITY OF INDIANOLA, IOWA

Hillcrest Urban Renewal Area – 1994
Amendments #1 – #6
(#1 – 1998, #2 – 2001, #3 – 2005, #4 – 2009, #5 – 2010, #6 – 2015)

Downtown Urban Renewal Area – 2001
Amendment #1 – 2005
Amendment #2 – 2007

Unified Urban Renewal Plan 2015
Amendment No. 1 - 2019

**AMENDMENT NO. 1
to
HILLCREST/DOWNTOWN UNIFIED
URBAN RENEWAL PLAN
CITY OF INDIANOLA, IOWA**

INTRODUCTION

The Hillcrest/Downtown Unified Urban Renewal Plan (the “Plan” or “Unified Urban Renewal Plan” or “Unified Plan”) for the Hillcrest/Downtown Unified Urban Renewal Area (the “Area” or “Urban Renewal Area”) was adopted in 2015 when the City of Indianola (the “City”) unified the City’s existing Hillcrest Urban Renewal Area and Downtown Urban Renewal Area, and combined and renamed the original urban renewal plans for the two areas.

The City is amending the Unified Urban Renewal Plan with this Amendment No. 1 (the “Amendment” or “Amendment No. 1”) in order to remove land from the Urban Renewal Area.

The material changes by this Amendment include the following:

1. Removing the Unified Amendment No. 1 Subarea from the Urban Renewal Area. See Exhibit A and Exhibit B.
2. Updating map showing the Urban Renewal Area, as amended. See Exhibit C.
3. Updating Financial Data. See Pages 3-4.

Except as modified by this Amendment, the provisions of the Unified Plan are hereby ratified, confirmed, and approved and shall remain in full force and effect as provided herein. In case of any conflict or uncertainty, the terms of this Amendment shall control. Any subsections not mentioned in this Amendment shall continue to apply to the Plan.

AREA DESIGNATION

The Urban Renewal Area and each subarea was designated as appropriate for the promotion of economic development (commercial and industrial). The Area continues to be appropriate for the promotion of economic development (commercial and industrial).

DESCRIPTION OF AREA

The land included in the Urban Renewal Area is comprised of several “subareas,” each formed by the original Hillcrest or Downtown plans. The land being removed from the Urban Renewal Area by this Amendment may be referred to as the “Unified Amendment No. 1 Subarea.” The legal description of the land being removed from the Area by this Amendment is attached hereto as Exhibit A. A map of Unified Amendment No. 1 Subarea is attached hereto as Exhibit B. A map of the Urban Renewal Area, as amended by this Amendment No. 1, is attached as Exhibit C.

BASE VALUE

The subareas of the Urban Renewal Area have previously established base values for the purposes of tax increment financing (TIF). This Amendment removes land from one existing subarea. The base value(s) of the impacted subareas will be reduced due to the land being removed by this Amendment, but this Amendment make no other changes to the previously established base values in the subareas of the Area.

DEVELOPMENT PLAN/ZONING

The City of Indianola has a general plan for the physical development of the City as a whole outlined in the Indianola Comprehensive Plan, adopted in October 2011. The goals and objectives of the Unified Urban Renewal Plan and this Amendment, including the urban renewal projects identified herein, are in conformity with the City's Comprehensive Plan.

The Amendment does not in any way replace or modify the City's current land use planning or zoning regulation process.

PREVIOUSLY APPROVED URBAN RENEWAL PROJECTS

Numerous urban renewal projects were authorized prior to the date of this Amendment and may be continuing. Such projects are not listed in this Amendment but may consist of a variety of urban renewal projects.

ELIGIBLE URBAN RENEWAL PROJECTS (Amendment No. 1)

In addition to those urban renewal projects previously authorized by the Unified Plan, the City has identified the following as eligible urban renewal projects under this Amendment:

Project	Date	Estimated cost
Fees and costs for planning, engineering (for urban renewal plans), legal work, and other related costs to support urban renewal projects and planning	Undetermined	Not to Exceed \$50,000

FINANCIAL DATA

1.	July 1, 2018 constitutional debt limit:	\$44,043,875
2.	Current outstanding general obligation debt:	\$13,380,000
3.	Proposed amount of indebtedness to be incurred: A specific amount of debt to be incurred for the Eligible Urban Renewal Projects (Amendment No. 1) has not yet been determined. This document is for planning purposes only. The estimated project costs in this Amendment No. 1 are estimates only and will be incurred and spent over a number of years. In no event will the City's constitutional debt limit be exceeded. The City Council will consider each project proposal on a case-by-case basis to determine if it is in the City's best interest to participate before approving	\$50,000 This total does not include financing costs related to debt issuance, which may be incurred over the life of the Area.

	an urban renewal project or expense. It is further expected that such indebtedness, including interest on the same, may be financed in whole or in part with tax increment revenues from the Urban Renewal Area. Subject to the foregoing, it is estimated that the cost of the Eligible Urban Renewal Projects (Amendment No. 1) as described above will be approximately as stated in the next column:	
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URBAN RENEWAL PLAN AMENDMENTS

The Unified Plan, as amended, may be amended further from time to time for a variety of reasons, including but not limited to, to change the Area's boundaries, to add or change land use controls and regulations, to modify goals or types of renewal activities, to add or change urban renewal projects, or to amend property acquisition and disposition provisions. The City Council may amend the Plan in accordance with applicable state law.

EFFECTIVE PERIOD

This Amendment No. 1 to the Unified Plan will become effective upon its adoption by the City Council. Notwithstanding anything to the contrary in the Unified Plan, any prior amendment, resolution, or document, the Unified Plan shall remain in effect until terminated by the City Council.

The use of incremental property tax revenues, or the "division of revenue," as those words are used in Chapter 403 of the Code of Iowa, in the Urban Renewal Area will be consistent with Chapter 403 of the Iowa Code. The division of revenues shall continue on all subareas of the Area for the maximum period allowed by law.

REPEALER AND SEVERABILITY CLAUSE

Any parts of the Unified Plan, as previously adopted, in conflict with this Amendment are hereby repealed.

If any part of this Amendment is determined to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity of the previously adopted Unified Plan as a whole, or any part of the Unified Plan or the Amendment not determined to be invalid or unconstitutional.

EXHIBIT A

LEGAL DESCRIPTION OF UNIFIED AMENDMENT NO. 1 SUBAREA TO BE REMOVED FROM THE URBAN RENEWAL AREA

Beginning at a point 269.5' North of the Southeast corner of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 19-76-23 thence North along the West line until said line intersects the East boundary of the former C.R.I. & P. Railroad, thence North following R.R. ROW to North line of Section 19, thence East along Section line a distance of 1,980' to East Corporate Limits; thence South along East Corporate Limits line within Section 20 a distance of 3,300', thence East along East Corporate Limits line 660' to East line of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of 20-76-23, thence South along corporate limits line to center line of East Iowa Avenue, thence West along center line a distance of 2,458.22', thence North (N 00°-05'-00" E) 269.5', thence West (N 00°-08'-00" W) 165' to point of beginning. (area includes Indianola Industrial Park Plats 1 & 2 and additional property)

EXHIBIT B

MAP OF UNIFIED AMENDMENT NO. 1 SUBAREA

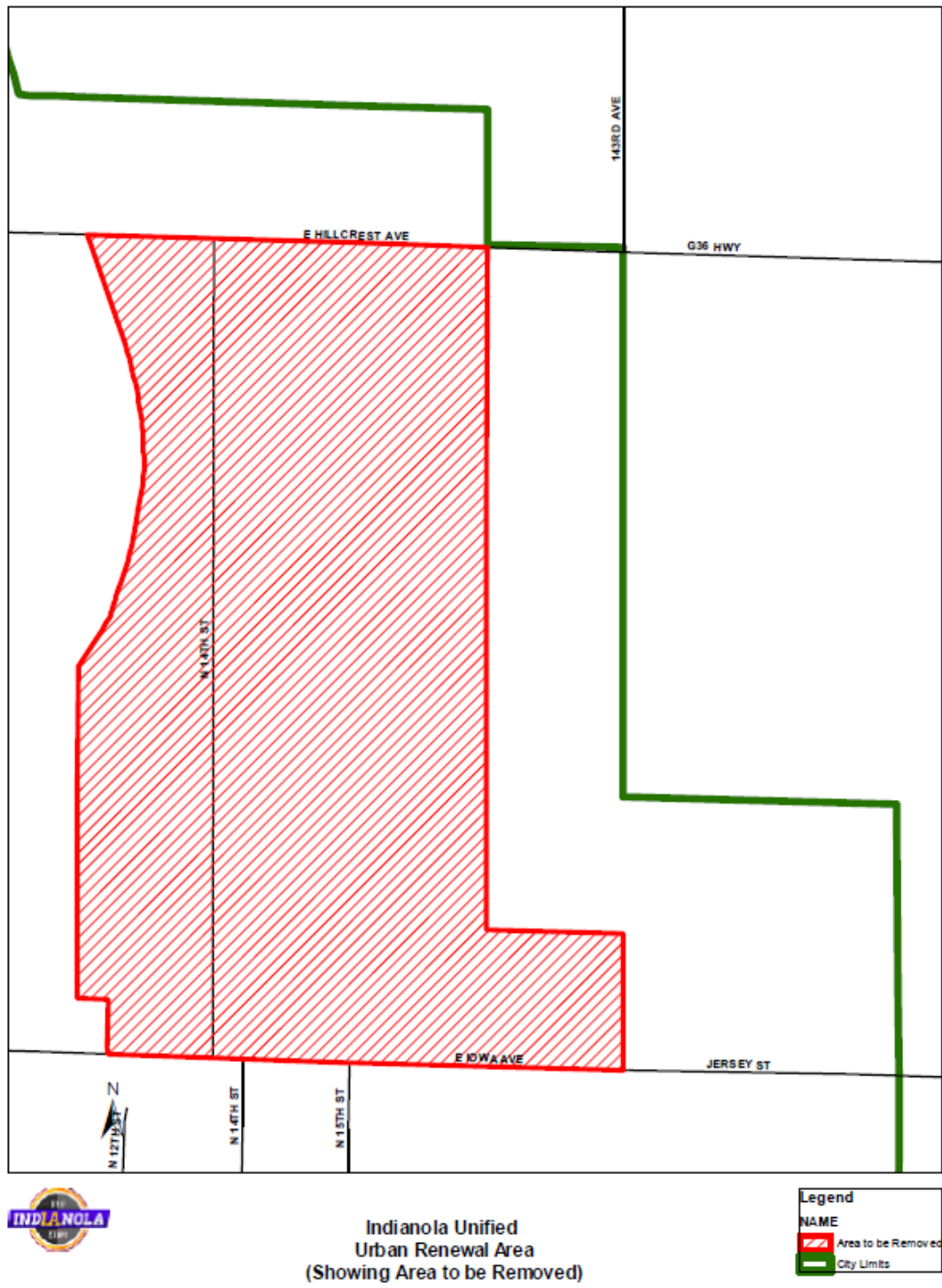
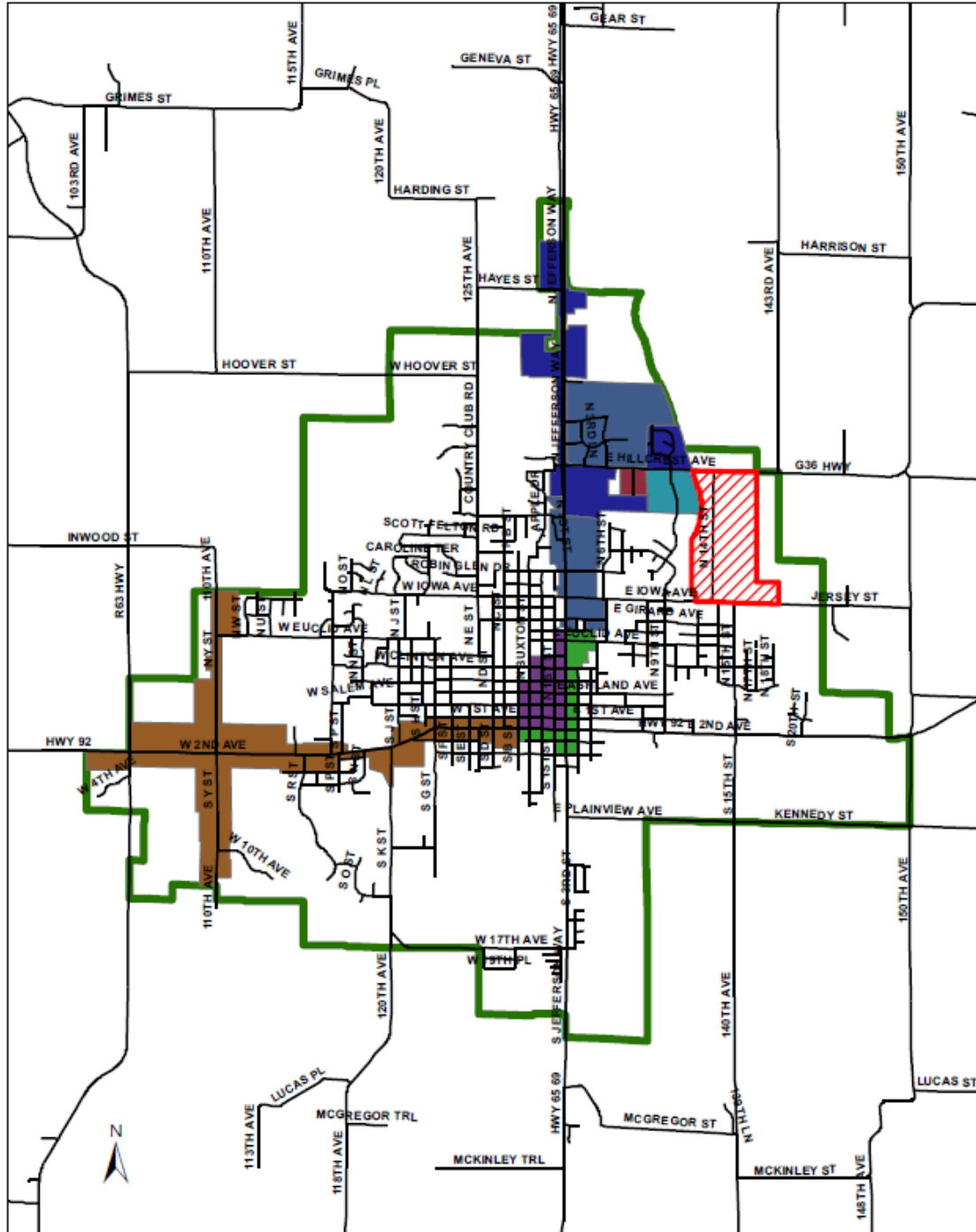


EXHIBIT C

MAP OF HILLCREST/DOWNTOWN UNIFIED URBAN RENEWAL AREA, AS AMENDED



Indianola Unified
Urban Renewal Area
(Showing Area to be Removed)

Legend

NAME		
Area to be Removed	Indianola Downtown	Indianola Hillcrest 1
City Limits	Indianola Downtown Amended	Indianola Hillcrest 2
	Indianola Downtown Amended Hwy 92 West	Indianola Hillcrest 3
	Indianola Hillcrest	Indianola Hillcrest 4

01574148-1\13538-155

Meeting Date: 04/15/2019

Information

Subject

Claims on the computer printout for April 15, 2019.

Information

Fiscal Impact

Attachments

Vendor Report

Vendor Name	Description	Invoice Date	Net Invoice Amount	FUND
ADVANTAGE COMPANIES				
ADVANTAGE COMPANIES	MICROFILM SERVICES	01/31/2019	155.00	LIBRARY FUND
Total ADVANTAGE COMPANIES:			155.00	
AGRILAND FS INC				
AGRILAND FS INC	13-13-13 FERTILIZER	04/03/2019	536.64	PARK & RECREATI
Total AGRILAND FS INC:			536.64	
AHLERS & COONEY P.C.				
AHLERS & COONEY P.C.	CONTRACTUAL REVIEW	03/27/2019	556.00	TIF--DOWNTOWN
AHLERS & COONEY P.C.	CONTRACTUAL REVIEW	03/27/2019	114.00	TIF--DOWNTOWN
Total AHLERS & COONEY P.C.:			670.00	
AMERICAN FENCE CO.				
AMERICAN FENCE CO.	HINGES FOR GATE @ DOG PARK	04/04/2019	81.02	PARK & RECREATI
Total AMERICAN FENCE CO.:			81.02	
AUBERT'S TOWING				
AUBERT'S TOWING	TOW - ABANDONED	11/25/2018	275.00	POLICE FUND
AUBERT'S TOWING	TOW - ABANDONED	02/24/2019	165.00	POLICE FUND
Total AUBERT'S TOWING:			440.00	
AVESIS THIRD PARTY ADMINISTRATORS INC				
AVESIS THIRD PARTY ADMINIS	VISION	04/05/2019	57.45	GENERAL FUND
AVESIS THIRD PARTY ADMINIS	VISION	04/05/2019	69.01	PARK & RECREATI
AVESIS THIRD PARTY ADMINIS	VISION	04/05/2019	60.71	GENERAL FUND
AVESIS THIRD PARTY ADMINIS	VISION	04/05/2019	17.21	FIRE FUND
AVESIS THIRD PARTY ADMINIS	VISION	04/05/2019	14.54	GENERAL FUND
AVESIS THIRD PARTY ADMINIS	VISION	04/05/2019	60.71	PARK & RECREATI
AVESIS THIRD PARTY ADMINIS	VISION	04/05/2019	97.54	AMBULANCE FUN
AVESIS THIRD PARTY ADMINIS	VISION	04/05/2019	6.32	GENERAL FUND
AVESIS THIRD PARTY ADMINIS	VISION	04/05/2019	64.59	LIBRARY FUND
AVESIS THIRD PARTY ADMINIS	VISION	04/05/2019	242.67	POLICE FUND
AVESIS THIRD PARTY ADMINIS	VISION	04/05/2019	53.93	GENERAL FUND
AVESIS THIRD PARTY ADMINIS	VISION	04/05/2019	85.91	SEWER FUND
AVESIS THIRD PARTY ADMINIS	VISION	04/05/2019	97.55	ROAD USE TAX FU
Total AVESIS THIRD PARTY ADMINISTRATORS INC:			928.14	
BAKER & TAYLOR ENTERTAINMENT				
BAKER & TAYLOR ENTERTAIN	DVD	03/05/2019	16.65	LIBRARY FUND
BAKER & TAYLOR ENTERTAIN	DVD	03/19/2019	16.65	LIBRARY FUND
Total BAKER & TAYLOR ENTERTAINMENT:			33.30	
BAKER AND TAYLOR				
BAKER AND TAYLOR	BOOKS	11/19/2018	112.93-	LIBRARY FUND
BAKER AND TAYLOR	BOOKS	12/04/2018	334.08-	LIBRARY FUND
BAKER AND TAYLOR	BOOKS	12/04/2018	326.57-	LIBRARY FUND
BAKER AND TAYLOR	BOOKS	02/28/2019	626.80	LIBRARY FUND
BAKER AND TAYLOR	BOOKS	03/08/2019	370.79	LIBRARY FUND
BAKER AND TAYLOR	BOOKS	03/12/2019	211.64	LIBRARY FUND
BAKER AND TAYLOR	BOOKS	03/15/2019	495.28	LIBRARY FUND

Vendor Name	Description	Invoice Date	Net Invoice Amount	FUND
BAKER AND TAYLOR	BOOKS	03/12/2019	408.26	LIBRARY FUND
Total BAKER AND TAYLOR:			1,339.19	
BFG SUPPLY COMPANY				
BFG SUPPLY COMPANY	SUPPLIES	03/29/2019	465.08	PARK & RECREATI
Total BFG SUPPLY COMPANY:			465.08	
BOB'S CUSTOM TROPHIES				
BOB'S CUSTOM TROPHIES	CITY PERPETUAL EOY PLAQUE	03/26/2019	6.50	GENERAL FUND
Total BOB'S CUSTOM TROPHIES:			6.50	
BRADLEY, AFTON				
BRADLEY, AFTON	STAFF SHIRT REIMBURSEMENT	03/21/2019	67.72	PARK & RECREATI
Total BRADLEY, AFTON:			67.72	
BRICK GENTRY P.C.				
BRICK GENTRY P.C.	20303.018 TOBACCO PROSECUTIONS	03/25/2019	45.00	GENERAL FUND
BRICK GENTRY P.C.	LEGAL FEES	03/25/2019	885.00	GENERAL FUND
BRICK GENTRY P.C.	20303.001 LEGAL SERVICES	03/25/2019	4,382.84	GENERAL FUND
BRICK GENTRY P.C.	20303.011 LEGAL SERVICES	03/25/2019	1,470.00	GENERAL FUND
BRICK GENTRY P.C.	ALLEY/GRAVEL ROADS	03/25/2019	135.00	ROAD USE TAX FU
BRICK GENTRY P.C.	UNION NEGOTIATIONS	03/25/2019	45.00	SEWER FUND
BRICK GENTRY P.C.	WASTEWATER MATTERS	03/25/2019	165.00	SEWER FUND
Total BRICK GENTRY P.C.:			7,127.84	
BRUENING ROCK PRODUCTS				
BRUENING ROCK PRODUCTS	ROCK FOR COUNTRY CLUB ROAD	03/26/2019	2,022.44	ROAD USE TAX FU
Total BRUENING ROCK PRODUCTS:			2,022.44	
BUHROW, LUKE				
BUHROW, LUKE	CELL PHONE 02/09/19 - 03/08/19	03/26/2019	50.00	POLICE FUND
Total BUHROW, LUKE:			50.00	
BUTTON, DAVID				
BUTTON, DAVID	WELLNESS MAR & APR	04/03/2019	30.00	POLICE FUND
Total BUTTON, DAVID:			30.00	
CASUAL RAGS				
CASUAL RAGS	YEARS OF SERVICE AWARD SHIRTS	03/26/2019	8.09	FIRE FUND
CASUAL RAGS	YEARS OF SERVICE AWARD SHIRTS	03/26/2019	44.19	AMBULANCE FUN
CASUAL RAGS	YEARS OF SERVICE AWARD SHIRTS	03/26/2019	40.98	ROAD USE TAX FU
CASUAL RAGS	YEARS OF SERVICE AWARD SHIRTS	03/26/2019	6.29	FIRE FUND
CASUAL RAGS	YEARS OF SERVICE AWARD SHIRTS	03/26/2019	43.98	PARK & RECREATI
CASUAL RAGS	YEARS OF SERVICE AWARD SHIRTS	03/26/2019	40.98	GENERAL FUND
CASUAL RAGS	YEARS OF SERVICE AWARD SHIRTS	03/26/2019	7.79	FIRE FUND
CASUAL RAGS	YEARS OF SERVICE AWARD SHIRTS	03/26/2019	53.98	POLICE FUND
CASUAL RAGS	YEARS OF SERVICE AWARD SHIRTS	03/26/2019	25.99	AMBULANCE FUN
CASUAL RAGS	YEARS OF SERVICE AWARD SHIRTS	03/26/2019	53.98	LIBRARY FUND
CASUAL RAGS	YEARS OF SERVICE AWARD SHIRTS	03/26/2019	35.69	AMBULANCE FUN
CASUAL RAGS	YEARS OF SERVICE AWARD SHIRTS	03/26/2019	46.98	PARK & RECREATI

Vendor Name	Description	Invoice Date	Net Invoice Amount	FUND
CASUAL RAGS	YEARS OF SERVICE AWARD SHIRTS	03/26/2019	51.98	AMBULANCE FUN
CASUAL RAGS	YEARS OF SERVICE AWARD SHIRTS	03/26/2019	48.98	LIBRARY FUND
CASUAL RAGS	YEARS OF SERVICE AWARD SHIRTS	03/26/2019	7.79	FIRE FUND
CASUAL RAGS	YEARS OF SERVICE AWARD SHIRTS	03/26/2019	40.98	POLICE FUND
CASUAL RAGS	YEARS OF SERVICE AWARD SHIRTS	03/26/2019	25.99	FIRE FUND
CASUAL RAGS	YEARS OF SERVICE AWARD SHIRTS	03/26/2019	44.19	AMBULANCE FUN
CASUAL RAGS	YEARS OF SERVICE AWARD SHIRTS	03/26/2019	44.19	AMBULANCE FUN
CASUAL RAGS	YEARS OF SERVICE AWARD SHIRTS	03/26/2019	53.98	POLICE FUND
CASUAL RAGS	YEARS OF SERVICE AWARD SHIRTS	03/26/2019	45.89	AMBULANCE FUN
CASUAL RAGS	YEARS OF SERVICE AWARD SHIRTS	03/26/2019	7.79	FIRE FUND
Total CASUAL RAGS:			780.68	
CENGAGE LEARNING				
CENGAGE LEARNING	LARGE PRINT BOOKS	03/20/2019	30.39	LIBRARY SPECIAL
CENGAGE LEARNING	LARGE PRINT BOOKS	03/26/2019	61.58	LIBRARY FUND
Total CENGAGE LEARNING:			91.97	
CENTRAL IOWA PEST CONTROL SRVCS				
CENTRAL IOWA PEST CONTRO	EXTERMINATOR	04/03/2019	150.00	GENERAL FUND
Total CENTRAL IOWA PEST CONTROL SRVCS:			150.00	
CENTURYLINK				
CENTURYLINK	PHONE	03/22/2019	56.47	GENERAL FUND
Total CENTURYLINK:			56.47	
CITY OF INDIANOLA				
CITY OF INDIANOLA	PROFESSIONAL SERVICES US	04/10/2019	841.50	STORMWATER UTI
CITY OF INDIANOLA	PROFESSIONAL SERVICES US	04/10/2019	841.50	RECYCLING FUND
CITY OF INDIANOLA	PROFESSIONAL SERVICES US	04/10/2019	4,628.25	SEWER FUND
Total CITY OF INDIANOLA:			6,311.25	
CITY OF INDIANOLA - UTILITY				
CITY OF INDIANOLA - UTILITY	UTILITIES	03/31/2019	48.00	PARK & RECREATI
CITY OF INDIANOLA - UTILITY	ATIVITY CENTER UTILITIES	03/31/2019	585.12	PARK & RECREATI
CITY OF INDIANOLA - UTILITY	UTILITIES - 206 N 1ST	03/31/2019	54.67	FIRE FUND
CITY OF INDIANOLA - UTILITY	UTILITIES	03/31/2019	2,798.78	GENERAL FUND
CITY OF INDIANOLA - UTILITY	RENEWABLE	03/31/2019	231.00	FIRE FUND
CITY OF INDIANOLA - UTILITY	STREETLIGHTS	03/31/2019	15,942.55	GENERAL FUND
CITY OF INDIANOLA - UTILITY	UTILITIES	03/31/2019	4,953.47	SEWER FUND
CITY OF INDIANOLA - UTILITY	UTILITIES, TOTAL N SEWER PLANT, DEMAN	03/31/2019	10,466.23	SEWER FUND
CITY OF INDIANOLA - UTILITY	UTILITIES	03/31/2019	499.98	ROAD USE TAX FU
CITY OF INDIANOLA - UTILITY	UTILITIES - 410 N JEFFERSON	03/31/2019	190.33	FIRE FUND
CITY OF INDIANOLA - UTILITY	UTILITIES - PICKARD	03/31/2019	126.14	PARK & RECREATI
CITY OF INDIANOLA - UTILITY	ELECTRIC/FIBER	03/31/2019	463.53	POOL (MEMORIAL)
Total CITY OF INDIANOLA - UTILITY:			36,359.80	
CR SERVICES				
CR SERVICES	T.P, TRASH BAGS, PAPER TOWELS	04/01/2019	193.47	PARK & RECREATI
Total CR SERVICES:			193.47	

Vendor Name	Description	Invoice Date	Net Invoice Amount	FUND
DES MOINES REGISTER MEDIA				
DES MOINES REGISTER MEDIA	PH	03/31/2019	27.58	GENERAL FUND
DES MOINES REGISTER MEDIA	CC MIN-03	03/31/2019	229.00	GENERAL FUND
DES MOINES REGISTER MEDIA	PH	03/31/2019	26.07	GENERAL FUND
DES MOINES REGISTER MEDIA	PH	03/31/2019	36.62	GENERAL FUND
DES MOINES REGISTER MEDIA	CC MIN-03	03/31/2019	378.00	GENERAL FUND
DES MOINES REGISTER MEDIA	FY 20 BUDGET	03/31/2019	214.03	GENERAL FUND
Total DES MOINES REGISTER MEDIA:			911.30	
DIGIQUATICS				
DIGIQUATICS	ANNUAL PAYMENT FOR DIGIQUATICS SOFT	04/01/2019	572.67	POOL (MEMORIAL)
Total DIGIQUATICS:			572.67	
DLH GRAFX				
DLH GRAFX	T-SHIRTS & SWEATSHIRTS	03/27/2019	956.79	PARK & RECREATI
Total DLH GRAFX:			956.79	
DOWNEY TIRE PROS				
DOWNEY TIRE PROS	TIRE REPAIR	03/19/2019	23.45	POLICE FUND
DOWNEY TIRE PROS	BACKHOE - FLAT	03/29/2019	70.10	ROAD USE TAX FU
DOWNEY TIRE PROS	UNIT 8	04/02/2019	145.94	ROAD USE TAX FU
DOWNEY TIRE PROS	LAWN TIRE TUBE	04/08/2019	9.99	PARK & RECREATI
Total DOWNEY TIRE PROS:			249.48	
DUST PROS JANITORIAL				
DUST PROS JANITORIAL	SERVICES	04/01/2019	1,070.00	LIBRARY FUND
DUST PROS JANITORIAL	SUPPLIES	04/01/2019	181.30	LIBRARY FUND
Total DUST PROS JANITORIAL:			1,251.30	
EDEAL, TRENT				
EDEAL, TRENT	ROW AGREEMENT	04/04/2019	262.50	ROAD USE TAX FU
Total EDEAL, TRENT:			262.50	
G & L CLOTHING				
G & L CLOTHING	CLOTHING	04/03/2019	334.75	ROAD USE TAX FU
G & L CLOTHING	CLOTHING	04/03/2019	133.00	ROAD USE TAX FU
G & L CLOTHING	CLOTHING	04/03/2019	166.00	ROAD USE TAX FU
G & L CLOTHING	CLOTHING	04/03/2019	177.50	ROAD USE TAX FU
G & L CLOTHING	CLOTHING	04/03/2019	160.00	ROAD USE TAX FU
G & L CLOTHING	CLOTHING	04/03/2019	337.75	ROAD USE TAX FU
G & L CLOTHING	CLOTHING	04/03/2019	155.50	ROAD USE TAX FU
G & L CLOTHING	CLOTHING	04/03/2019	159.00	ROAD USE TAX FU
G & L CLOTHING	CLOTHING	04/03/2019	332.75	ROAD USE TAX FU
Total G & L CLOTHING:			1,956.25	
GALLS LLC				
GALLS LLC	HATS	10/04/2018	1,559.69	POLICE FUND
GALLS LLC	HATS	10/31/2018	439.91	POLICE FUND
GALLS LLC	CREDIT - HATS	10/31/2018	1,364.71-	POLICE FUND
GALLS LLC	CREDIT - HATS	11/12/2018	94.99-	POLICE FUND
GALLS LLC	UNIFORMS	03/01/2019	114.95	FIRE FUND

Vendor Name	Description	Invoice Date	Net Invoice Amount	FUND
GALLS LLC	UNIFORMS	03/11/2019	60.85	FIRE FUND
GALLS LLC	UNIFORMS	03/11/2019	60.85	FIRE FUND
GALLS LLC	UNIFORMS	03/11/2019	39.99	FIRE FUND
GALLS LLC	UNIFORMS	03/18/2019	55.98	FIRE FUND
Total GALLS LLC:			872.52	
GRAVES, RICK				
GRAVES, RICK	MILEAGE TO REGION V MEETING AT IRWA I	03/27/2019	32.48	SEWER FUND
GRAVES, RICK	PLATES AND NAPKINS FOR LUNCH AND LE	04/03/2019	7.04	SEWER FUND
Total GRAVES, RICK:			39.52	
GRAY DIETZ, PAULA				
GRAY DIETZ, PAULA	INSTRUCTION BRICKS 4 KIDZ	03/29/2019	648.00	PARK & RECREATI
Total GRAY DIETZ, PAULA:			648.00	
HADRONEX INC				
HADRONEX INC	ANNUAL SERVICE AGREEMENT FOR FLOW	04/04/2019	3,270.00	SEWER FUND
Total HADRONEX INC:			3,270.00	
HEROLD TRAILER SALES				
HEROLD TRAILER SALES	LATCHES FOR FILE CABINET	04/02/2019	25.38	SEWER FUND
Total HEROLD TRAILER SALES:			25.38	
HQI - HYDRAULICS				
HQI - HYDRAULICS	O-RINGS	04/05/2019	8.00	ROAD USE TAX FU
Total HQI - HYDRAULICS:			8.00	
INDIANOLA COUNTRY CLUB				
INDIANOLA COUNTRY CLUB	AWARDS BANQUET	04/04/2019	2,755.12	GENERAL FUND
Total INDIANOLA COUNTRY CLUB:			2,755.12	
INDOFF INCORPORATED				
INDOFF INCORPORATED	OFFICE SUPPLIES - TIM	03/27/2019	93.74	GENERAL FUND
INDOFF INCORPORATED	OFFICE SUPPLIES	04/02/2019	13.19	GENERAL FUND
Total INDOFF INCORPORATED:			106.93	
INTEGRIVAULT				
INTEGRIVAULT	MONTHLY OFFSITE BACKUP	04/01/2019	500.00	GENERAL FUND
Total INTEGRIVAULT:			500.00	
IOWA CODIFICATION INC				
IOWA CODIFICATION INC	SECOND INSTALLMENT UPDATE DRAFT	04/01/2019	2,500.00	GENERAL FUND
Total IOWA CODIFICATION INC:			2,500.00	
IOWA STATE UNIVERSITY				
IOWA STATE UNIVERSITY	TRAINING - ORDER #140529	04/01/2019	100.00	POLICE FUND

Vendor Name	Description	Invoice Date	Net Invoice Amount	FUND
Total IOWA STATE UNIVERSITY:			100.00	
IOWA WATER MANAGEMENT CO.				
IOWA WATER MANAGEMENT C	WATER MGR - LIBRARY	04/01/2019	40.00	LIBRARY FUND
IOWA WATER MANAGEMENT C	WATER MGR - MUN BLDG	04/01/2019	150.00	GENERAL FUND
Total IOWA WATER MANAGEMENT CO.:			190.00	
IRISH, MAXINE				
IRISH, MAXINE	REFUND FOR KIDS COOK #5787	04/08/2019	10.00	PARK & RECREATI
Total IRISH, MAXINE:			10.00	
JACOBSEN, CARTER				
JACOBSEN, CARTER	HOME BASE IA INCENTIVE	04/01/2019	1,500.00	GENERAL FUND
Total JACOBSEN, CARTER:			1,500.00	
JV TRUCKING LLC				
JV TRUCKING LLC	GRAVEL	03/22/2019	1,341.90	ROAD USE TAX FU
Total JV TRUCKING LLC:			1,341.90	
KEYSTONE LABORATORIES INC				
KEYSTONE LABORATORIES IN	WEEKLY LAB TESTS	03/25/2019	230.00	SEWER FUND
KEYSTONE LABORATORIES IN	WEEKLY LAB TESTS	03/27/2019	230.00	SEWER FUND
KEYSTONE LABORATORIES IN	WEEKLY LAB TESTS	04/03/2019	85.00	SEWER FUND
KEYSTONE LABORATORIES IN	WEEKLY LAB TESTS	04/04/2019	230.00	SEWER FUND
Total KEYSTONE LABORATORIES INC:			775.00	
LENT, ANDREW				
LENT, ANDREW	LENT - MILEAGE TO/FROM 2019 IMMI	03/25/2019	149.64	GENERAL FUND
LENT, ANDREW	LENT - MILEAGE TO/FROM FINANCE MEETI	03/28/2019	33.06	GENERAL FUND
LENT, ANDREW	LENT - MEAL AT METRO FINANCE MEETING	03/28/2019	11.61	GENERAL FUND
LENT, ANDREW	LENT - MILEAGE TO ADVANCED EXCEL WO	03/28/2019	21.92	GENERAL FUND
Total LENT, ANDREW:			216.23	
LOGAN CONTRACTORS SUPPLY INC.				
LOGAN CONTRACTORS SUPPL	HARD HATS, KNEE PADS	04/04/2019	532.23	ROAD USE TAX FU
Total LOGAN CONTRACTORS SUPPLY INC.:			532.23	
MATHESON TRI-GAS INC				
MATHESON TRI-GAS INC	OXYGEN	03/20/2019	161.41	AMBULANCE FUN
MATHESON TRI-GAS INC	OXYGEN	03/31/2019	73.78	AMBULANCE FUN
Total MATHESON TRI-GAS INC:			235.19	
MCCOY HARDWARE INC				
MCCOY HARDWARE INC	SUPPLIES	03/21/2019	14.91	PARK & RECREATI
MCCOY HARDWARE INC	1/4 GALV. PLUGS	03/25/2019	4.12	PARK & RECREATI
MCCOY HARDWARE INC	CONSTRUCTION ADHESIVE	03/27/2019	4.67	PARK & RECREATI
MCCOY HARDWARE INC	DRILL BIT AND SCREWS	04/01/2019	3.86	SEWER FUND
MCCOY HARDWARE INC	ATHLETIC FIELD PAINT	04/01/2019	26.73	PARK & RECREATI
MCCOY HARDWARE INC	VMAC COTTON CANDY MACHINE CLEANED	04/01/2019	148.50	POOL (MEMORIAL)

Vendor Name	Description	Invoice Date	Net Invoice Amount	FUND
MCCOY HARDWARE INC	CUT OFF WHEELS	04/02/2019	10.23	PARK & RECREATI
MCCOY HARDWARE INC	DRAIN OPENER	04/03/2019	16.19	SEWER FUND
MCCOY HARDWARE INC	ALL THREAD FOR MANHOLES	04/08/2019	30.56	SEWER CAPITAL P
Total MCCOY HARDWARE INC:			259.77	
MEDTRAK SERVICES				
MEDTRAK SERVICES	411 RX	03/31/2019	21.07	POLICE FUND
Total MEDTRAK SERVICES:			21.07	
METCALF, BRAD				
METCALF, BRAD	WELLNESS - APRIL	04/01/2019	16.66	POLICE FUND
Total METCALF, BRAD:			16.66	
METLIFE - GROUP BENEFITS				
METLIFE - GROUP BENEFITS	DENTAL	04/02/2019	99.23	GENERAL FUND
METLIFE - GROUP BENEFITS	DENTAL	04/02/2019	206.73	PARK & RECREATI
METLIFE - GROUP BENEFITS	DENTAL	04/02/2019	396.92	ROAD USE TAX FU
METLIFE - GROUP BENEFITS	DENTAL	04/02/2019	230.11	PARK & RECREATI
METLIFE - GROUP BENEFITS	DENTAL	04/02/2019	305.96	GENERAL FUND
METLIFE - GROUP BENEFITS	DENTAL	04/02/2019	1,229.63	POLICE FUND
METLIFE - GROUP BENEFITS	DENTAL	04/02/2019	89.79	GENERAL FUND
METLIFE - GROUP BENEFITS	DENTAL	04/02/2019	94.05	FIRE FUND
METLIFE - GROUP BENEFITS	DENTAL	04/02/2019	198.46	GENERAL FUND
METLIFE - GROUP BENEFITS	DENTAL	04/02/2019	286.19	SEWER FUND
METLIFE - GROUP BENEFITS	DENTAL	04/02/2019	532.98	AMBULANCE FUN
METLIFE - GROUP BENEFITS	DENTAL	04/02/2019	25.71	GENERAL FUND
METLIFE - GROUP BENEFITS	DENTAL	04/02/2019	252.21	LIBRARY FUND
Total METLIFE - GROUP BENEFITS:			3,947.97	
MID AMERICAN ENERGY CO.				
MID AMERICAN ENERGY CO.	UTILITIES	03/25/2019	14.62	FIRE FUND
MID AMERICAN ENERGY CO.	07741-18004 65/69 LIFT	03/19/2019	77.23	SEWER FUND
MID AMERICAN ENERGY CO.	09750-87035 WESLEY LIFT	03/19/2019	53.54	SEWER FUND
MID AMERICAN ENERGY CO.	08701-24006 QUAIL MDWS LIFT	03/25/2019	66.07	SEWER FUND
MID AMERICAN ENERGY CO.	UTILITIES	03/25/2019	209.46	FIRE FUND
MID AMERICAN ENERGY CO.	ACTIVITY CENTER UTILITIES	03/25/2019	411.15	PARK & RECREATI
MID AMERICAN ENERGY CO.	GAS - SHOP	03/25/2019	307.06	PARK & RECREATI
MID AMERICAN ENERGY CO.	GAS - SHOP	03/25/2019	286.65	ROAD USE TAX FU
MID AMERICAN ENERGY CO.	HEAT - BUILDING	03/25/2019	152.76	POLICE FUND
MID AMERICAN ENERGY CO.	NATURAL GAS	03/25/2019	408.17	LIBRARY FUND
MID AMERICAN ENERGY CO.	74080-22010 FUEL HEAT	03/29/2019	1,514.22	GENERAL FUND
Total MID AMERICAN ENERGY CO.:			3,500.93	
MUNICIPAL SUPPLY INC				
MUNICIPAL SUPPLY INC	SCREW AND PLUNGER FOR HYDRANT	02/28/2019	215.00	SEWER FUND
MUNICIPAL SUPPLY INC	RETURNED SCREW	03/14/2019	68.60	SEWER FUND
Total MUNICIPAL SUPPLY INC:			146.40	
MUTUAL OF OMAHA				
MUTUAL OF OMAHA	LIFE, AD&D, LTD, STD	04/05/2019	170.48	GENERAL FUND
MUTUAL OF OMAHA	LIFE, AD&D, LTD, STD	04/05/2019	1,118.75	GENERAL FUND
MUTUAL OF OMAHA	LIFE, AD&D, LTD, STD	04/05/2019	369.20	AMBULANCE FUN

Vendor Name	Description	Invoice Date	Net Invoice Amount	FUND
MUTUAL OF OMAHA	LIFE, AD&D, LTD, STD	04/05/2019	80.17	GENERAL FUND
MUTUAL OF OMAHA	LIFE, AD&D, LTD, STD	04/05/2019	226.05	SEWER FUND
MUTUAL OF OMAHA	LIFE, AD&D, LTD, STD	04/05/2019	849.14	POLICE FUND
MUTUAL OF OMAHA	LIFE, AD&D, LTD, STD	04/05/2019	192.81	PARK & RECREATI
MUTUAL OF OMAHA	LIFE, AD&D, LTD, STD	04/05/2019	92.30	FIRE FUND
MUTUAL OF OMAHA	LIFE, AD&D, LTD, STD	04/05/2019	49.63	GENERAL FUND
MUTUAL OF OMAHA	LIFE, AD&D, LTD, STD	04/05/2019	133.91	PARK & RECREATI
MUTUAL OF OMAHA	LIFE, AD&D, LTD, STD	04/05/2019	249.37	ROAD USE TAX FU
MUTUAL OF OMAHA	LIFE, AD&D, LTD, STD	04/05/2019	44.56	GENERAL FUND
MUTUAL OF OMAHA	LIFE, AD&D, LTD, STD	04/05/2019	154.47	LIBRARY FUND
MUTUAL OF OMAHA	LIFE, AD&D, LTD, STD	04/05/2019	85.61	GENERAL FUND
Total MUTUAL OF OMAHA:			3,816.45	
NAPA AUTO PARTS				
NAPA AUTO PARTS	GOJO HAND CREAM	03/25/2019	12.99	PARK & RECREATI
Total NAPA AUTO PARTS:			12.99	
NORGRANT, AARON				
NORGRANT, AARON	HOME BASE IA INCENTIVE	04/01/2019	1,500.00	GENERAL FUND
Total NORGRANT, AARON:			1,500.00	
NORTHERN STAR TECHNOLOGIES				
NORTHERN STAR TECHNOLOG	LIGHTS IN OFFICE	03/31/2019	415.90	FIRE FUND
Total NORTHERN STAR TECHNOLOGIES:			415.90	
O'REILLY AUTO PARTS				
O'REILLY AUTO PARTS	PAINT FOR NEW TRAILER	03/25/2019	53.98	ROAD USE TAX FU
O'REILLY AUTO PARTS	ZIP TIES - BRUSH FACILITY FENCE	03/28/2019	25.96	GENERAL FUND
Total O'REILLY AUTO PARTS:			79.94	
PAPER 101				
PAPER 101	PAPER	04/02/2019	131.52	POLICE FUND
PAPER 101	PAPER	04/02/2019	131.52	FIRE FUND
PAPER 101	PAPER	04/02/2019	263.03	GENERAL FUND
PAPER 101	PAPER	04/02/2019	131.52	LIBRARY FUND
PAPER 101	PAPER	04/02/2019	131.52	PARK & RECREATI
Total PAPER 101:			789.11	
PARTSMASTER				
PARTSMASTER	GRIND WHEELS/IMPACT	03/26/2019	400.66	ROAD USE TAX FU
Total PARTSMASTER:			400.66	
PELLA PRINTING				
PELLA PRINTING	WINDOW ENVELOPES	02/20/2019	687.00	GENERAL FUND
Total PELLA PRINTING:			687.00	
PENGUIN RANDOM HOUSE LLC				
PENGUIN RANDOM HOUSE LLC	BOOKS ON CD	03/01/2019	48.75	LIBRARY FUND
PENGUIN RANDOM HOUSE LLC	BOOKS ON CD	03/20/2019	37.50-	LIBRARY FUND

Vendor Name	Description	Invoice Date	Net Invoice Amount	FUND
Total PENGUIN RANDOM HOUSE LLC:			11.25	
PROTECT YOUTH SPORTS				
PROTECT YOUTH SPORTS	COACHES BACKGROUND CHECK	04/01/2019	71.20	PARK & RECREATI
Total PROTECT YOUTH SPORTS:			71.20	
PURCHASE POWER				
PURCHASE POWER	POSTAGE	04/02/2019	500.00	GENERAL FUND
Total PURCHASE POWER:			500.00	
RECORDED BOOKS INC				
RECORDED BOOKS INC	E-BOOKS	03/06/2019	55.00	LIBRARY FUND
RECORDED BOOKS INC	BOOKS ON CD	02/25/2019	71.98	LIBRARY FUND
RECORDED BOOKS INC	BOOKS ON CD	02/25/2019	35.99	LIBRARY FUND
RECORDED BOOKS INC	BOOKS ON CD	02/25/2019	51.80	LIBRARY FUND
RECORDED BOOKS INC	BOOKS ON CD	03/11/2019	35.99	LIBRARY FUND
RECORDED BOOKS INC	E-BOOKS	03/14/2019	55.00	LIBRARY FUND
RECORDED BOOKS INC	E-AUDIO	03/14/2019	66.50	LIBRARY FUND
RECORDED BOOKS INC	BOOKS ON CD	03/15/2019	35.99	LIBRARY FUND
RECORDED BOOKS INC	BOOKS ON CD	03/19/2019	35.99	LIBRARY FUND
RECORDED BOOKS INC	BOOKS ON CD	03/20/2019	39.97	LIBRARY FUND
RECORDED BOOKS INC	BOOKS ON CD	03/20/2019	53.99	LIBRARY FUND
RECORDED BOOKS INC	BOOKS ON CD	03/22/2019	39.97	LIBRARY FUND
RECORDED BOOKS INC	BOOKS ON CD	03/22/2019	33.29	LIBRARY FUND
Total RECORDED BOOKS INC:			501.46	
SAFE BUILDING COMPLIANCE & TECHNOLOGY				
SAFE BUILDING COMPLIANCE	CONTRACTUAL INSPECTION	03/31/2019	2,787.50	GENERAL FUND
Total SAFE BUILDING COMPLIANCE & TECHNOLOGY:			2,787.50	
SANDRY FIRE SUPPLY LLC				
SANDRY FIRE SUPPLY LLC	PPE - HELMET	04/02/2019	341.23	FIRE FUND
Total SANDRY FIRE SUPPLY LLC:			341.23	
SECRETARY OF STATE				
SECRETARY OF STATE	RAFFERTY NOTARY APP	03/29/2019	30.00	GENERAL FUND
Total SECRETARY OF STATE:			30.00	
SHER, BRIAN				
SHER, BRIAN	CELL PHONE 02/23/19 - 03/22/19	04/01/2019	50.00	POLICE FUND
Total SHER, BRIAN:			50.00	
SOUTH CENTRAL IOWA LANDFILL				
SOUTH CENTRAL IOWA LANDFI	CONSTRUCTION DEBRIS - OLD SHELTER @	12/31/2018	78.00	PARK & RECREATI
SOUTH CENTRAL IOWA LANDFI	CONSTRUCTION DEBRIS - OLD SHELTER @	12/31/2018	101.00	PARK & RECREATI
Total SOUTH CENTRAL IOWA LANDFILL:			179.00	
SPRINGER PEST SOLUTIONS DSM				
SPRINGER PEST SOLUTIONS D	ACTIVITY CENTER - PEST CONTROL	04/02/2019	61.00	PARK & RECREATI

Vendor Name	Description	Invoice Date	Net Invoice Amount	FUND
Total SPRINGER PEST SOLUTIONS DSM:			61.00	
T.R.M. DISPOSAL LLC				
T.R.M. DISPOSAL LLC	ACCT 1506	03/24/2019	85.00	GENERAL FUND
T.R.M. DISPOSAL LLC	GARBAGE - BUILDING ACCT #159	03/24/2019	17.00	POLICE FUND
T.R.M. DISPOSAL LLC	TRASH REMOVAL ACCT #506	03/24/2019	97.00	LIBRARY FUND
T.R.M. DISPOSAL LLC	ACCT #583 - TRASH - NORTH PLANT	03/24/2019	82.00	SEWER FUND
T.R.M. DISPOSAL LLC	ACCT #583 - TRASH - SOUTH PLANT	03/24/2019	54.00	SEWER FUND
Total T.R.M. DISPOSAL LLC:			335.00	
THEISEN'S				
THEISEN'S	WHEEL/LEVEL	03/28/2019	208.98	ROAD USE TAX FU
THEISEN'S	SHOVELS	04/01/2019	44.98	PARK & RECREATI
THEISEN'S	GLOVES	04/01/2019	51.96	PARK & RECREATI
THEISEN'S	TAP BIT	04/02/2019	3.49	SEWER FUND
THEISEN'S	KNEE PADS/TOOLS	04/02/2019	42.98	ROAD USE TAX FU
THEISEN'S	BOLT FOR JETTER NOZZLE	04/02/2019	1.99	SEWER FUND
THEISEN'S	GRASS SEED, SHOP ITEMS	04/03/2019	195.95	ROAD USE TAX FU
THEISEN'S	UTILITY BATTERY	04/04/2019	29.99	PARK & RECREATI
THEISEN'S	GRASS SEED FOR SNOW PLOW DAMAGE	04/08/2019	100.98	ROAD USE TAX FU
Total THEISEN'S:			681.30	
TOMIN'S TOWING				
TOMIN'S TOWING	TOW - ABANDONED	03/25/2019	165.00	POLICE FUND
TOMIN'S TOWING	TOW - ABANDONED	03/25/2019	165.00	POLICE FUND
Total TOMIN'S TOWING:			330.00	
TRANSUNION RISK AND ALTERNATIVE				
TRANSUNION RISK AND ALTER	CONTRACT	03/01/2019	73.00	POLICE FUND
Total TRANSUNION RISK AND ALTERNATIVE:			73.00	
TREASURER STATE OF IOWA				
TREASURER STATE OF IOWA	1ST QTR 2019 USE TAX	04/01/2019	122.35	SEWER FUND
Total TREASURER STATE OF IOWA:			122.35	
TRUENORTH COMPANIES LC				
TRUENORTH COMPANIES LC	SAFETY COMMITTEE MEETING - MARCH 20	03/28/2019	20.83	SEWER FUND
TRUENORTH COMPANIES LC	SAFETY COMMITTEE MEETING - MARCH 20	03/28/2019	20.84	PARK & RECREATI
TRUENORTH COMPANIES LC	SAFETY COMMITTEE MEETING - MARCH 20	03/28/2019	20.83	ROAD USE TAX FU
TRUENORTH COMPANIES LC	SAFETY COMMITTEE MEETING - MARCH 20	03/28/2019	20.83	POLICE FUND
TRUENORTH COMPANIES LC	SAFETY COMMITTEE MEETING - MARCH 20	03/28/2019	20.83	FIRE FUND
TRUENORTH COMPANIES LC	SAFETY COMMITTEE MEETING - MARCH 20	03/28/2019	20.83	GENERAL FUND
TRUENORTH COMPANIES LC	SAFETY COMMITTEE MEETING - MARCH 20	03/28/2019	20.83	GENERAL FUND
TRUENORTH COMPANIES LC	SAFETY COMMITTEE MEETING - MARCH 20	03/28/2019	20.83	LIBRARY FUND
TRUENORTH COMPANIES LC	SAFETY COMMITTEE MEETING - MARCH 20	03/28/2019	142.86	SEWER FUND
Total TRUENORTH COMPANIES LC:			309.51	
U.S. POSTMASTER				
U.S. POSTMASTER	POSTAGE	04/09/2019	2,500.00	GENERAL FUND

Vendor Name	Description	Invoice Date	Net Invoice Amount	FUND
Total U.S. POSTMASTER:			2,500.00	
UNIQUE MANAGEMENT SERVICES				
UNIQUE MANAGEMENT SERVI	COLLECTION SERVICES	03/01/2019	50.00	LIBRARY FUND
Total UNIQUE MANAGEMENT SERVICES:			50.00	
UPHDM OCCUPATIONAL HEALTH & WELLNESS				
UPHDM OCCUPATIONAL HEAL	PHYSICALS	03/29/2019	847.00	AMBULANCE FUN
UPHDM OCCUPATIONAL HEAL	PRE-EMPLOYMENT PHYSICAL	03/29/2019	272.00	ROAD USE TAX FU
Total UPHDM OCCUPATIONAL HEALTH & WELLNESS:			1,119.00	
UTILITY EQUIPMENT CO.				
UTILITY EQUIPMENT CO.	SEFL LEVELING MANHOLE	04/08/2019	850.00	SEWER CAPITAL P
Total UTILITY EQUIPMENT CO.:			850.00	
VERIZON WIRELESS				
VERIZON WIRELESS	DATA	03/15/2019	358.62	POLICE FUND
VERIZON WIRELESS	CARDIAC MONITOR CELL PHONES	03/22/2019	21.08	AMBULANCE FUN
VERIZON WIRELESS	EMS CELL PHONES	03/26/2019	136.63	AMBULANCE FUN
VERIZON WIRELESS	330 LAPTOP/330 CELL	03/26/2019	40.01	FIRE FUND
VERIZON WIRELESS	CELL PHONE	03/26/2019	42.51	GENERAL FUND
VERIZON WIRELESS	WIRELESS FOR LAPTOP	03/26/2019	40.05	SEWER FUND
Total VERIZON WIRELESS:			638.90	
WARREN COUNTY ENGINEER				
WARREN COUNTY ENGINEER	FUEL DISTRIBUTION	04/02/2019	1,064.96	FIRE FUND
WARREN COUNTY ENGINEER	FUEL DISTRIBUTION - MISC	04/02/2019	33.19	PARK & RECREATI
WARREN COUNTY ENGINEER	FUEL DISTRIBUTION - VANS	04/02/2019	271.65	PARK & RECREATI
WARREN COUNTY ENGINEER	FUEL DISTRIBUTION	04/02/2019	2,213.72	ROAD USE TAX FU
WARREN COUNTY ENGINEER	FUEL DISTRIBUTION	04/02/2019	627.07	SEWER FUND
WARREN COUNTY ENGINEER	FUEL DISTRIBUTION	04/02/2019	27.72	PARK & RECREATI
WARREN COUNTY ENGINEER	FUEL DISTRIBUTION	04/02/2019	2,110.20	POLICE FUND
WARREN COUNTY ENGINEER	FUEL DISTRIBUTION	04/02/2019	1,027.67	AMBULANCE FUN
Total WARREN COUNTY ENGINEER:			7,376.18	
WARREN COUNTY RECORDER				
WARREN COUNTY RECORDER	REC FEE	03/31/2019	97.00	GENERAL FUND
Total WARREN COUNTY RECORDER:			97.00	
WASTE MANAGEMENT OF IOWA				
WASTE MANAGEMENT OF IOW	RECYCLING TOTES 10-13076-93002	03/27/2019	13.98	RECYCLING FUND
WASTE MANAGEMENT OF IOW	RECYCLING RES 10-13011-73004	03/27/2019	18,824.13	RECYCLING FUND
WASTE MANAGEMENT OF IOW	RECYCLING APT 10-13031-73000	03/27/2019	3,152.96	RECYCLING FUND
WASTE MANAGEMENT OF IOW	RECYCLING TOTES 10-13079-23004	03/27/2019	6.02	RECYCLING FUND
Total WASTE MANAGEMENT OF IOWA:			21,997.09	
WASTE SOLUTIONS OF IA				
WASTE SOLUTIONS OF IA	PORTABLE RESTROOM	11/09/2018	40.00	PARK & RECREATI
WASTE SOLUTIONS OF IA	PORTABLE RESTROOM	11/09/2018	40.00	PARK & RECREATI
WASTE SOLUTIONS OF IA	PORTABLE RESTROOM	11/09/2018	40.00	PARK & RECREATI

Vendor Name	Description	Invoice Date	Net Invoice Amount	FUND
WASTE SOLUTIONS OF IA	PORTABLE RESTROOM	11/09/2018	40.00	PARK & RECREATI
WASTE SOLUTIONS OF IA	PORTABLE TOILET @ DAYTON	03/25/2019	80.00	PARK & RECREATI
WASTE SOLUTIONS OF IA	PORTABLE TOILET @ PICKARD	03/25/2019	80.00	PARK & RECREATI
Total WASTE SOLUTIONS OF IA:			320.00	
WIEGERT DISPOSAL CO.				
WIEGERT DISPOSAL CO.	DUMPSTER @ SHOP	03/29/2019	45.00	PARK & RECREATI
Total WIEGERT DISPOSAL CO.:			45.00	
Grand Totals:			136,654.64	

City Council: _____

Meeting Date: 04/15/2019

Information

Subject

City Treasurer's Report for February 2019 - Doug Shull

Information

In your packet are the February 2018 and February 2019 Treasurer Reports.

Fiscal Impact

Attachments

Feb 2019 Treasurer Report

Feb 2018 Treasurer Report

FINANCIAL REPORT
MONTH OF FEBRUARY, 2019

Page 1

FUND	Beginning Balance	Monies Received	Monies Disbursed	Transfer In	Transfer Out	Clerk's Balance	% of Total
001 General Government	1,873,843.96	199,776.61	135,657.74	81,313.87	6,086.67	2,013,190.03	
011 Police	1,291,857.39	67,411.28	185,064.11	12,167.06	3,957.66	1,182,413.96	
015 Fire	225,626.15	10,190.31	39,500.91	929.41	612.56	196,632.40	
016 Ambulance	-7,451.02	114,835.55	99,564.46	2,548.32	3,464.95	6,903.44	
041 Library	180,637.94	3,769.56	34,997.11	1,610.97	2,346.37	148,674.99	
042 Park & Recreation	553,644.78	22,815.73	79,251.93	1,018.38	3,065.46	495,161.50	
045 Memorial Pool	139,910.77	1,216.15	673.74	0.00	0.00	140,453.18	
071 General Fund Debt Service	56,354.58	0.00	0.00	0.00	0.00	56,354.58	
099 Franchise Fees-MEC	576,252.10	0.00	0.00	0.00	0.00	576,252.10	
GENERAL FUND SUB-TOTAL	4,890,676.65	420,015.19	574,710.00	99,588.01	19,533.67	4,816,036.18	
110 Road Use Tax (Streets)	1,938,384.83	159,830.16	94,125.87	0.00	31,903.84	1,972,185.28	
112 Trust & Agency	0.00	15,887.31	0.00	0.00	15,887.31	0.00	
115 YMCA Maintenance Obligations	358,916.71	0.00	10,377.10	0.00	0.00	348,539.61	
121 Local Option Sales Tax	4,801,652.70	87,172.11	0.00	0.00	0.00	4,888,824.81	
125 TIF--Downtown	2,994,737.99	20,455.15	560.50	0.00	0.00	3,014,632.64	
141 Library Special Revenue	40,014.29	998.62	514.63	0.00	0.00	40,498.28	
142 Park & Rec Special Revenue	115,145.12	469.65	0.00	0.00	0.00	115,614.77	
160 Downtown Revolving Loan	207,387.91	0.00	25,300.27	0.00	0.00	182,087.64	
161 Downtown Business Inc Program	77,018.65	0.00	252.39	0.00	0.00	76,766.26	
177 Police Forfeiture	19,830.07	0.00	0.00	0.00	0.00	19,830.07	
190 Vehicle Reserve	337,269.88	0.00	19,705.91	0.00	0.00	317,563.97	
199 Police Retirement	53,348.42	109.61	0.00	0.00	2,083.33	51,374.70	
SPECIAL REVENUES SUB-TOTAL	10,943,706.57	284,922.61	150,836.67	0.00	49,874.48	11,027,918.03	
200 DEBT SERVICE (SUB-TOTAL)	1,579,205.03	14,242.29	0.00	7,758.33	0.00	1,601,205.65	
301 Capital Projects (General)	566,252.05	1,494.66	1,872.00	0.00	0.00	565,874.71	
321 Capital Projects (Streets)	27,716.05	0.00	17,747.47	0.00	0.00	9,968.58	
344 Community Athletic Facility	-2,580.22	0.00	0.00	0.00	0.00	-2,580.22	
353 Community ReDevelopment (D&D)	-22,792.37	0.00	1,000.00	2,222.22	0.00	-21,570.15	
CAPITAL PROJECTS SUB-TOTAL	568,595.51	1,494.66	20,619.47	2,222.22	0.00	551,692.92	
610 Sewer	1,000,482.98	0.00	150,885.83	136,132.25	31,729.43	953,999.97	
650 Stormwater Utility	555,761.71	17,443.90	21,076.28	0.00	5,325.00	546,804.33	
670 Recycling	127,341.06	24,672.59	24,156.60	0.00	672.65	127,184.40	
710 Sewer Capital Projects	1,491,162.43	265,326.36	4,533.01	0.00	209,483.99	1,542,471.79	
771 Sewer Reserve	114,238.70	0.00	0.00	0.00	0.00	114,238.70	
781 Sewer Plant Improvement	432,155.74	0.00	0.00	2,083.33	0.00	434,239.07	
791 Sewer Revenue Bonds	616,730.78	0.00	0.00	68,835.08	0.00	685,565.86	
820 Health Insurance	1,075,935.35	118,721.11	91,720.34	0.00	0.00	1,102,936.12	
830 Health Reimbursement Account	93,323.73	0.00	4,060.21	0.00	0.00	89,263.52	
840 Flex/STD	187,052.01	484.60	530.52	0.00	0.00	187,006.09	
850 Liability Insurance Reserve--City	17,884.52	36.53	6,455.28	0.00	0.00	11,465.77	
CITY UTILITY & IS SUB-TOTAL	5,712,069.01	426,685.09	303,418.07	207,050.66	247,211.07	5,795,175.62	
TOTAL CITY FUNDS	23,694,252.77	1,147,359.84	1,049,584.21	316,619.22	316,619.22	23,792,028.40	65%
TOTAL IMU FUNDS	12,663,026.20	1,692,921.58	1,618,415.09	182,441.67	182,441.67	12,737,532.69	35%
GRAND TOTAL CITY & IMU	36,357,278.97	2,840,281.42	2,667,999.30	499,060.89	499,060.89	36,529,561.09	
Cross Check Total						36,529,561.09	
Investments							
Bankers Trust	\$ 21,272,087.33	2.11%				Clerk's Balance	36,529,561.09
Bankers Trust IMU Elec Fiber Project	\$ 7,140,642.56	2.32%					
Bankers Trust Debt Reserve - Peoples Bank	\$ 881,052.51	2.32%					
Iowa Public Agency Inv. Trust	\$ 113,882.36	2.18%				Plus Outstanding Checks	169,485.55
Payroll Account, TruBank	\$ -					Outstanding Deposit	-38,395.16
Checking Account, TruBank	\$ 110,012.66	0.15%				Plus Outstanding Checks-	
Sweep Account, TruBank	\$ 6,251,009.10	2.65%				Telecom Tru Bank Account	
Indianola Hometown Pride, TruBank	\$ 427.58					Outstanding Deposit - Telecom	
City USDA Funds - TruBank	\$ 75,000.00					Plus unreconciled amount	
IMU USDA Funds - TruBank	\$ 375,000.00						
IMU Telecom - TruBank							
Indianola EMS - TruBank	\$ 439,293.62						
Wells Fargo	\$ 2,243.76						
BANK BALANCE	36,660,651.48					36,660,651.48	

600 Water	646,370.51	190,350.19	117,784.75	0.00	87,983.34	630,952.61
620 IMU Administration	-29,405.99	107,877.00	59,106.05	0.00	0.00	19,364.96
625 Revolving Economic Development	111,420.54	219.25	0.00	0.00	0.00	111,639.79
626 USDA RLF	375,000.00	0.00	0.00	0.00	0.00	375,000.00
630 Electric	4,925,187.92	1,202,569.43	1,307,360.48	22,566.67	94,458.33	4,748,505.21
640 Fiber/Communications	-39,102.73	96,155.24	48,133.94	0.00	0.00	8,918.57
700 Water Capital Projects	1,503,884.81	0.00	2,169.90	65,416.67	0.00	1,567,131.58
730 Electric Capital Projects	4,145,413.01	94,920.27	83,859.97	0.00	0.00	4,156,473.31
740 Fiber/Comm Capital Projects	19,878.41	800.98	0.00	0.00	0.00	20,679.39
770 Water Reserve	0.00	0.00	0.00	0.00	0.00	0.00
773 Electric Reserve	0.00	0.00	0.00	0.00	0.00	0.00
780 Water Capital Improvement	75,000.00	0.00	0.00	0.00	0.00	75,000.00
783 Electric Improvement	0.00	0.00	0.00	0.00	0.00	0.00
790 Water Revenue Bonds	0.00	0.00	0.00	0.00	0.00	0.00
793 Electric Revenue Bonds	915,617.16	0.00	0.00	94,458.33	0.00	1,010,075.49
855 Liability Insurance Reserve--IMU	13,762.56	29.22	0.00	0.00	0.00	13,791.78
IMU SUB-TOTAL	12,663,026.20	1,692,921.58	1,618,415.09	182,441.67	182,441.67	12,737,532.69

<u>INTEREST DISTRIBUTION</u>	INTEREST		CALYTD	FYTD
	INCOME	% OF TOTAL		
Electric Funds	\$ 21,931.69	30.01%	\$ 38,139.32	\$ 156,822.29
Water Funds	\$ 4,319.10	5.91%	\$ 7,348.71	\$ 31,182.34
Sewer Funds	\$ 6,109.59	8.36%	\$ 10,587.45	\$ 42,823.96
Police Retirement	\$ 109.61	0.15%	\$ 189.48	\$ 876.44
Community Redevelopment	\$ -	0.00%	\$ -	\$ -
All other	\$ 40,611.22	55.57%	\$ 70,060.76	\$ 260,197.24
TOTAL	\$ 73,081.21	100.00%	\$ 126,325.72	\$ 491,902.27

FINANCIAL REPORT
MONTH OF FEBRUARY, 2018

Page 1

FUND	Beginning Balance	Monies Received	Monies Disbursed	Transfer In	Transfer Out	Clerk's Balance	% of Total
001 General Government	1,528,402.34	17,974.81	153,556.83	128,259.74	8,127.92	1,512,952.14	
011 Police	1,096,907.08	11,365.95	176,129.02	34,075.13	4,081.70	962,137.44	
015 Fire	584,048.04	3,412.31	45,630.29	1,231.85	625.92	542,435.99	
016 Ambulance	181,421.95	25,739.72	84,344.89	650.40	3,538.87	119,928.31	
041 Library	94,825.94	2,822.29	34,136.63	1,297.35	2,396.33	62,412.62	
042 Park & Recreation	539,457.36	22,361.33	102,172.39	1,469.71	3,139.06	457,976.95	
045 Memorial Pool	56,022.58	9,350.76	3,690.96	0.00	0.00	61,682.38	
071 General Fund Debt Service	97,596.05	518.11	0.00	0.00	0.00	98,114.16	
099 Franchise Fees-MEC	668,240.40	0.00	0.00	0.00	0.00	668,240.40	
GENERAL FUND SUB-TOTAL	4,846,921.74	93,545.28	599,661.01	166,984.18	21,909.80	4,485,880.39	
110 Road Use Tax (Streets)	2,138,290.56	208,895.28	88,213.50	0.00	15,462.82	2,243,509.52	
112 Trust & Agency	0.00	11,491.10	0.00	0.00	11,491.10	0.00	
115 YMCA Maintenance Obligations	278,619.46	0.00	6,695.00	0.00	0.00	271,924.46	
121 Local Option Sales Tax	2,780,226.47	0.00	0.00	0.00	0.00	2,780,226.47	
125 TIF--Downtown	1,956,192.56	6,530.53	0.00	0.00	0.00	1,962,723.09	
141 Library Special Revenue	38,450.06	1,020.32	923.53	0.00	0.00	38,546.85	
142 Park & Rec Special Revenue	114,189.24	283.19	746.43	0.00	0.00	113,726.00	
160 Downtown Revolving Loan	167,830.47	0.00	0.00	0.00	0.00	167,830.47	
161 Downtown Business Inc Program	56,555.53	2,176.98	1,424.47	0.00	0.00	57,308.04	
177 Police Forfeiture	19,830.07	0.00	0.00	0.00	0.00	19,830.07	
190 Vehicle Reserve	622,742.01	26,526.60	19,861.00	2,333.33	0.00	631,740.94	
199 Police Retirement	71,923.31	109.89	0.00	0.00	1,041.67	70,991.53	
SPECIAL REVENUES SUB-TOTAL	8,244,849.74	257,033.89	117,863.93	2,333.33	27,995.59	8,358,357.44	
200 DEBT SERVICE (SUB-TOTAL)	1,982,886.19	5,988.20	0.00	12,333.33	0.00	2,001,207.72	
301 Capital Projects (General)	161,343.64	2,105.91	60,010.06	0.00	0.00	103,439.49	
321 Capital Projects (Streets)	-270,790.25	6,654.09	-95,296.61	0.00	0.00	-168,839.55	
344 Community Athletic Facility	-2,524.87	0.00	55.35	0.00	0.00	-2,580.22	
353 Community ReDevelopment (D&D)	-49,005.79	0.00	0.00	2,222.22	0.00	-46,783.57	
CAPITAL PROJECTS SUB-TOTAL	-160,977.27	8,760.00	-35,231.20	2,222.22	0.00	-114,763.85	
610 Sewer	1,001,030.33	0.00	76,437.82	140,097.45	29,627.64	1,035,062.32	
650 Stormwater Utility	577,716.82	17,292.64	64,759.44	0.00	5,408.33	524,841.69	
670 Recycling	104,373.42	19,733.61	16,588.30	0.00	1,305.69	106,213.04	
710 Sewer Capital Projects	1,582,868.16	258,176.08	487,325.67	0.00	201,322.44	1,152,396.13	
771 Sewer Reserve	114,238.70	0.00	0.00	0.00	0.00	114,238.70	
781 Sewer Plant Improvement	407,155.74	0.00	0.00	2,083.33	0.00	409,239.07	
791 Sewer Revenue Bonds	639,222.48	0.00	0.00	56,708.33	0.00	695,930.81	
820 Health Insurance	721,734.16	113,471.52	58,613.78	0.00	0.00	776,591.90	
830 Health Reimbursement Account	208,370.00	0.00	3,099.87	0.00	0.00	205,270.13	
840 Flex/STD	197,742.78	815.38	2,372.13	273.00	0.00	196,459.03	
850 Liability Insurance Reserve--City	23,215.06	36.63	0.00	0.00	0.00	23,251.69	
CITY UTILITY & IS SUB-TOTAL	5,577,667.65	409,525.86	709,197.01	199,162.11	237,664.10	5,239,494.51	
TOTAL CITY FUNDS	20,491,348.05	774,853.23	1,391,490.75	383,035.17	287,569.49	19,970,176.21	59%
TOTAL IMU FUNDS	14,170,633.96	1,665,560.42	1,802,780.60	184,746.42	280,212.10	13,937,948.10	41%
GRAND TOTAL CITY & IMU	34,661,982.01	2,440,413.65	3,194,271.35	567,781.59	567,781.59	33,908,124.31	
Cross Check Total						33,908,124.31	
Investments						Clerk's Balance	33,908,124.31
Bankers Trust	\$ 20,890,870.59	2.00%					
Bankers Trust IMU Elec Fiber Project	\$ 7,002,950.81	1.15%					
Bankers Trust Debt Reserve - Peoples Bank	\$ 865,689.44	1.17%					
Iowa Public Agency Inv. Trust	\$ 111,969.97	1.077%				Plus Outstanding Checks	346,221.04
Payroll Account, City State Bank	\$ -	Earnings Credit					
Checking Account, City State Bank	\$ 243,239.05	Earnings Credit				Outstanding Deposit	-32,632.88
Sweep Account, City State Bank	\$ 592,689.94	0.66%					
Indianola Police Dept, City State Bank	\$ 37,826.54						
Payroll Account, TruBank	\$ -						
Checking Account, TruBank	\$ 110,012.66	0.15%					
Sweep Account, TruBank	\$ 3,913,617.65	1.65%					
City USDA Funds - TruBank	\$ 75,000.00						
IMU USDA Funds - TruBank	\$ 375,000.00						
Wells Fargo	\$ 2,845.82						
BANK BALANCE	34,221,712.47					34,221,712.47	

600 Water	492,815.82	196,760.37	102,535.73	0.00	97,701.49	489,338.97
620 IMU Administration	-25,469.57	0.00	30,722.28	32,754.75	12.00	-23,449.10
625 Revolving Economic Development	109,403.88	162.22	0.00	0.00	0.00	109,566.10
626 USDA RLF	375,000.00	0.00	0.00	0.00	0.00	375,000.00
630 Electric	2,876,293.83	1,271,832.60	1,048,620.45	22,566.67	161,102.92	2,960,969.73
640 Fiber/Communications	76,910.08	126,548.85	34,854.07	0.00	21,395.69	147,209.17
700 Water Capital Projects	1,428,257.23	0.00	124,255.58	49,000.00	0.00	1,353,001.65
730 Electric Capital Projects	8,305,741.96	70,235.45	392,206.40	0.00	0.00	7,983,771.01
740 Fiber/Comm Capital Projects	-301,660.93	0.00	69,586.09	0.00	0.00	-371,247.02
770 Water Reserve	0.00	0.00	0.00	0.00	0.00	0.00
773 Electric Reserve	0.00	0.00	0.00	0.00	0.00	0.00
780 Water Capital Improvement	75,000.00	0.00	0.00	0.00	0.00	75,000.00
783 Electric Improvement	0.00	0.00	0.00	0.00	0.00	0.00
790 Water Revenue Bonds	59,791.69	0.00	0.00	8,541.67	0.00	68,333.36
793 Electric Revenue Bonds	685,044.49	0.00	0.00	71,883.33	0.00	756,927.82
855 Liability Insurance Reserve--IMU	13,505.48	20.93	0.00	0.00	0.00	13,526.41
IMU SUB-TOTAL	14,170,633.96	1,665,560.42	1,802,780.60	184,746.42	280,212.10	13,937,948.10

INTEREST DISTRIBUTION	INTEREST			
	INCOME	% OF TOTAL	CALYTD	FYTD
Electric Funds	\$ 19,407.96	38.06%	\$ 19,407.96	\$ 97,924.61
Water Funds	\$ 3,013.70	5.91%	\$ 3,013.70	\$ 16,718.60
Sewer Funds	\$ 3,569.50	7.00%	\$ 3,569.50	\$ 24,019.37
Police Retirement	\$ 107.07	0.21%	\$ 107.07	\$ 704.16
Community Redevelopment	\$ -	0.00%	\$ -	
All other	\$ 24,894.80	48.82%	\$ 24,894.80	\$ 146,409.32
TOTAL	\$ 50,993.03	100.00%	\$ 50,993.03	\$ 285,776.06

Meeting Date: 04/15/2019

Information

Subject

Receipt and file of the monthly update regarding the EMS Billing Activity

Information

In your packet is the EMS Billing Activity report for March 2019.

Fiscal Impact

Attachments

EMS Update



FIRE DEPARTMENT

TO: Mayor Kelly Shaw and City Council Members
CC: City Manager Ryan Waller, Finance Director Andy Lent
FROM: Fire Chief Gregory M. Chia
DATE: 04-10-2019
RE: March 2019 EMS Billing Activity

March 2019 EMS billing activity from Intermedix (R1) Company is posted below in this document. R1 and Indianola Fire have been working to get all (EFT electronic fund transfer) agreements and authorization documents in place for users of the ems system. The information exhibited is the fire department being transparent of just some of its actions that occur on a regular basis.

Below are details for the month of March 2019 EMS Billing activity.

For the period: 03/01/2019 to 03/31/2019

New Charges: \$54,862.13	All Accounts Collected Old / New: \$56,004.47
Billable Transports: \$30,915.00	Non-Transports Collected: \$600
Non-Transports Billable: \$600.00	Unidentified Payments Collected: 00:00
Total Non-Billable: (\$5482)	
ALS Tier: 0	
Total Accounts Created: \$25,433.00	Net Total Collected: \$56,004.47

With the above activity the fund balance now stands at \$522,319.18 as reflected in this month's treasurer report.



Meeting Date: 04/15/2019

Information

Subject

Proclamation declaring April 26, 2019 as Arbor Day

Information

Mayor Shaw will declare April 26, 2019 as Arbor Day (packet) in the City of Indianola.

Fiscal Impact

Attachments

Proclamation



— OFFICE OF THE MAYOR —

PROCLAMATION

ARBOR DAY

WHEREAS, In 1872 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

WHEREAS, Arbor Day is now observed throughout the nation and the world, and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

WHEREAS, trees are a source of joy and spiritual renewal, and

WHEREAS, Indianola has been recognized as a Tree City USA by the National Arbor Day Foundation and desires to continue its tree-planting ways,

NOW, THEREFORE, I Kelly B. Shaw, Mayor of the City of Indianola, do hereby proclaim April 26, 2019 as

ARBOR DAY

in the City of Indianola, and I urge all citizens to support efforts to care for our trees and woodlands and to support our city's community forestry program, and

FURTHER, I urge all citizens to plant trees to gladden the hearts and promote the well being of present and future generations.

DATED this 15th day of April, 2019.

Kelly B. Shaw, Mayor

Meeting Date: 04/15/2019

Information

Subject

Mayor's Report - Kelly B. Shaw

Information

Fiscal Impact

Attachments

No file(s) attached.

Meeting Date: 04/15/2019

Information

Subject

Fiscal Year 2019 Budget Amendment

Information

Fiscal Impact

Attachments

No file(s) attached.

Meeting Date: 04/15/2019

Information

Subject

Public hearing on the adoption of second amendment to FY 19 budget.

Information

The first item is to hold the public hearing on an amendment to the FY 19 budget. The Mayor will open the public hearing for comments then close the public hearing.

Fiscal Impact

Attachments

No file(s) attached.

Meeting Date: 04/15/2019

Information

Subject

Resolution approving the adoption of the second amendment to the FY 19 budget.

Information

In your packet is the resolution amending the FY 19 budget and Finance Director Andy Lent's memo regarding the second budget amendment. The two function areas that need amendments are Public Safety and Business-Type (Sanitary Sewer, Storm Sewer and Recycling).

Roll call is in order.

Fiscal Impact

Attachments

Resolution to Amend Budget
Budget Memo

RESOLUTION 2019-____

RESOLUTION AMENDING THE ANNUAL BUDGET
FOR FISCAL YEAR ENDING JUNE 30, 2019

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

The annual budget for the fiscal year ending June 30, 2019 as set forth in the Budget Summary Certificate and in the detail budget in support thereof showing the revenue estimates and appropriations expenditures and allocations to program and activities for said fiscal year is hereby amended, the Finance Director is directed to make the filings required by law and set up his/her books in accordance with the summary and details as adopted.

Passed and approved on 15th day of April, 2019.

Kelly B. Shaw, Mayor

ATTEST:

Diana Bowlin, City Clerk



— FINANCE DEPARTMENT —

To: Mayor and Council
From: Andrew J. Lent, Director of Finance
CC: Ryan Waller, City Manager
Date: 15 April 2019
Re: FY2019 Second Budget Amendment

A second budget amendment will be required as explained below. The two function areas that need amendments are Public Safety and Business-Type (Sanitary Sewer, Storm Sewer and Recycling).

Public Safety:

The Fire and EMS Departments will likely exceed the budgetary amounts for paid-on-call and operational salaries. There are three driving reasons for this overage: 1. A dramatic increase in the amount of calls including second and third medical calls while the first unit is on a call; 2. Three personnel on medical leave whose positions had to be covered by other personnel; and 3. FSLA overtime that was not included in the current budget. Under FSLA rules, the fulltime firefighter/paramedics receive 9 hours of overtime every 21 days due to the 24-hour-on/48-hour-off shift cycles that they perform. The overage in the fire and ambulance pay line items will be offset by savings by health insurance premiums less than budgeted for a net amendment in public safety of \$42,034.

Vehicle and Equipment

In FY2018, an ambulance was budgeted as an expense for \$218,000. The ambulance was approved for purchase, however, due to a delay in manufacturing, Dodge was not able to deliver the ambulance until this fiscal year. The actual expense of \$213,372 needs to be placed into this year's budget, however, this is offset by the savings of the same amount from the previous fiscal year.

Capital Projects-Streets

Fund 321, which accounts for the street capital projects, will need to be amended by \$75,000 to cover expenses for the June 28, 2018 storm. Most of these expenses will be offset by revenue from FEMA.

Business-Type (Sanitary Sewer, Storm Sewer and Recycling)

First, the FY2019 budget was built with funds for sanitary and storm sewer capital expenditures being transferred into Capital Projects. However, since the City has a separate capital project funds for sanitary and storm sewer, it makes sense to leave these funds into Fund 710 and 650 respectively.



The FY2019 budget was adopted prior to three projects not entirely completed in FY2018 and being moved into FY2019; these projects included the Morlock Sewer projects, McCord/Plainview Lift Station Controls, and the 15th Avenue/HWY 92 Sewer project. The Sanitary Sewer project originally budgeted in FY2019, the 3rd Avenue Sewer project is now scheduled in the FY2020 budget as adopted. Engineering for the new wastewater treatment plant (WWTP) also started ahead of the anticipated start date, so \$100,000 is being added to cover that expense.

These expenses will be offset with moving expenditures from Capital Projects (Fund 301) to Sanitary Sewer Capital Projects (Fund 710) (\$470,000), drawing down additional SRF fund (\$120,000), receiving more sanitary sewer fees than budgeted (\$180,000), receiving increased interest on funds than budgeted (\$20,000), and receiving higher miscellaneous fees than budgeted (\$10,000). The WWTP engineering will be offset by not spending this amount in FY2020.

The Sanitary Sewer amendment will also include a Health Insurance savings of \$23,849.

The Storm Sewer CIP Expenses of \$400,000 will also need to be moved from Fund 321 to Fund 650. This amendment accomplishes this move.

Recycling will also be over by \$40,000 due to the increased rates from Waste Management, but the city increased rates to the customers, so this increase will be offset by higher Charges for Services.

The overall cost of this amendment is \$227,564, however, since there was a savings of \$213,372 for the ambulance in the previous fiscal year and the savings for the WWTP engineering in the next fiscal year (\$100,000), there is a net revenue increase between the three years of \$85,808.

I recommend approval of this FY2019 budget amendment.



Meeting Date: 04/15/2019

Information

Subject

Public hearing and first consideration of a request from Mark Putney with Putney Auction Services for an amendment to Chapter 165 (Zoning Regulations), Section 09 to include "Auction Sales" under M-2 (General Industrial) as a permitted principal use (Planning and Zoning unanimously recommended approval on March 12, 2019)

Information

Council will need to hold the public hearing and first consideration of a request from Mark Putney to amend Chapter 165 Section 9 to allow for "Auction Sales" to be included as permitted principal use in the M-2 (General Industrial Zoning District) located at 907 West 2nd Avenue.

The property at 907 West 2nd Avenue is located in the C-2, Highway Commercial Zoning District, and the location at 2612 West 2nd Avenue is located in the M-2, General Industrial Zoning District. Currently, the only districts that allow "Auction Sales" are the C-2, Highway Commercial Zoning District and C-4, Planned Commercial Zoning District, and the minimum off-street parking requirement for "Auction Sales" is 1 space per 300 square feet of floor area. The location at 2612 West 2nd Avenue includes a grain elevator; which Mr. Putney states they plan to continue using. As grain elevators are only allowed in the M-2, General Industrial Zoning District, Mr. Putney seeks a code amendment to the allowed permitted principal uses of that district to include "Auction Sales".

Staff has analyzed codes for other cities in the Des Moines Metro area, as well as other similar sized cities in the State of Iowa. The Cities of Des Moines, Ankeny, Grimes, Urbandale and Pleasant Hill only allow for auction types uses within their commercial zoning districts. The Cities of West Des Moines, Norwalk and Oskaloosa allow for auction types uses in both their commercial and industrial zoning districts. The Cities of Altoona, Clive, Johnston, Waukee, Newton, North Liberty, Coralville, Boone, Pella and Carroll do not mention auction type uses in their zoning ordinances.

The Code of Ordinances allows for regulations imposed in the zoning districts to be amended from time to time by the Council, but no such amendment shall be made until after a recommendation has been made by the Commission. Staff recommends approval of this request and would also recommend the Commission consider allowing "Auction Sales" in both the M-1, Limited Industrial Zoning District and the M-2, General Industrial Zoning District. Staff further recommends using the minimum off-street parking requirement of 1 space per 300 square feet of floor area if added to either, or both, the M-1 and M-2 zoning district.

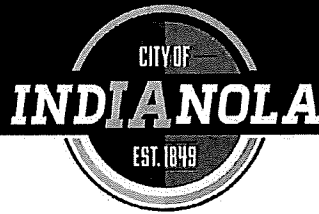
Staff recommended approval of this request and P&Z unanimously recommended approval on March 12, 2019.

Roll call is in order.

Fiscal Impact

Attachments

PZ Memo and Putney Request
Ordinance



COMMUNITY DEVELOPMENT

To: Planning and Zoning Commission
From: Charlie E. Dissell, AICP, Community and Economic Development Director
Subject: March 12, 2019 Meeting
Re: Item # 7.a: Consider request from Mark Putney with Putney Auction Services for an amendment to Chapter 165 (Zoning Regulations), Section 09 to include "Auction Sales" in the M-2, General Industrial Zoning District as a permitted principal use.

Mark Putney, on behalf of Putney Auction Services, has requested approval of a code amendment to Section 9 of Chapter 165. The request is to allow for "Auction Sales" to be included as a permitted principal use in the M-2, General Industrial Zoning District.

As you may be aware, Putney Auction Services is in the process of relocating from 907 West 2nd Avenue to 2612 West 2nd Avenue. The property at 907 West 2nd Avenue is located in the C-2, Highway Commercial Zoning District, and the location at 2612 West 2nd Avenue is located in the M-2, General Industrial Zoning District. Currently, the only districts that allow "Auction Sales" are the C-2, Highway Commercial Zoning District and C-4, Planned Commercial Zoning District, and the minimum off-street parking requirement for "Auction Sales" is 1 space per 300 square feet of floor area. The location at 2612 West 2nd Avenue includes a grain elevator; which Mr. Putney states they plan to continue using. As grain elevators are only allowed in the M-2, General Industrial Zoning District, Mr. Putney seeks a code amendment to the allowed permitted principal uses of that district to include "Auction Sales".

Staff has analyzed codes for other cities in the Des Moines Metro area, as well as other similar sized cities in the State of Iowa. The Cities of Des Moines, Ankeny, Grimes, Urbandale and Pleasant Hill only allow for auction types uses within their commercial zoning districts. The Cities of West Des Moines, Norwalk and Oskaloosa allow for auction types uses in both their commercial and industrial zoning districts. The Cities of Altoona, Clive, Johnston, Waukee, Newton, North Liberty, Coralville, Boone, Pella and Carroll do not mention auction type uses in their zoning ordinances.

The Code of Ordinances allows for regulations imposed in the zoning districts to be amended from time to time by the Council, but no such amendment shall be made until after a recommendation has been made by the Commission. Staff recommends approval of this request and would also recommend the Commission consider allowing "Auction Sales" in both the M-1, Limited Industrial Zoning District and the M-2, General Industrial Zoning District. Staff further recommends using the minimum off-street parking requirement of 1 space per 300 square feet of floor area if added to either, or both, the M-1 and M-2 zoning district.

Putney Auction Service
907 West 2nd Ave Indianola, IA 50125
Phone: (515) 961-4124
Mark@putneyauction.com
www.putneyauction.com



February 28, 2019

City of Indianola

Attn: Charlie E Dissell

PO Box 299

Indianola, IA 50125

RE: M-2 Zoning District code amendment for 2612 W 2nd Ave, Indianola, IA

We would appreciate it if you would please adjust the above captioned amendment to include auction sales as we do plan on continuing to allow use of the elevator which needs to remain in the M-2 zoning district. As a business in the City of Indianola we want to follow procedure but was not aware of this issue, however we are willing to do what is necessary so that we may continue to do business as we have in the past. There is also a possibility that we may continue to sell feed from this location. Your cooperation in expediting this process would be greatly appreciated and if anything else is needed from me please do not hesitate to contact me at 515-249-3676.

Regards,

Mark Putney

Putney Auction Service

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF INDIANOLA, IOWA, CHAPTER 165, ZONING REGULATIONS, M-2 GENERAL INDUSTRIAL TO ADD AUCTION SALES

WHEREAS, the City Council of the City of Indianola, Iowa, deems it necessary and proper to amend the Code of Ordinances, Chapter 165, Zoning Regulations, M-2 to add “Auction Sales” as a permitted principal use.

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

Section 1: That Chapter 165 be and is hereby amended by adding the underlined language in Chapter 165, Zoning Regulations, M-2 General Industrial, Permitted Principal Uses and Structures, as follows:

22. Auction Sales

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 full force and effect after its passage, approval and publication as provided by law.

PASSED AND APPROVED this ____ day of _____ 2019.

Kelly B. Shaw, Mayor

ATTEST:

Diana Bowlin, City Clerk

First reading: _____
Second reading: _____
Third reading: _____
Publication Date: _____

Information

Subject
RAGBRAI

Information

Fiscal Impact

Attachments

No file(s) attached.

Meeting Date: 04/15/2019

Information

Subject

First consideration of an Ordinance amending the City Code establishing a temporary RAGBRAI Ordinance that will remain in effective until 5:00 p.m. on July 24, 2019

Information

Council will need to consider the first consideration of an ordinance amending the City Code establishing a temporary RAGBRAI Ordinance (packet) that will remain in effect until 5:00 p.m. on July 24, 2019.

Highlights of the ordinance include:

- Commercial Vendor Booth - establishes a permit, fees and location
- Non-Profit Vendor Booth - establishes a permit, fees and location
- Health regulations
- Application deadline of May 24, 2019
- Outdoor Alcoholic Beverage Garden - the Council determines that there may be no more than one applicant permitted to operate an outdoor alcoholic beverage garden from temporary location(s) with a five day or fourteen day beer permit. To help support the cost incurred by the Indianola RAGBRAI Committee to host RAGBRAI as an overnight stop, the Indianola RAGBRAI Committee, or its designee, shall have the first option to apply, but if the Committee does not secure such a permit and/or license before July 1, 2019, the Council shall have the option to consider applications from other vendors. Businesses that have an existing liquor license for an outdoor beverage garden as of the date of approval of this Ordinance shall be permitted to operate such within the space defined in their license.
- Motorized Vehicles - Scooters, golf carts, ATV's, etc are prohibited in event venue areas, as designated by the Indianola RAGBRAI Committee, unless the motorized vehicle is property registered with the Indianola Police Department utilizing forms provided by the Indianola Police Department
- Street Closings

Roll call is in order.

Fiscal Impact

Attachments

RAGBRAI Ordinance

Golf Cart Registration

INDIANOLA, IOWA - ORDINANCE NO.

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF INDIANOLA, IOWA ENACTED TO ASSIST CITY OFFICIALS AND THE RAGBRAI COMMITTEE DEAL WITH THE PUBLIC HEALTH AND SAFETY ISSUES CREATED BY THE INFUSION OF A LARGE NUMBER OF PEOPLE INTO THE CITY OF INDIANOLA WHEN THE DES MOINES REGISTER'S ANNUAL GREAT BICYCLE RIDE ACROSS IOWA (RAGBRAI) ARRIVES IN INDIANOLA ON JULY 23, 2019, AND DEPARTS ON JULY 24, 2019

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

Section I. That the Municipal Code of the City of Indianola, Iowa be amended by the following Ordinance designated "RAGBRAI ORDINANCE", which because of its temporary nature shall not be printed as part of the permanent Code of Ordinances. The RAGBRAI Ordinance is as follows:

"RAGBRAI ORDINANCE"

Section 1. Definitions.

A. As used herein, "food" shall include food products of all kind including food packaged for consumption off premises as well as meals prepared for consumption either on or off premises. Food shall also include beverages of every kind, including both alcoholic and nonalcoholic, except for water provided without cost to the consumer.

B. As used herein, "person" shall include any individual person, club, group, organization, partnership, corporation or entity of any kind.

C. The RAGBRAI Committee for purposes herein shall be defined as the Advisory Board and the Executive Committee as designated by the City and the Indianola Chamber Board.

Section 2. Commercial Vendor Booth – Permit Required.

No for-profit person or vendor shall provide or sell food or goods to the public in Indianola, Iowa on July 23, 2019 or July 24, 2019 at a location other than their regularly-established place of business unless said person shall first obtain a Commercial Vendor Booth Permit from the Indianola RAGBRAI Committee. The Indianola RAGBRAI Committee shall approve all permits.

Section 3. Commercial Vendor Booth Fees

The fee for a Commercial Food Booth Permit shall be \$800.00. The fee is required for every designated vendor location occupied. If a permitted vendor desires to have an additional location at a designated campground, the permitted vendor shall be required to pay an additional \$400.

Section 4. Commercial Vendor Booth Location

A Vendor who has been granted an Indianola Commercial Vendor Booth Permit shall locate its temporary sale facility at a location, and only at that location, to be determined by the official Indianola RAGBRAI Committee.

Section 5. Non-Profit Vendor Booth – Permit Required

No non-profit person of any kind shall provide or sell food or goods to the public in Indianola on July 23, 2019 or July 24, 2019, at a location other than their regularly-established place of business unless said person or entity shall first obtain a Non-Profit Vendor Booth permit from the Indianola RAGBRAI Committee. The Indianola RAGBRAI Committee shall approve all permits.

Section 6. Non-Profit Vendor Booth Fees

The fee for a local Non-Profit Vendor Booth Permit shall be \$400.00. The fee is required for every designated vendor location occupied. If a permitted non-profit vendor desires to have an additional location at a designated campground, the permitted non-profit vendor shall be required to pay an additional \$200.

Section 7. Non-Profit Vendor Booth Location

A vendor who has been granted an Indianola Non-Profit Vendor Booth Permit shall locate its temporary facility at a location, and only at that location, to be determined by the official Indianola RAGBRAI Committee.

Section 8. Health Regulations

A person issued a commercial or non-profit food booth permit pursuant to this Ordinance shall comply with the Iowa Department of Health and Warren County Department of Health rules and regulations, including obtaining appropriate permits, pertaining to the sale and dispensing of food for consumption on its premises.

Section 9. Declining Permit

The Indianola RAGBRAI committee shall make recommendations to the City of Indianola. The City of Indianola shall have the authority to approve all permits, and shall have sole discretion to decline to issue a permit for any reason, provided, however, that no applicant for a permit shall be denied based upon the race, creed, color, sex, age, or country of origin of the applicant.

Section 10. Application Deadline

All applications for permits must be received by May 24, 2019. Applications received after this date are not ensured of approval and are subject to a \$250 late fee.

Section 11. Electrical Service

This section is intentionally left blank

Section 12. Outdoor Alcoholic Beverage Garden.

The presence of 20,000 to 25,000 extra people in Indianola on July 23, 2019, many of whom may be consuming alcoholic beverages, has the potential to overwhelm local law enforcement personnel. Therefore, in order to ensure public safety and to facilitate police protection, the Council determines that there may be no more than one applicant permitted to operate an outdoor alcoholic beverage garden from temporary location(s) with a five day or fourteen day beer permit and/or five day or fourteen day liquor license. To help support the cost incurred by the Indianola RAGBRAI Committee to host RAGBRAI as an overnight stop, the Indianola RAGBRAI Committee, or its designee, shall have the first option to apply for the necessary permits or licenses to operate such alcoholic beverage garden at such location, but if the Committee does not secure such a permit and/or license before July 1, 2019, the Council shall have the option to consider applications from other vendors. Businesses that have an existing liquor license for an outdoor beverage garden

as of the date of approval of this Ordinance shall be permitted to operate such within the space defined in their license.

Section 13. Motorized Vehicles

The use of motorized vehicles such as scooters, golf carts, ATV's, etc. is prohibited in event venue areas, as designated by the Indianola RAGBRAI Committee, unless the motorized vehicle is properly registered with the Indianola Police Department utilizing forms provided by the Indianola Police Department.

Section 14. Nuisance.

The sale of food or the erection of a temporary facility for the sale of food or other merchandise without a commercial or non-profit vendor permit on July 23, 2019 and July 24, 2019 is in violation of this Ordinance and shall be considered a nuisance as defined by Chapter 50 of the Municipal Code. If this type of nuisance is determined to exist by a member of the Indianola RAGBRAI Committee, an authorized enforcement officer of the City of Indianola or an appropriate designee, the non-permitted vendor will be informed of the nuisance by any means necessary and shall be required to comply with the provisions of this Ordinance. If compliance is refused and the nuisance remains, an emergency abatement procedure pursuant to Section 50.09 of the Municipal Code is hereby authorized and may be executed by any peace officer or those acting at their discretion by dismantling and removing the nuisance without notice.

Section 15. Violations - Penalties

Selling or supplying food or goods to the public without an Indianola Commercial/Non-Profit Vendor Booth Permit on July 23, 2019 or July 24, 2019 when such a permit is required, is in violation of this Ordinance. If any person is deemed to be in violation of this provision, the City of Indianola at its sole discretion may issue a permit, subject to receipt of booth fee, regular late fee, and an additional late fee of \$250.00.

Section 16. Street Closings

During the Effective dates of this ordinance and without prior Council approval regarding the blocking of any city streets, any Indianola police officer, or those at their direction, may place barricades or road blocks in any City street, alley or roadway to redirect vehicular traffic in order to enhance the proper and safe flow of bicycle and vehicular traffic within the City limits of the City of Indianola.

Section 17. Effective

The provisions of this Ordinance shall be in effect upon passage by the Indianola City Council and remain in effect until 5:00 p.m. on July 24, 2019.

Section 18. Certain Ordinances Suspended

Effective July 23, 2019 5:00am to July 24, 2019 5:00pm, the operational provisions of City Code Chapter 76 (Bicycle Regulations) shall be suspended and shall not be enforced.

Section 19. Authority.

Any and all issues and appeals regarding this ordinance will be brought to the local Indianola RAGBRAI Committee and the City of Indianola for resolution.

Section II. All previous ordinances or parts of such ordinances in conflict with provisions of this Ordinance are hereby repealed.

Section III. If any section, provision or part of this Ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole, or any section thereof, or part thereof, not adjudged invalid or unconstitutional.

Section IV. This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

PASSED AND APPROVED this ____ day of _____, 2019.

Kelly B. Shaw, Mayor

ATTEST:

Diana Bowlin, City Clerk

Indianola RAGBRAI 2019 Golf Cart Registration Rules

Due to the overnight RAGBRAI stay in Indianola on July 23rd, 2019, the City recognizes that traffic and congestion will make it difficult for committee members, workers, and volunteers to move goods and persons throughout the city. Accordingly, for one (1) day only, golf carts will be allowed to operate on city streets, pursuant to **Indianola Iowa Ordinance #** under the following circumstances:

- The motorized vehicle must be properly registered with the Indianola Police Department utilizing the form attached hereto as Exhibit A.
- The registration application must be submitted to the Indianola Police Department by July 19, 2019. Approved registration permits may be picked up at the police department between **July 19th** and **July 21st**.
- Issued permits must be clearly affixed to the front of the golf cart.
- Only the registrant may operate the golf cart. In instances where more than one person will be operating the same cart, each must obtain a permit must be affixed to the **front** of the cart.
- Operator/Registrant must be at least 18 years old and possess a valid driver's license.
- Permits will only be granted to those RAGBRAI committee volunteers or vendor workers.
- Operation of the golf cart will only be allowed while workers or volunteers are fulfilling their official duties.
- No beer or alcoholic beverages on the cart, except in the performance of a committee having a responsibility involving transportation of alcoholic beverages.
- No All-Terrain Vehicles (ATVs) will be permitted except for use by Public Safety officials.
- All rules of the road apply; including operating while intoxicated.
- No clinging to cart. All riders must be seated in a factory-installed seat.
- Golf carts cannot be operated on state highways (65/9, 92); however, state highways may be crossed at signalized intersections.
- A golf cart permit allows the registrant to operate on city streets from July 22nd at 7:00 am to July 24th at noon.
- Any police officer may revoke the golf cart permit for any violation of these rules, law, ordinance or any unsafe operation of the golf cart as determined by the police officer.
- Due to anticipated pedestrian traffic, golf carts should be operated at less than 5 m.p.h. in populated areas.
- Each registrant/operator is wholly liable for the operation of the golf cart. The City of Indianola, RAGBRAI, the RAGBRAI committees shall be held harmless in the event of loss, injury or death.

My signature below indicates my understanding that I am wholly liable for any loss, injury or death resulting from the operation of a golf cart on city streets in Indianola. My signature below is also acknowledgement that I have secured insurance for the golf cart to be operated on city streets. Insurance that insures golf carts on golf courses does not normally cover other uses of the golf cart. You are advised to contact your insurance carrier before operating a golf cart on any city street.

Signature

Printed Name

Photocopy of drivers license _____

EXHIBIT A

Indianola RAGBRAI 2019 Registration for Golf Cart Permit issuance

Please fill out the following information: (one of these will need to be filled out by every driver of the cart)

Name of Golf Cart driver: _____

DOB: _____ Male/ Female (please circle one)

Telephone: _____

Name of RAGBRAI Committee or Vendor

serving: _____

Description of Golf Cart:

Make: _____

Color: _____

Other identifiers: _____

Meeting Date: 04/15/2019

Information

Subject

Discussion and direction and possible motion for RAGBRAI funding

Information

Fiscal Impact

Attachments

No file(s) attached.

Information

Subject

Jerry Kelley Trail

Information

Fiscal Impact

Attachments

No file(s) attached.

Meeting Date: 04/15/2019

Information

Subject

Continuation of the public hearing on the matter of adoption of plans, specs, form of contract and estimate of cost

Information

The first item is to continue the public hearing on the adoption of plans, specs, form of contract and estimate of cost.

No written objections have been received.

Fiscal Impact

Attachments

Resolution
Estimate of Costs
Map

This being the time and place fixed for a public hearing on the matter of the adoption of plans, specifications, form of contract and estimate of cost relative to the 2019 Jerry Kelley Trail Improvement Project, the Mayor called for any oral objections to the adoption of the plans, specifications, form of contract and estimate of cost. No oral objections were offered and the City Clerk reported that no written objections had been filed.

Council Member _____ introduced the following Resolution entitled "RESOLUTION ADOPTING PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE OF COST", and moved that it be adopted. Council Member _____ seconded the motion to adopt. The roll was called and the vote was, AYES: NAYS: Whereupon the Mayor declared the following resolution duly adopted:

RESOLUTION NO. 2019-_____
RESOLUTION ADOPTING PLANS, SPECIFICATIONS,
FORM OF CONTRACT AND ESTIMATE OF COST

WHEREAS, on the ____ day of _____, 2019, plans, specifications, form of contract estimate of cost were filed with the City Clerk for the City of Indianola, for certain public improvements described in general as the 2019 Jerry Kelley Trail Improvement Project, for the City of Indianola, Iowa, and

WHEREAS, notice of hearing on plans, specifications, form of contract and estimate of costs of the public improvements was published as required by law.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF INDIANOLA:

Section 1. The plans, specifications, form of contract and estimate of cost are approved as the plans, specifications, form of contract and estimate of cost for the public improvements described in the preamble of this Resolution.

PASSED AND APPROVED this _____ day of _____, 2019.

Kelly B. Shaw, Mayor

ATTEST:

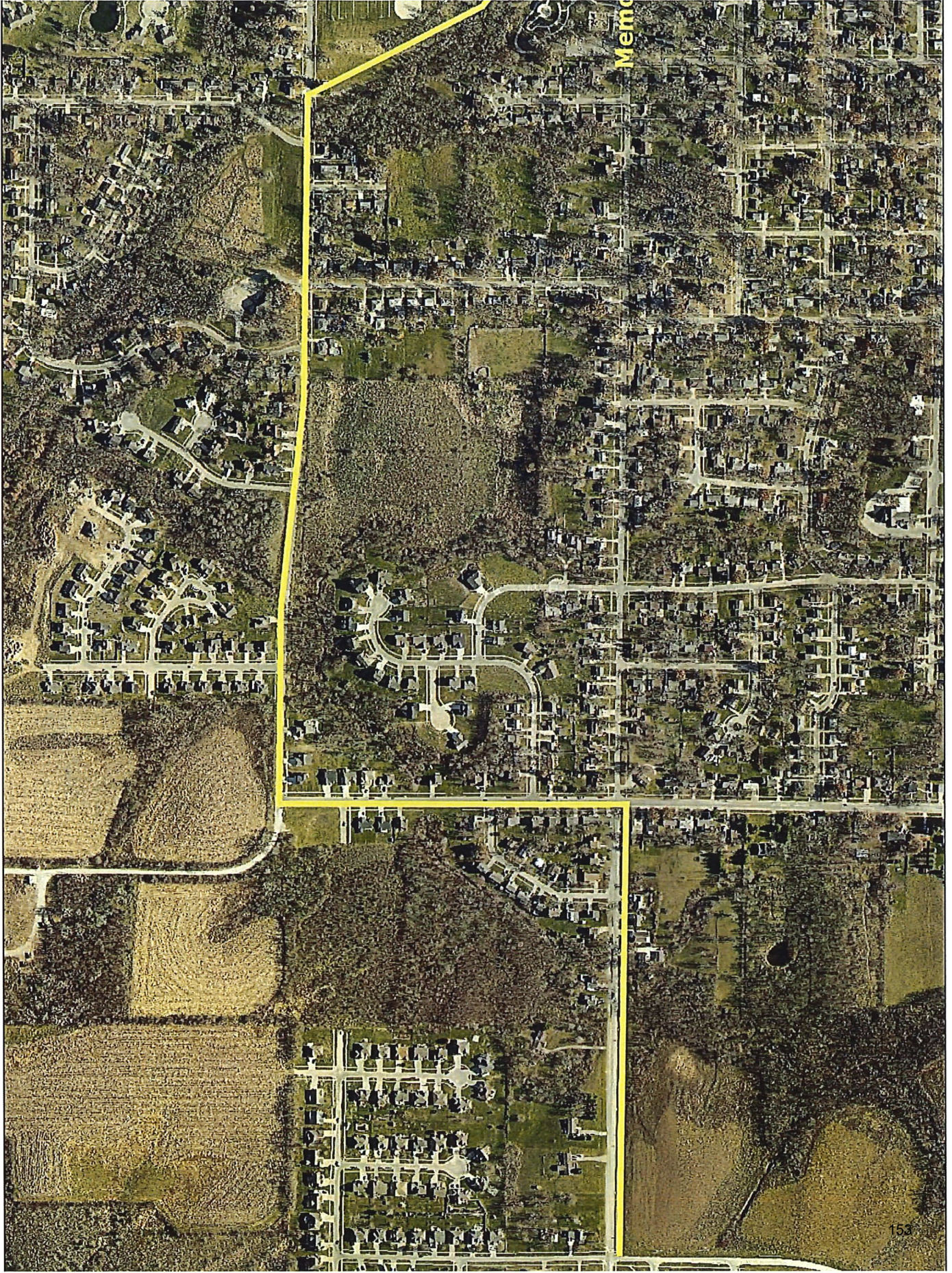
DIANA BOWLIN, City Clerk

Engineer's Opinion of Probable Cost
Jerry Kelley Trail

March 19, 2019

Item No.	Item Code	Item Description	Units	Quantity	Unit Cost	Total Cost
1	2101-0850001	CLEARING AND GRUBBING	ACRE	0.4	\$2,000.00	\$800.00
2	2102-2625000	EMBANKMENT-IN-PLACE	CY	858.0	\$15.00	\$12,870.00
3	2102-2710070	EXCAVATION, CLASS 10, ROADWAY AND BORROW	CY	892.0	\$10.00	\$8,920.00
4	2105-8425015	TOPSOIL, STRIP, SALVAGE, AND SPREAD	CY	1601.0	\$8.00	\$12,808.00
5	2123-7450000	EARTH SHOULDER CONSTRUCTION	STA	71.4	\$210.00	\$14,994.00
6	2213-6745500	REMOVAL OF CURB	LF	0.3	\$5,000.00	\$1,500.00
7	2402-0425040	FLOODED BACKFILL	CY	1.7	\$50.00	\$85.00
8	2416-0101136	REMOVE AND REINSTALL CONCRETE PIPE APRON, GREATER THAN 36 INCH	EACH	1.0	\$200.00	\$200.00
9	2416-1180048	CULVERT, CONCRET ROADWAY PIPE, 48 INCH	LF	20.0	\$2,800.00	\$56,000.00
10	2417-0225015	APRON, METAL, 15 INCH	EACH	1.0	\$280.00	\$280.00
11	2417-0225018	APRON, METAL, 18 INCH	EACH	2.0	\$300.00	\$600.00
12	2417-0225024	APRON, METAL, 24 INCH	EACH	2.0	\$360.00	\$720.00
13	2417-1040024	CULVERT, CORRUGATED METAL ENTRANCE PIPE, 24 INCH	LF	26.0	\$45.00	\$1,170.00
14	2435-0251224	INTAKE, SW-512 (24")	EACH	3.0	\$2,000.00	\$6,000.00
15	2502-8212204	SUBDRAIN, PERFORATED PLASTIC PIPE, 4 INCH	LF	332.0	\$11.00	\$3,652.00
16	2502-8221303	SUBDRAIN OUTLET, DR-303	EACH	3.0	\$230.00	\$690.00
17	2503-0110015	STORM SEWER GRAVITY MAIN, TRENCHED, 15 INCH	LF	24.0	\$50.00	\$1,200.00
18	2503-0110018	STORM SEWER GRAVITY MAIN, TRENCHED, 18 INCH	LF	67.0	\$62.00	\$4,154.00
19	2507-3250005	ENGINEERING FABRIC	SY	105.7	\$3.00	\$317.10
20	2507-6800061	REVETMENT, CLASS E	TON	54.0	\$45.00	\$2,430.00
21	2510-6745850	REMOVAL OF PAVEMENT	SY	4.2	\$100.00	\$420.00
22	2511-0302600	RECREATIONAL TRAIL, PCC, 6 INCH	SY	3792.5	\$35.00	\$132,737.50
23	2511-0302800	RECREATIONAL TRAIL, PCC, 8 INCH	SY	156.7	\$40.00	\$6,268.00
24	2511-0310100	SPECIAL COMPACTION OF SUBGRADE FOR REC TRAILS	STA	35.7	\$220.00	\$7,854.00
25	2511-6745900	REMOVAL OF SIDEWALK	SY	892.3	\$10.00	\$8,923.00
26	2511-7526004	SIDEWALK, PCC, 4 INCH	SY	19.4	\$50.00	\$970.00
27	2511-7528101	DETECTABLE WARNINGS	SF	78.0	\$40.00	\$3,120.00
28	2512-1725256	CURB AND GUTTER, PCC, 2.5 FEET	LF	125.0	\$35.00	\$4,375.00
29	2515-2475008	DRIVEWAY, PCC, 8 INCH	SY	264.1	\$60.00	\$15,846.00
30	2515-6745600	REMOVAL OF PAVED DRIVEWAY	SY	231.1	\$10.00	\$2,311.00
31	2518-6910000	SAFETY CLOSURE	EACH	7.0	\$150.00	\$1,050.00
32	2524-6765010	REMOVE AND REINSTALL SIGN	EACH	2.0	\$200.00	\$400.00
33	2524-9276010	PERFORATED SQUARE STEEL TUBE POSTS	LF	208.0	\$10.00	\$2,080.00
34	2524-9276021	PERFORATED SQUARE STEEL TUBE POST ANCHOR, BREAKAWAY, SOIL	EACH	16.0	\$175.00	\$2,800.00
35	2524-9325001	TYPE A SIGN, SHEET ALUMINUM	SF	100.0	\$20.00	\$2,000.00
36	2527-9263137	PAINTED SYMBOLS AND LEGENDS, WATERBORNE OR SOLVENT-BASED	EACH	28.0	\$120.00	\$3,360.00
37	2528-8445110	TRAFFIC CONTROL	LS	1.0	\$10,000.00	\$10,000.00
38	2533-4980005	MOBILIZATION	LS	1.0	\$17,744.09	\$17,744.09
39	2599-9999005	BOLLARD	EACH	4.0	\$400.00	\$1,600.00
40	2601-2634100	MULCHING	ACRE	1.5	\$1,200.00	\$1,800.00
41	2601-2636044	SEEDING AND FERTILIZING (URBAN)	ACRE	1.5	\$1,200.00	\$1,800.00
42	2601-2638352	SLOPE PROTECTION, WOOD EXCELSIOR MAT	SQ	3.1	\$40.00	\$124.00
43	2601-2643110	WATERING FOR SOD, SPECIAL DITCH CONTROL, OR SLOPE PROTECTION	MGAL	0.6	\$60.00	\$36.00
44	2601-2643300	MOBILIZATION FOR WATERING	EACH	3.0	\$350.00	\$1,050.00
45	2602-0000020	SILT FENCE	LF	2695.0	\$2.00	\$5,390.00
46	2602-0000071	REMOVAL OF SILT FENCE OR SILT FENCE FOR DITCH CHECKS	LF	2695.0	\$0.25	\$673.75
47	2602-0000101	MAINTENANCE OF SILT FENCE OR SILT FENCE FOR DITCH CHECKS	LF	270.0	\$0.50	\$135.00
48	2602-0000309	PERIMETER AND SLOPE SEDIMENT CONTROL DEVICE, 9 INCH	LF	1991.0	\$3.00	\$5,973.00
49	2602-0000350	REMOVAL OF PERIMETER AND SLOPE SEDIMENT CONTROL DEVICE	LF	1991.0	\$0.50	\$995.50
50	2602-0010010	MOBILIZATION, EROSION CONTROL	EACH	2.0	\$500.00	\$1,000.00
51	2602-0010020	MOBILIZATION, EMERGENCY EROSION CONTROL	EACH	2.0	\$1,000.00	\$2,000.00
52	2403-0100000	STRUCTURAL CONCRETE (MISC)	CY	4.9	\$1,500.00	\$7,350.00
53	2404-7775000	REINFORCING STEEL	LB	547.0	\$1.50	\$820.50
54	2501-5775000	PILE, STEEL SHEET	SF	228.0	\$40.00	\$9,120.00
						\$391,516.44

e 2 - Memorial Park to Wilder School



Meeting Date: 04/15/2019

Information

Subject

Resolution adopting plans, specs, form of contract and estimate of costs

Information

The next item to consider is the resolution (packet) adopting the plans, specs, form of contract and estimate of costs.

Roll call is in order.

Fiscal Impact

Attachments

No file(s) attached.

Meeting Date: 04/15/2019

Information**Subject**

Resolution awarding contract

Information

The final item to consider is the resolution (packet) awarding the contract.

Bids were received on March 19, 2019. The estimated project costs, corrected to reflect bid quantities was \$391,516.44. The following bids were received:

Company	Bid
Howrey Construction Inc.	\$484,711.06
Elder Corporation	\$490,000.00
Bluff's Paving & Utility	\$583,577.79

The highest bid is considered "non-competitive," as it is more than 20% above the low bid. Snyder and Associates has performed an analysis of bids received and is in your packet.

In your packet is a memo from Doug Bylund, Park and Recreation Director, regarding the Jerry Kelley Trail & Hillcrest Trail Connector Funding. Attached is a summary that shows the revenue sources and expenses of each project. The total revised cost of the Jerry Kelley Phase 2 Trail connection is \$553,711 and the Hillcrest Trail connection total estimated cost is \$157,050.

Staff recommendation is to accept the contract from the lowest bidder (Howrey Construction) and using a combination of the Parks and Recreation Special Revenue Account 142 and the Capital Projects Fund 301 to cover the additional un-budgeted expense amounts. Even with the additional high cost of the Jerry Kelley Phase 2 Trail project, the East Hillcrest Connector Trail will be funded, and the resulting fund balance will still be positive through FY 2020.

The Parks and Recreation Commission passed the following motion unanimously on April 10, 2019:

The Parks and Recreation Commission recommends the allocation of the additional funds from Funds 301 and 142

for the construction of the Jerry Kelley Trail Phase 2. This trail supports the approved Trail Master Plan from 2008

and the Trail Prioritization Plan from 2017.

Also in your packet is the memo from the April 1, 2019 Council meeting.

Roll call is in order.

Fiscal Impact**Attachments**

Resolution

Memo 041519

Cost Summary

Snyder Memo

Memo

The Mayor then announced that the following bids from the IDOT had been opened and tabulated the bids for the public improvements described in general as the 2019 Jerry Kelley Trail Improvement Project for the City of Indianola, Indianola, Iowa, in accordance with the plans and specifications previously adopted.

The following bids were presented by the City Clerk and Finance Director:

Company	Base Bid	Alternate Bid	Total

The Finance Director then recommended that the bid of _____ in the amount of \$_____ be accepted.

Council Member _____ introduced the following resolution entitled "RESOLUTION MAKING AWARD OF CONSTRUCTION CONTRACT", and moved its adoption. Council Member _____ seconded the motion to adopt. The roll was called and the vote was:

AYES:

NAYS:

Whereupon, the Mayor declared the following Resolution duly adopted:

RESOLUTION NO. 2019____
RESOLUTION MAKING AWARD OF CONSTRUCTION CONTRACT

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

Section 1. The bid of _____ in the amount of \$_____ for the 2019 Jerry Kelley Trail Improvement Project for the City of Indianola described in the plans and specifications previously adopted by the City Council on the ____ day of ____, 2019, is accepted, it being the lowest responsible bid for the work and materials.

Section 2. The Mayor and the City Clerk are directed to execute a contract with the contractor for the construction of the public improvement.

PASSED AND APPROVED this _____ day of _____ 2019.

Kelly B. Shaw, Mayor

ATTEST:

DIANA BOWLIN, City Clerk



PARKS AND RECREATION

April 9, 2019

To: Mayor and City Council
From: Doug Bylund, Parks and Recreation Director
Cc: Ryan Waller, City Manager, Andy Lent, Director of Finance
Re: Jerry Kelley Trail & Hillcrest Trail Connector Funding

In response to the City Council request for information regarding the funding of the Jerry Kelley Trail, The Council requested a side by side financial comparison of the Jerry Kelley Phase 2 project and the East Hillcrest Trail Connection project. Attached is a summary that shows the revenue sources and expenses of each project. The total revised cost of the Jerry Kelley Phase 2 Trail connection is \$553,711 and the Hillcrest Trail connection total estimated cost is \$157,050.

Staff recommendation is to accept the contract from the lowest bidder (Howrey Construction) and using a combination of the Parks and Recreation Special Revenue Account 142 and the Capital Projects Fund 301 to cover the additional un-budgeted expense amounts. Finance Director, Andy Lent has adjusted the 301 account amounts to reflect the bid results for the Jerry Kelley Trail and the estimated costs for the Hillcrest Trail Connector. Even with the additional high cost of the Jerry Kelley Phase 2 Trail project, the East Hillcrest Connector Trail will be funded, and the resulting fund balance will still be positive through FY 2020.

Benefits of completing Jerry Kelley Trail Phase 2

- Connecting the Wilder School area to the center of the community improving the safety and walkability and creating additional recreational opportunities.
- The Jerry Kelley Trail is part of the City's trail master plan.
- Over 50% of the funding for this project will be federal grant funds.
- Additional funding from Fund 301 and Parks Special Revenue Fund will have no effect on future planned projects including the Hillcrest Trail Connector

Disadvantages of not completing the Jerry Kelley Trail Phase 2

- If the project were cancelled, the City would be required to return \$26,600 of grant funds that were used for plan engineering in 2013. If the project is not built, the funds will not be available and future grant opportunities could be negatively affected.
- Costs will likely increase if project is further delayed

The Parks and Recreation Commission passed the following motion unanimously on Wednesday, April 10.

The Parks and Recreation Commission recommends the allocation of the additional funds from Funds 301 and 142 for the construction of the Jerry Kelley Trail Phase 2. This trail supports the approved Trail Master Plan from 2008 and the Trail Prioritization Plan from 2017.

2019 Trail Project Budget Summary



Jerry Kelley Trail Phase 2

Revenue Sources	
DOT Grant	\$282,920.00
Wellmark Grant	\$16,480.00
City CIP Fund 301	\$199,311.06
PR Special Revenue Fund 142	\$55,000.00
Total	\$553,711.06

Expenses	
Construction	\$484,711.06
Engineering	\$29,000.00
Construction Phase Services	\$40,000.00
Total	\$553,711.06

East Hillcrest Trail Connector

Revenue Sources	
City CIP	\$95,000.00
Wellmark Grant	\$13,340.00
Landowner Cost	\$51,023.81
Total	\$159,363.81

Other Grants - AARP, WalMart \$15,000.00

*Grant applications being prepared for
April 15 submittal

Expenses	
Construction (March 28 est)	\$146,150.00
Engineering	\$10,900.00
Total	\$157,050.00

Memorandum

To: Doug Bylund, City of Indianola

Date: March 27, 2019

From: Cindy Spencer, P.E.

RE: Jerry Kelley Trail
Project No.
Bid Analysis

Bids were received on March 19, 2019, for the Jerry Kelley Trail Project. The estimated project cost, corrected to reflect bid quantities, was \$391,516.44. Three bids were received, ranging from \$484,711.06 (+\$93,133.27, 124% estimate) to \$583,577.79 (149% estimate). The highest bid is considered “non-competitive,” as it is more than 20% above low bid.

Snyder & Associates, Inc., has performed an analysis of bids received, and would like to offer the following commentary regarding how the bids aligned with the estimate, and with bids received on other trail projects we’re designed and let in the recent past.

The analysis performed mirrors the bid analysis done by the Iowa Department of Transportation, where the difference in unit price is analyzed based on the affect that it has on the overall cost of the project. An item with a small quantity with a unit price that is off from the estimate by a large amount of dollars might not make as much difference to the overall bid amount as an item with a large quantity and a small differential from the estimate. With that in mind, here are the items with the greatest effect on the on the differential between bid and estimated cost:

- Mobilization, Item code 2533-4980005 (1 LS)
Estimate: \$17,744.09 (5% total)
Low Bid: \$61,500.00 (12.7% total), +\$43,755.91 from estimate
Bid Range: \$48,552.27 (9.9%) to \$61,500.00
This item is typically estimated at 5% of the overall project cost for roadway and trail projects, 6% on structures. There is good history for this, and is a trend among projects of all sizes. Mobilization bid amounts tend to reflect how far the contractor has to travel, how complex the project is, and other intangibles. Mobilization low bid on other similar projects, as a percentage of the total:
 - o Railroad Highway Trail, Phase 2 (Pottawattamie County): 4.8%
 - o Heart of Iowa Nature Trail (Story County): 5.2%
 - o Jewellsworth Trail (Hamilton County): 7.8%
 - o Clear Creek Trail (Coralville): 2.8%

- Excavation, Class 10 Roadway and Borrow, Item code 2102-2710070 (892 CY)
 Estimate: \$10.00 / CY (TOTAL = \$8,920.00)
 Low Bid: \$25.50 / CY (TOTAL = \$22,746.00), +\$13,826.00 from estimate
 Bid Range: \$24.50 / CY - \$25.50 / CY

The Class 10 excavation item is tough to estimate, and very dependent on earthwork volume and whether the prime contractor or a subcontractor is doing the work. The Iowa DOT overall average for this bid item is \$4.52 / CY, which encompasses the full spectrum of project sizes, from large bypass projects to small maintenance projects. Class 10 low bid amounts on other similar projects:

 - o Railroad Highway Trail, Phase 2 (Pottawattamie County) – 819 CY total: \$16.15 / CY, with a bid range from \$9.00 / CY- \$16.15 / CY
 - o Heart of Iowa Nature Trail (Story County) – 3,273 CY total: \$7.25 / CY, with a bid range of \$4.00 / CY - \$14.00 / CY
 - o Jewellsworth Trail (Hamilton County) – 1,446 CY total: \$9.00 / CY, with a bid range from \$9.00 / CY - \$13.00 / CY
 - o Clear Creek Trail (Coralville) – 8,828 CY total: \$7.65 / CY, with a bid range of \$7.65 / CY - \$12.00 / CY

The estimated cost was not unreasonable, given bid history, but the bid price for this item was unusually high, probably double what we would expect the high bid to be. We assume that this work will be done by a subcontractor, so the bid price includes a markup.
- Special Compaction of Subgrade for Recreational Trails, Item code 2511-0310100 (35.7 STA)
 Estimate: \$220.00 / STA (TOTAL = \$7,854.00)
 Low Bid: \$535.50 / STA (TOTAL = \$19,117.35), +\$11,263.35 from estimate
 Bid Range: \$520.00 / STA - \$535.50 / LF

The Iowa DOT bid average for all contracts let within the past year is \$251.33 / STA, with a range of \$90.00 - \$2,000.00 / STA. Item low bid amounts on other similar projects:

 - o Railroad Highway Trail, Phase 2 (Pottawattamie County) – 37.3 STA total: \$434.50 / STA, with a bid range of \$225.00 / STA - \$434.50 / STA.
 - o Jewellsworth Trail (Hamilton County) – 17.7 STA total: \$425.00 / STA, with a bid range from \$275.00 / STA to \$460.00 / STA
 - o Clear Creek Trail (Coralville) – 101.0 STA total: \$215.00 / STA, with a bid range from \$215.00 / STA - \$287.50 / STA

The bid amount seems a little unpredictable. Even given that, the bid price that was received for this project was about 25% higher than the highest expected.
- Topsoil, Strip Salvage and Spread, Item code 2105-8425015 (1,601 CY)
 Estimate: \$8.00 / CY (TOTAL = \$12,808.00)
 Low Bid: \$14.25 / CY (TOTAL = \$22,814.25), +\$10,006.25 from estimate

Bid Range: \$13.75 / CY - \$14.25 / CY

The Iowa DOT bid average for all contracts let within the past year is \$5.28 / CY, with a range of \$2.50 / CY - \$120.00 / CY. Item low bid amounts on other similar projects:

- o Railroad Highway Trail, Phase 2 (Pottawattamie County) – 2,195 CY total: \$3.00 / CY, with a bid range of \$3.00 / CY - \$4.55 / CY
- o Clear Creek Trail (Coralville) – 7,072 CY total: \$5.25 / CY, with a bid range of \$5.25 / CY - \$7.50 / CY

The bid price for this item was very high compared with the bid history we have. The estimate anticipated a high price compared to what we've typically seen, but the bid was higher yet.

- Recreational Trail, PCC, 6" Thick, Item code 2511-0302600 (3,792.5 SY)

Estimate: \$35.00 / SY (TOTAL = \$132,737.50)

Low Bid: \$37.50 / SY (TOTAL = \$142,218.75), +\$9,481.25 from estimate

Bid Range: \$37.50 / SY - \$57.25 / SY

The Iowa DOT bid average for all contracts let within the past year is \$32.37 / SY, with a range of \$26.00 / SY - \$190.00 / SY. Item low bid amounts on other similar projects:

- o Railroad Highway Trail, Phase 2 (Pottawattamie County) – 4,114.6 SY total: \$36.75 / SY, with a bid range of \$36.75 / SY - \$70.00 / SY
- o Heart of Iowa Nature Trail (Story County) – 14,786.2 SY total: \$28.35 / SY, with a bid range of \$28.35 / SY - \$37.00 / SY
- o Jewellsworth Trail (Hamilton County) – 16,946 SY total: \$28.75 / SY, with a bid range from \$28.75 / SY - \$38.00 / SY
- o Clear Creek Trail (Coralville) – 11,136.6 SY total: \$28.00 / SY, with a bid range of \$28.00 / SY - \$32.25 / SY

The bid price of this item does not appear to be unreasonable, and the estimate appears reasonable, as well, given bid history.

- Embankment-in-Place, Item code 2102-2625000 (858 CY)

Estimate: \$15.00 / CY (TOTAL = \$12,870.00)

Low Bid: \$25.25 / CY (TOTAL = \$21,664.50), +\$8,794.50 from estimate

Bid Range: \$24.50 / CY - \$25.25 / CY

The Iowa DOT bid average for all contracts let within the past year is \$14.12 / CY, with a range of \$0.01 / CY - \$129.14 / CY. Item low bid amounts on other similar projects:

- o Railroad Highway Trail, Phase 2 (Pottawattamie County) – 1,024 CY total: \$9.60 / CY, with a bid range from \$9.60 / CY - \$20.20 / CY
- o Jewellsworth Trail (Hamilton County) – 1,492 CY total: \$15.00 / CY, with a bid range from \$15.00 / CY - \$20.00 / CY
- o Clear Creek Trail (Coralville) – 4,903 CY total: \$13.90 / CY, with a bid range of \$13.90 / CY - \$17.50 / CY

The estimate appears to be reasonable, given bid history.

- Earth Shoulder Construction, Item code 2123-7450000 (71.4 STA)
 Estimate: \$210.00 / STA (TOTAL = \$14,994.00)
 Low Bid: \$329.50 / STA (TOTAL = \$23,526.30), +8,532.30 from estimate
 Bid Range: \$320.00 / STA - \$329.50 / STA
 The Iowa DOT bid average for all contracts let within the past year is \$219.11 / STA, with a range of \$63.15 / STA - \$1,150.00 / STA. Item low bid amounts on similar projects are as follows. Bid price for Earth Shoulder Fill is also compared:
 - o Railroad Highway Trail, Phase 2 (Pottawattamie County) – 75.6 STA total: \$91.75 / STA, with a bid range of \$91.75 / STA - \$225.00 / STA.
 - o Heart of Iowa Nature Trail (Story County) – 133.31 STA total: \$160.00 / STA, with a range of \$110.00 / STA - \$200.00 / STA
 - o Jewellsworth Trail (Hamilton County) – 309.3 STA total: \$110.00 / STA, with a bid range from \$95.00 / STA to \$125.00 / STA
 - o Clear Creek Trail (Coralville) – 202.0 STA total: \$150.00 / STA, with a bid range from \$150.00 / STA - \$250.00 / STA

The estimate appears to be reasonable, given bid history.

It is apparent from analysis of bids and similar projects that the bid prices received for the earthwork items on this project in particular are unreasonably high. Mobilization is also much higher than would be expected. These items, when put together, account for the majority of the difference between the bids received and the estimate. There are natural variations in contract unit prices, with a large amount of seasonable variation, though the higher bids would generally be expected during the summer months when some contractors have filled their work schedules and choices of subcontractors for specific work elements are limited.

Price trends for various work items are available on the Office of Concrete website at the following link:

<https://iowadot.gov/contracts/lettings/PriceTrendIndex.pdf?ver=2019-01-07-142924-097>



PARKS AND RECREATION

March 28, 2019

To: Mayor and City Council
From: Doug Bylund, Parks and Recreation Director
Cc: Ryan Waller, City Manager, Andy Lent, Director of Finance
Re: Jerry Kelley Trail Phase 2 IDOT Bid Letting

The Iowa DOT Bid letting for the Jerry Kelley Trail Phase 2 project was held on Tuesday, March 19 in Ames. There were 3 bids received and the lowest bid was from Howrey Construction, Inc. The Bids for these projects must be let through the Iowa DOT and contractors must be pre-qualified through the DOT Office of Contracts. The City Council is required to take action to either award a contract to the low bidder or reject all bids within 30 days of the letting date which will be April 18, 2019.

Howrey Construction, Inc.	\$484,711.06
Elder Corporation	\$490,000.00
Bluff's Paving & Utility	\$583,577.79

The Original Construction Cost Estimate for this project was \$330,000 with an additional \$29,000 for preliminary engineering and \$20,000 for construction engineering. Grant funds had been awarded from Iowa DOT for \$282,920 and another \$16,480 grant was secured from Wellmark through their 3-Point Play program. \$80,000 was included in the FY19 CIP budget as well.

Funding:	Iowa DOT Grant	\$282,920
	Wellmark Grant	\$16,480
	City CIP	<u>\$80,000</u>
	Total Funding	\$379,400

Expenses:	March 2019	October 2018 Estimate
Engineering Design, Snyder & Associates	\$29,000	\$29,000
Construction Engineering	\$20,000	\$20,000
Construction Bid Amount	<u>\$484,711</u>	<u>\$326,265</u>
Total Expenses	\$533,711	\$375,265

This project was originally bid in 2013 and was over bid by \$58,000, (approximately \$391,000). Staff reviewed the requirements with IDOT in December 2017 to determine if the project was still allowed under the grant funding. Following our meeting with Iowa DOT the direction from Council was to value engineer the project with off street trail from Memorial Park to Iowa Avenue and along West Euclid Avenue, and the remaining connection with Bike Sharrows along Iowa Avenue and North Kenwood Boulevard. The concept was presented to Iowa DOT and following the preliminary plans, they no longer would allow the widening of the sidewalk along Euclid Avenue, instead the entire sidewalk would need to be removed and rebuilt.



PARKS AND RECREATION

Following the unexpectedly high bid result, Snyder & Associates reviewed the cost breakdown to look for areas the project could be value engineered to get within the budgeted amount. Unfortunately, the budget shortfall of \$154,311 is equivalent to a 32% cut in the entire construction costs. This large of a change would require the Council to reject the bids and make a large change and then the project would need to be re-let. The DOT has informed us that the two lowest bids are too close in cost to allow a change in the design of the project without changing who the lowest bidder would be.

Option 1 – Accept the Bids and use a combination of the Parks and Recreation Special Revenue Account 142 and Capital Projects (General) Account 301 to fund the additional costs. \$55,000 has been identified from the 142 account and the remaining amount of approximately \$100,000 could be accommodated with the 301 account. We also continue to research other funding from advocate groups and other grant funding opportunities for trails.

Option 2 is to reject the bids and look to re-let and possibly re-design or move more sections of the trail to “on street” bike sharrows along West Euclid Avenue. This option would require working with the DOT and could lower the amount of the grant funding that is available for the project. This option was explored in 2013 and the Des Moines MPO, which approves the grant funding, would only allow the full funding if the Euclid portion and Memorial Park portion of the trail were ‘off-street’. Both Snyder & Associates and staff feel this option will not be allowed under the current grant award.

Option 3 is to reject the bids and cancel this project as designed. We would then utilize the funds that have been identified for this year to carry over to next year and the future budgets. We will need to return the \$26,600 for the grant funds that were reimbursed from the 2013 preliminary plans. This would also cast a negative feeling towards future grant projects if the City did not build a funded grant project. When working through the trial prioritization plan this summer, this section of trail would need to be considered for a priority as well as developing a more accurate budget projection.

Even with the high bid results, staff and engineer recommendation is Option 1 which is to accept the bids and utilize the above funds as requested. The grant funds available will pay for over 53% of the project and any changes or additional delays will more than likely eliminate the grant award. The costs of the trail are not likely to be lower if we reject now and re-let the project in the summer or fall or later date. According to the engineer, the earthwork and mobilization were unusually high, but the remaining variations seem reasonable given bid history.

The DOT rules allow 30 days for the City to accept or reject the bids results given the bids are over 110% of the estimate of cost. If the Council direction is to consider accepting the bids, staff would request delaying the acceptance of the bids until the April 15 City Council meeting to allow for funding evaluation and updated data regarding the effect of the additional added expense on the future balance of Capital Projects fund 301 as well as researching other funding opportunities. The Council should still hold the public hearing to approve the plans, specs and estimates of cost at the April 1 Council Meeting.

Information

Subject

Discussion and recommendation from Hometown Pride regarding the Iowa Great Places Designation.

Information

The Mayor and Council will discuss the recommendation from Hometown Pride regarding the Iowa Great Places Designation (packet). Below are options for the Council's consideration:

Option A – City of Indianola applies for Great Places Designation in 2020

This option benefits the City of Indianola by:

- Offering the ability to build off the comprehensive plan and square assessment processes that are currently underway and align our IGP work with the goals of these documents.
- Giving time to create a strong “community vision plan,” which is a critical part of the application (23 of 40 possible points on application rubric).
- Providing adequate time to build diverse community support and consensus around IGP designation (9 of 40 possible points on application rubric).
- Applying as the City, rather than the County, allows us to focus the potential funding on an Indianola-specific project (designees may only receive one IGP grant in each 5 year period).

A possible timeline for Option A:

- Get council approval to proceed (April 2019)
- Assemble IGP committee; led by Indianola Hometown Pride, approved by council (May-July '19)
- IGP committee creates IGP Community Vision Plan, in close coordination with City Comprehensive Plan (August 2019 - January 2020)
- Bring Vision Plan to council for approval (Jan/Feb 2020)
- Complete IGP application (March/April 2020)

Option B – City of Indianola applies for Great Places Designation in 2019

The City is not eligible for re-designation this year but could apply for a new designation, which must be completed by May 1, 2019. After careful consideration, and consultation with experts in the program, we do not see a viable way to create a winning application in 2019. The reasons are:

- There is not enough time to develop and approve a “Community Vision Plan” (recommended timeframe is 4-10 months, according to previous applicants and prior IGP program manager).
- Absence of an adequate Community Vision Plan would make it highly unlikely for us to achieve designation because:
 - Out of 40 possible points on the IGP scoring rubric, 23 are based on the Vision Plan.
 - Based on consultation with the current manager of the IGP program, the past manager of the program, and two representatives of communities who have received the designation, the unanimous response was that it is not possible to complete a viable application in the time available before May 1st, due to the requirement of creating a Community Vision Plan and the need to build diverse community support.

Option C – City of Indianola does NOT apply for Great Places designation

After reviewing the benefits of Option A and the timeline concerns of Option B aforementioned in the previous section, we recommend the City of Indianola move forward with Option A. Should the council decide to accept Option A, the Indianola Hometown Pride Committee has indicated their willingness to take on a leadership role in

applying for the IGP designation.

Roll call is in order.

Fiscal Impact

Attachments

IGP Memo to Council



PARKS AND RECREATION

TO: Mayor and City Council
FROM: Doug Bylund, Hometown Pride Staff Liaison
Lorin Ditzler, Warren County Hometown Pride Community Coach
DATE: April 9, 2019
SUBJECT: Iowa Great Places Application

REQUEST PRESENTED BY COUNCIL:

In response to a request from the Indianola City Council at the most recent meeting for Indianola Hometown Pride (“IHP”), dated April 4, 2019, IHP has gathered information regarding the “Iowa Great Places” (“IGP”) program and prepared the following possible courses of action with respect to said request:

- Option A: City of Indianola applies for Great Places designation in 2020;
- Option B: City of Indianola applies for Great Places Designation in 2019; or
- Option C: City of Indianola does NOT apply for Great Places designation.

SHORT RECOMMENDATION PRESENTED BY INDIANOLA HOMETOWN PRIDE:

Due to the overall benefit of being designated as an “Iowa Great Place,” the recommended IGP application timeline, and the opportunity to coordinate the IGP visioning process with the City’s upcoming planning initiatives, IHP recommends moving forward with Option A, briefly described above and expanded upon below.

BACKGROUND:

Iowa Great Places Program

- Purpose: Established in 2005 to recognize and support unique communities with a “strong vision for innovation and enhancing vitality and quality of life.”
- Managed by: Iowa Department of Cultural Affairs
- Participants: 45 existing “Great Places,” including cities, counties, and districts.
- The benefits of designation are:
 - Eligibility to apply for project funding for vertical infrastructure and may receive one grant every five years. The average grant award is \$205,000 with a 1:1 match.
 - Access to IGP network, events, and professional development opportunities.
 - Branding as a “Great Place.”
 - Provides framework for community to come together around a common vision.
- Designation period: Designation is given for a five-year period, after which designees may apply for re-designation.
- Expectations after designation: Complete annual report and participate in IGP events.



PARKS AND RECREATION

History of IGP in Warren County

- Warren County was designated as an “Iowa Great Place” in 2008, the result of a partnership of many entities in the County that came together as the Warren County IGP committee.
- The designation for Warren County will expire this year but is eligible for re-designation if an application is submitted by May 1, 2019.
- Based on our conversations with Warren County Economic Development and others, we have discovered that the Warren County IGP committee has not been active for years.
- There are no known plans to apply for re-designation for Warren County this year before the deadline.
- The following projects have been funded by IGP in Warren County during the time of the County’s IGP designation:
 - Amphitheater at Memorial Park (2009) - \$100,000.00
 - Scotch Ridge Nature Park (2012) - \$225,000.00

Requirements for IGP Application

- Eligibility: The City of Indianola is eligible to apply for Great Places designation.
 - *Note: Indianola is not eligible for re-designation, since the previous designation was for Warren County, not for the City of Indianola.*
- Community Vision Plan: Applications for designation or re-designation must include a “Community Vision Plan.” According to the rubric, the plan must be a “holistic visioning effort” that demonstrates:
 - *Broad community support from diverse partners;*
 - *Understanding of the IGP initiative, including a mission statement reflecting the purpose of IGP;*
 - *The potential to have a “transformative” impact on community vitality and quality of life;*
 - *Strong implementation objectives, a clear timeline of activities, and clear roles for plan partners; and*
 - *A focus on the following 8 elements: Arts & Culture, History, Architecture, Natural Environment, Housing, Amenities, Business Development, and Diversity.*

OPTIONS FOR COUNCIL CONSIDERATION:

Option A – City of Indianola applies for Great Places Designation in 2020

This option benefits the City of Indianola by:

- Offering the ability to build off the comprehensive plan and square assessment processes that are currently underway and align our IGP work with the goals of these documents.
- Giving time to create a strong “community vision plan,” which is a critical part of the application (23 of 40 possible points on application rubric).
- Providing adequate time to build diverse community support and consensus around IGP designation (9 of 40 possible points on application rubric).
- Applying as the City, rather than the County, allows us to focus the potential funding on an Indianola-specific project (designees may only receive one IGP grant in each 5 year period).



PARKS AND RECREATION

A possible timeline for Option A:

- Get council approval to proceed (April 2019)
- Assemble IGP committee; led by Indianola Hometown Pride, approved by council (May-July '19)
- IGP committee creates IGP Community Vision Plan, in close coordination with City Comprehensive Plan (August 2019 - January 2020)
- Bring Vision Plan to council for approval (Jan/Feb 2020)
- Complete IGP application (March/April 2020)

Option B – City of Indianola applies for Great Places Designation in 2019

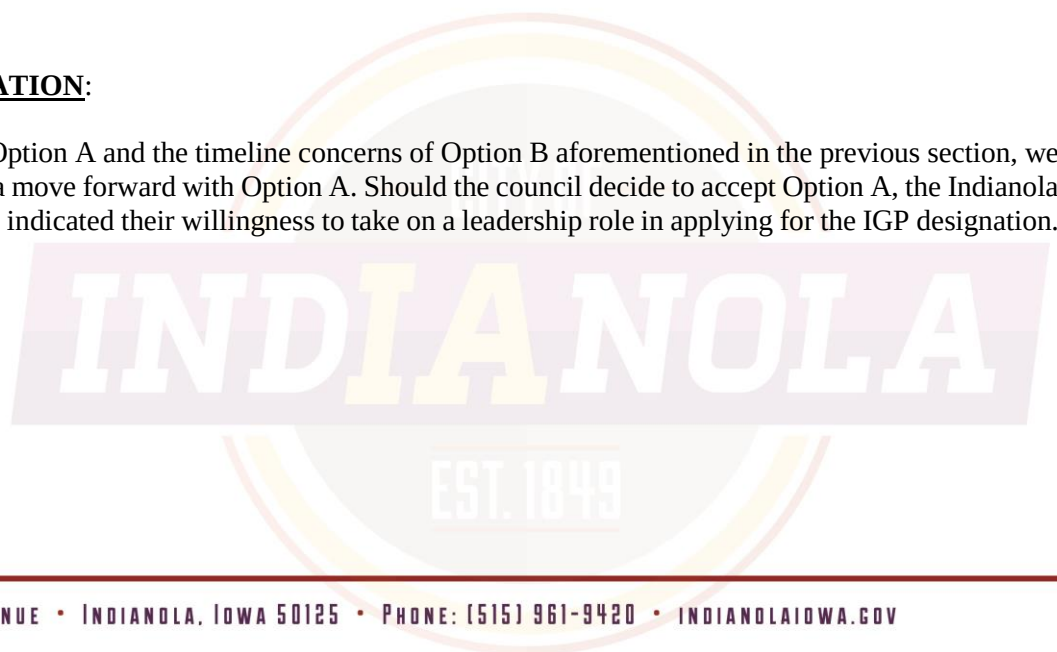
The City is not eligible for re-designation this year but could apply for a new designation, which must be completed by May 1, 2019. After careful consideration, and consultation with experts in the program, we do not see a viable way to create a winning application in 2019. The reasons are:

- There is not enough time to develop and approve a “Community Vision Plan” (recommended timeframe is 4-10 months, according to previous applicants and prior IGP program manager).
- Absence of an adequate Community Vision Plan would make it highly unlikely for us to achieve designation because:
 - Out of 40 possible points on the IGP scoring rubric, 23 are based on the Vision Plan.
 - Based on consultation with the current manager of the IGP program, the past manager of the program, and two representatives of communities who have received the designation, the unanimous response was that it is not possible to complete a viable application in the time available before May 1st, due to the requirement of creating a Community Vision Plan and the need to build diverse community support.

Option C – City of Indianola does NOT apply for Great Places designation

ULTIMATE RECOMMENDATION:

After reviewing the benefits of Option A and the timeline concerns of Option B aforementioned in the previous section, we recommend the City of Indianola move forward with Option A. Should the council decide to accept Option A, the Indianola Hometown Pride Committee has indicated their willingness to take on a leadership role in applying for the IGP designation.



Meeting Date: 04/15/2019

Information

Subject

Indianola Bike Night

Information

Fiscal Impact

Attachments

No file(s) attached.

Meeting Date: 04/15/2019

Information

Subject

Approval of the Indianola Square Lease Agreement with Indianola Bike Night.

Information

The agreement between the City and the Indianola Bike Night to lease the square and one block off (see map) five Fridays in 2019 for Bike Night. In 2009, the Indianola Bike Night group became a for-profit group and the City Council approved a Square Lease Agreement in an amount of \$750/event. Prior to that, it was considered a community event with no profit intention. The revenues from the event are placed in the Community Betterment Fund. The (self-explanatory) agreement includes services already provided by both entities.

Highlights of the agreement include:

- Indianola Bike Night will maintain a \$1 million general liability coverage and name the City as an additional insured on that policy
- Indianola Bike Night will hold the City free and harmless of any liability that may arise from the event
- All vendors that sell products on the square (not in buildings) and one block off have permits and/or licenses issued by the State of Iowa, have \$1 million general liability coverage and name the City as insured on that policy
- Indianola Bike Night must hire at least six Indianola police officers per event to provide event security
- Must provide one-lane ambulance access to square on E. Salem and N. Buxton
- Indianola Bike Night shall provide cleanup
- Indianola Bike Night shall hire the Indianola Street Sweeper for \$80/cleaning on Saturday morning following an event

Approval is contingent upon Indianola Bike Night signing the agreement.

Roll call is in order.

Fiscal Impact

Attachments

No file(s) attached.

Meeting Date: 04/15/2019

Information

Subject

Resolution regarding temporary closure / no parking on the downtown square and one block in all directions for Indianola Bike Night.

* Requested dates are May 17, June 21, July 19, August 19 and September 20, 2019, from 5:00 pm — 10:30 pm.

Information

In your packet is a resolution (same as the last eleven years). The request is for temporary closure/no parking on the downtown square by Indianola Bike Night for May 17, June 21, July 19, August 16 and September 20, 2019. The resolution specifically addresses situations where individuals do not adhere to the street closure or create a hazard to those attending the event. Note that it doesn't create any new ordinances or policies, but rather addresses how existing ones will be used for enforcement.

Roll call is in order.

Fiscal Impact

Attachments

Event Application

Bike Night Closure No Parking

Date: 3/29/19

Event Application

For Indianola Bike Night

Event Date : May 17, 2019, June 21, 2019, July 19, 2019, August 16, 2019 & September 20, 2019

Staff Recommendation and Chamber Notification

Attached is an event application. Please review; add any comments you feel are necessary, such as concerns or other items to be considered regarding the request.

Initial and date under either approval or disapproval and pass on to the next department.

	Approve	Disapprove
Street Department – Jason Etnyre	<u>JE</u>	_____
Fire Department – Greg Chia	<u>GC</u>	_____
Police Department – Brian Sher	<u>BS</u>	_____
HR & Risk Manager – Melissa McCoy	<u>MM</u>	_____
City Manager – Ryan Waller	<u>RW</u>	_____
Chamber of Commerce	Fax: 961-9753	

Comments:

Please return to Diana Bowlin by: ASAP

Thank you for your time and consideration!

Event Name:

Indianola Bike Night

Event Type (Check all that apply):

☐ Parade

☐ Bike Ride/Race

☐ Concert

Running Event: Fun Run ☐ Timed Race ☐

Will trails/sidewalks be utilized? Yes ☐ No ☐

☒ Other (please specify): Indianola Bike Night
Motorcycle Event

Date/Time of Event:

5/17/19, 6/1/19, 7/19/19, 8/16/19 & 9/20/19

Location of Event:

Indianola Town Square

Event Sponsor(s):

Indianola Bike Night- Randy Gathets/Betha Bendon

Contact Information:

Organization: Indianola Bike Night, Inc

Contact Name: Randy Gathets or Betha Bendon

Address: 1104 E. Henderson Pl Indianola, Ia. 50125

Telephone Number: 515-250-0386 or 515-360-8813

Cell Phone Number: 515-250-0386 or 515-360-8813

Fax Number: N/A

Email Address: fb@indybike.net

Today's Date: 3/22/19

Anticipated Attendance:

6,000 Per Day

30,000 Total

Event Information:

Third Friday each month May-Sept. 2019

Setup Begins	Date: _____	Time <u>5:00 PM</u>	Day of Week <u>Tuesday</u>
Event Starts	Date: _____	Time <u>6:00 PM</u>	Day of Week <u>Friday</u>
Event Ends	Date: _____	Time <u>10:00 PM</u>	Day of Week <u>Friday</u>
Dismantle	Date: _____	Time <u>10:30 PM</u>	Day of Week <u>Friday</u>

Betha Bendon
Applicant Signature

RETURN PERMIT APPLICATION TO:

110 North First Street, PO Box 299

Indianola, Iowa 50125

Phone: 515-961-9410 Fax: 515-961-9402

www.indianolaiowa.gov

E-Mail: dbowlin@indianolaiowa.gov

Narrative:

Please describe your request and event: Repeat of annual request for last (14) years to host Bike Down to J-Town motorcycle event to promote Indianola.

Please describe what streets, trails or parks you are planning to close or use:

Please see attached map.

Please describe your safety plan including crowd control. Attach additional sheets if necessary. The Indianola Police and Fire Departments will review your safety plans to determine if safety is adequate for planned event. In reviewing the application, they will be looking at anticipated crowd size, demographics, entertainment, and alcohol, prior history with this event or similar events and other criteria.

Repeat of annual request
Indianola Police Dept. hired for on-site security,
also, set up fire lanes.

Please describe your emergency/medical plan, including your communication procedures. Attach additional sheets if necessary.

Repeat of annual request
Indianola PD hired for on-site security
Indianola Fire Dept. Emergency lanes are set
for access to square.

Please describe your plan for cleanup and removal of recyclable goods and garbage during and after your event.

Indianola FFA
T.M. Despasal
Indianola Street Sweeper

Thank you for your interest in holding a neighborhood or community event!

RETURN PERMIT APPLICATION TO:

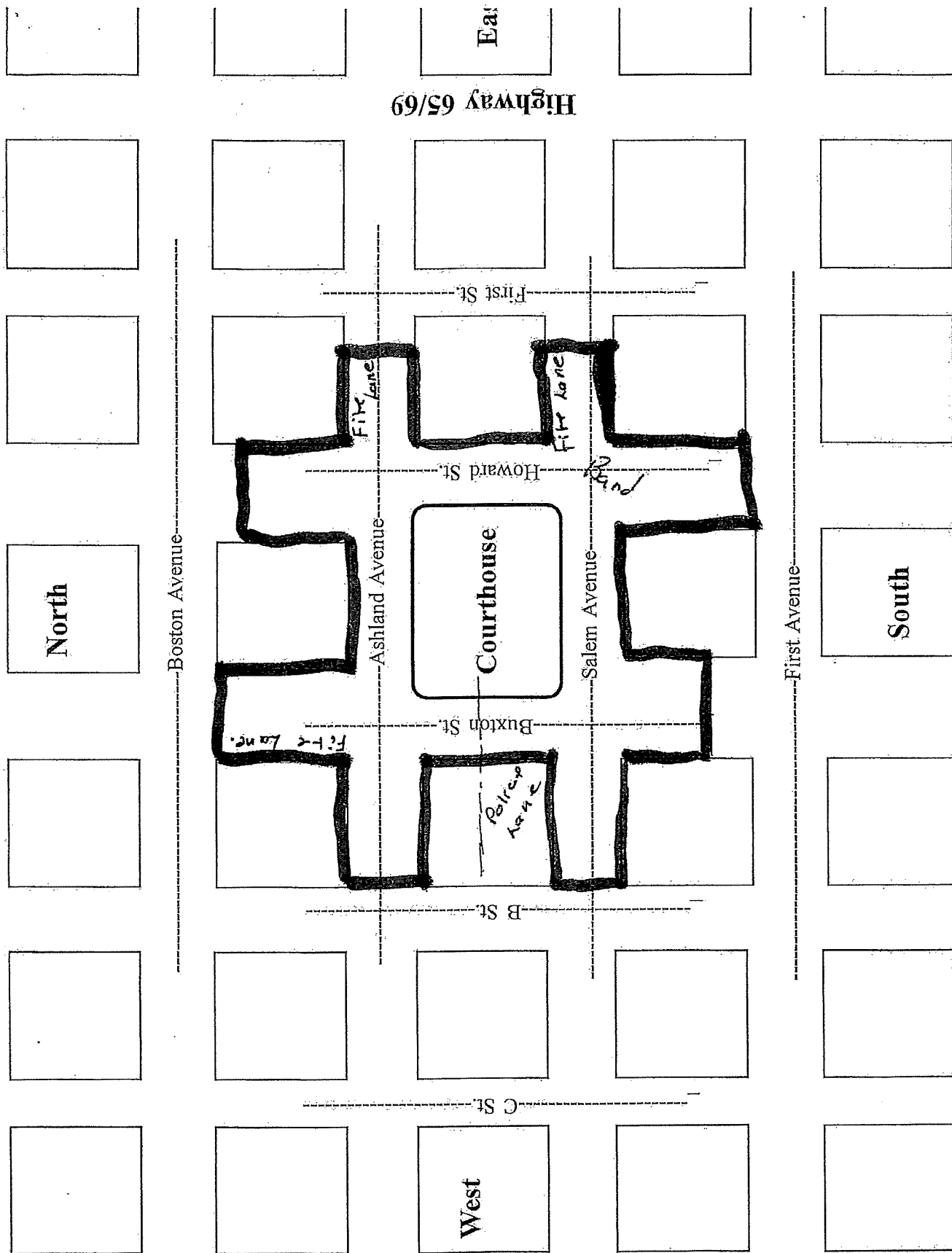
110 North First Street, PO Box 299

Indianola, Iowa 50125

Phone: 515-961-9410 Fax: 515-961-9402

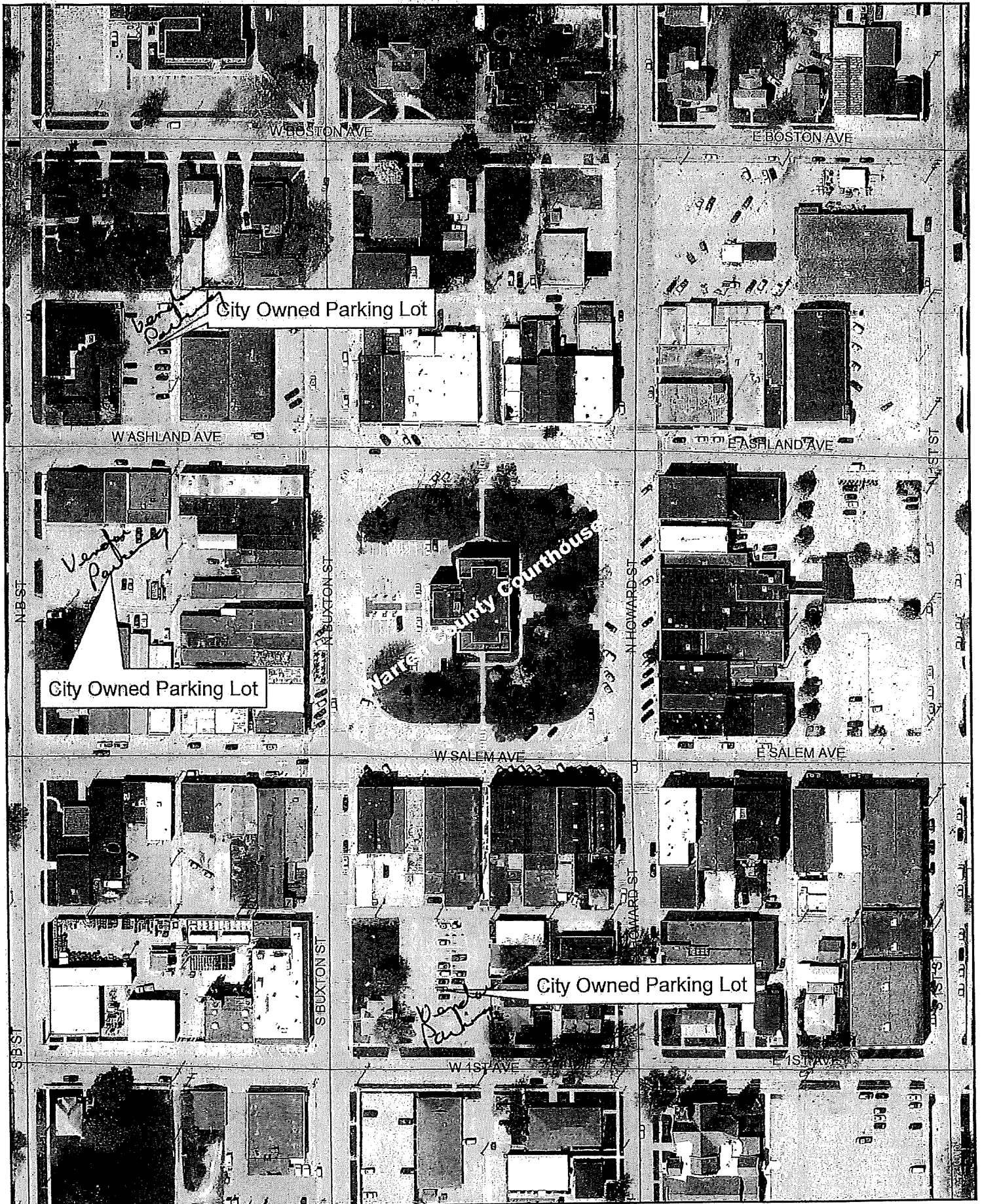
www.indianolaiowa.gov

E-Mail: dbowlin@indianolaiowa.gov



Highway 65/69

Highway 92



RESOLUTION NO. 2019-____
RESOLUTION REGARDING TEMPORARY CLOSURE
AND NO PARKING ON THE DOWNTOWN SQUARE
FOR INDIANOLA BIKE NIGHT EVENTS

WHEREAS, Indianola Bike Night was a well-attended and popular event in 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017 and 2018

WHEREAS, six more Indianola Bike Nights are scheduled for May 17, 2019, June 21, 2019, July 19, 2019, August 19, 2019 and September 20, 2019, and

WHEREAS, to accommodate food vendors, exhibitors, pedestrians and motorcycle parking, it is necessary to temporarily close the downtown square for the Bike Night events, and to designate the closed area as a no parking zone.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the City Clerk as follows:

1. Pursuant to Iowa Code Section 364.12(2)(a) the Indianola downtown square shall be closed for the Indianola Bike Night events list above or as they may be rescheduled by Bike Night organizers. The exact area and time are to be determined by the Indianola Police Chief and the Indianola City Manager. The closed area is hereby designated a no parking zone during the temporary closure.
2. Pursuant to the Indianola Code of Ordinances Section 69.01 and 60.03 the Police Chief is hereby authorized to enforce the no parking restrictions for the designated downtown area during the Bike Night events.
3. Pursuant to the Indianola Code of Ordinances 60.07 no person shall willfully fail or refuse to comply with any lawful order or direction of any peace officer invested by law or this resolution with authority to direct, control or regulate traffic and/or parking.
4. Pursuant to Indianola Code of Ordinances Section 70.06 any vehicle illegally parked on the designated downtown square area during the Bike Night events shall be deemed to be illegally parked pursuant to Subsection 2 thereof and subject to removal by the Police Department or its designee.

Passed and approved this 15th day of April, 2019.

KELLY B. SHAW, Mayor

ATTEST:

DIANA BOWLIN, City Clerk

STATE OF IOWA, WARREN COUNTY, SS:

On this 15th day of April, 2019, before me, the undersigned, a Notary Public in the State of Iowa personally appeared Kelly B. Shaw and Diana Bowlin, to me personally known, who being by me duly sworn, did say that they are the Mayor and City Clerk respectively of the City of Indianola, which executed the foregoing instrument to which this is attached, that the seal affixed to it is the seal of the City; that the instrument was signed and sealed on behalf of the City by authority of its Council; and that Kelly B. Shaw and Diana Bowlin as such officers acknowledged the execution of the instrument to be the voluntary act of the City.

NOTARY PUBLIC IN AND FOR THE STATE OF IOWA

Meeting Date: 04/15/2019

Information

Subject

Noise Permit for Indianola Bike Night

Information

In your packet is a noise permit application for the Indianola Bike Night event which will be held the 3rd Friday of each month beginning in May - September. Council approval is necessary since this permit is for multiple days.

Roll call is in order.

Fiscal Impact

Attachments

Noise Permit - Bike Night

Date: 3/29/19

Noise Permit Application

For Indianola Bike Night

Event Date: May 17, June 21, July 19, August 16 & September 20, 2019 from 5:00 p.m. - 10:30 p.m.

Staff Recommendation

Attached is an noise permit application. Please review; add any comments you feel are necessary, such as concerns or other items to be considered regarding the request. Initial and date under either approval or disapproval.

Approve

Disapprove

Police Department – Dave Button

DB 3/29/19

City Manager – Ryan Waller

R 3/29/19

Comments:

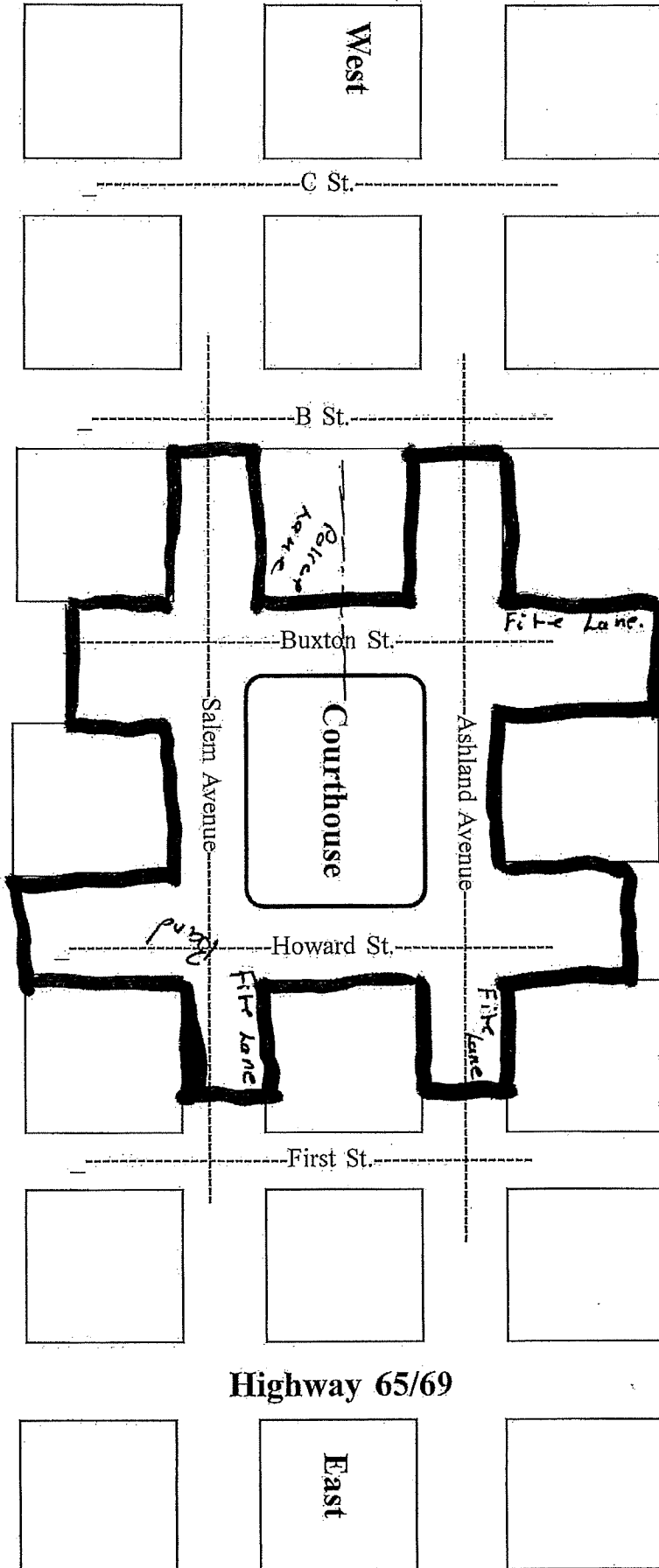
Please return to Diana Bowlin by: ASAP

Thank you for your time and consideration!

Highway 92

South

First Avenue



Highway 65/69

East

North

Boston Avenue

Meeting Date: 04/15/2019

Information

Subject

A Class "B" Beer and Outdoor Area for Indianola Bike Night.

Information

This is a renewal of Indianola Bike Night's liquor license on the Indianola Square. All the paperwork is in order and staff has approved. Owners are Randy Gathers, Darrel Augustson and Aaron Kennedy.

Roll call is in order.

Fiscal Impact

Attachments

No file(s) attached.

Meeting Date: 04/15/2019

Information

Subject

Resolution approving the Hold Harmless Agreement between the City of Indianola and West Hill Brewing Company.

Information

In your packets is a Hold Harmless agreement and a resolution approving the Hold Harmless Agreement between the City of Indianola and West Hill Brewing Company, regarding property located at 219 W Salem Ave, Indianola, Iowa.

Highlights of the agreement are:

- Allowing for a modification of City Code requirements concerning sprinkler systems
- City will allow fire and smoke detection systems to be installed subject to the owner holding the City harmless for any damages resulting from the building not containing a fire sprinkler system.

Roll Call is in order.

Fiscal Impact

Attachments

Hold Harmless Resolution

Hold Harmless Agreement

RESOLUTION NO. 2019-__

**RESOLUTION APPROVING THE HOLD HARMLESS AGREEMENT
BETWEEN THE CITY OF INDIANOLA, IOWA AND WEST HILL BREWING
COMPANY, LLC REGARDING PROPERTY LOCATED AT
219 WEST SALEM 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 219 West Salem Avenue, Indianola, Iowa which is to be owned and operated by West Hill Brewing Company, LLC (the “Owner”); and

WHEREAS, the Owner has determined that the building at 219 West Salem 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 detection systems to be installed subject to the owner holding the City harmless for any damages resulting from the building not containing a fire sprinkler system; and

WHEREAS, the Owner has agreed to enter into such Hold Harmless Agreement which Agreement is attached hereto, marked Exhibit “A” 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 15th day of April, 2019.

Kelly B. Shaw, Mayor

ATTEST:

Diana Bowlin, City Clerk

WHEN RECORDED RETURN TO:

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

Prepared by: Amy S. Beattie, Attorney, 6701 Westown Pkwy, Ste 100, West Des Moines, IA 50266 (515) 274-1450

SPACE ABOVE THIS LINE FOR RECORDER

HOLD HARMLESS AGREEMENT

WHEREAS, the City of Indianola, Iowa (hereinafter "City") requires a sprinkler system to be installed for the operation of a business at 219 W Salem Avenue, Indianola, Iowa, which property is legally described as follows:

Lot 8 and the East 10' of Lot 9, Block 16, of the Original Town Plan of Indianola,
Iowa

and;

WHEREAS, West Hill Brewing Company, LLC (hereinafter "Owner") has determined that the building on the real property has 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 requirement under these circumstances; and

WHEREAS, the City is willing to allow a fire and smoke detection system be installed subject to the Owner holding the City harmless for any 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 detection system with a central panel and monitored by a third-party vendor. Installation will be completed by a licensed contractor in the State of Iowa for fire and smoke detection systems.
2. The City shall not be held liable for any damages including but not limited to any damages to structure or improvements resulting from the building not containing a sprinkler system, and the Owner shall hold the City harmless and release the City from any and all damages resulting 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 recorded with the Warren County Recorder and shall be binding on any and all transferees, assignees, and successors-in-interest.

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 authorized representative.

Dated this _____ day of _____, 2019.

CITY OF INDIANOLA, IOWA

By: _____
Kelly B. Shaw, Mayor

Attest:

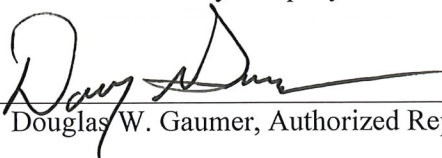
By: _____
Diana Bowlin, City Clerk

STATE OF IOWA, COUNTY OF WARREN, ss:

On the _____ day of _____, 2019, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Kelly B. Shaw and Diana Bowlin, 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 _____, 2019, and the said Kelly B. Shaw and Diana Bowlin 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.

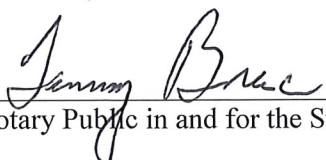
Notary Public in and for the State of Iowa

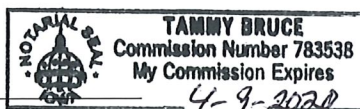
WEST HILL BREWING COMPANY, LLC,
An Iowa limited liability company

By: 
Douglas W. Gaumer, Authorized Representative

STATE OF IOWA, COUNTY OF WARREN, ss:

On this 29th day of March, 2019, before me, the undersigned, a Notary Public personally appeared Douglas W. Gaumer, as the Authorized Representative of West Hill Brewing Company, LLC, an Iowa limited liability company, who acknowledged execution of the foregoing instrument to be the voluntary act and deed of the limited liability company be its voluntarily executed.


Notary Public in and for the State of Iowa



DeMaranville Installations, Inc

Fire Protection Specialists

Reply To

1100 N Hickory Blvd, Ste 106,
Pleasant Hill, IA 50327
Phone: (515)225-8598
Fax: (515)225-9796

March 14, 2019

Re: West Hill Brewing Company
219 W Salem Avenue, Indianola, IA
Automatic Sprinklers

Dear Sam,

Here is what we found regarding a new fire sprinkler system at West Hill Brewing Company (219 W Salem Avenue). We have been provided with the current flow test results of Static 55, Residual 16, and flow of 527gpm. The underground is 4" water main that runs along the street in front. We estimate that the new fire sprinkler system would require approximately 430 gpm of flow at the base of the riser with the hose allowance included. The issue is the pressure required for this to happen. With only 16psi available from the water supply, this limits what can be offered since the underground supply isn't supposed to be below 20psi. We cannot offer a fire pump. We cannot offer an underground storage tank (not feasible with site conditions). We suggest an upgrade of underground piping to increase the supply to this building to be either 6" or 8". Care should also be taken when planning the underground sizing to prevent water hammer conditions if/when the sprinkler system has flowing conditions.

If other solutions are offered, we could investigate further. If you have any questions, please email or call us.

Thank you,

DeMaranville Installations, Inc.

A Corigliano

Anthony Corigliano
acorigliano@dmifire.com

Fire Sprinklers Save Lives

March 12, 2019

Board of Appeals

Dear Members of the Board of Appeals:

West Hill Brewing Company, LLC is seeking a variance for the requirement of installing a sprinkler system and fire department connector at its location of 219 West Salem Avenue. This waiver is being sought due to undersized water main infrastructure being unable to provide enough water and pressure to adequately supply a sprinkler system. West Hill Brewing Company, LLC believes that providing a safe environment for our customers is important and has agreed to comply with all other fire safety codes as outlined by the Indianola Fire Department.

West Hill Brewing Company, LLC has filed permits with the City of Indianola to open and operate a craft brewery. Indianola Fire Department personnel have calculated West Hill Brewing Company, LLC's occupant load to be 157 as a Group A-2 occupancy. West Hill Brewing Company, LLC will only provide indoor seating for up to 70 occupants.

Indianola Municipal Utilities (IMU) personnel have provided verbal and written statements (see attached e-mail and letter) to West Hill Brewing Company, LLC confirming that the existing 4inch water main will not adequately supply a sprinkler system or fire department connector in the building. Additionally, West Hill Brewing Company, LLC inquired with a fire protection installation company, DeMaranville Installation, Inc., and received verbal and written confirmation (see attached e-mail) that the City of Indianola's water main and water pressure to the building is not adequate to support the installation of a sprinkler system or fire department connector.

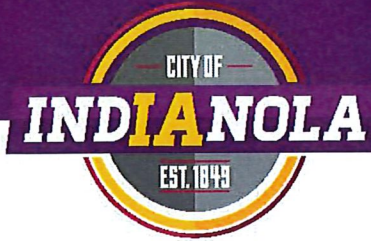
West Hill Brewing Company, LLC requests that the Board of Appeals grant a variance that requires West Hill Brewing Company, LLC to adhere to a maximum occupant load of 99 or waives the requirement for the installation of a sprinkler system and fire department connector. No other business in this district or prior business in this building, including the most recent operation of a coffee shop with the same floor plan, has been required to install a sprinkler system or fire department connector.

West Hill Brewing Company, LLC appreciates the time and guidance of the Board of Appeals, Indianola Fire Department, Indianola Municipal Utilities, and City of Indianola Community Development through this process. We are excited to bring this new business to the downtown district of Indianola.

Thank you for your consideration of this appeal.

Respectfully submitted,

Douglas Gaumer, Member and Heather Gaumer, Member
West Hill Brewing Company, LLC



— FIRE DEPARTMENT —

03-19-2019

Doug and Heather Gaumer,

This letter addresses the circumstances that have been identified for insufficient water supply for a required component to operate your business at 219 W Salem Avenue Indianola Iowa 50125. As directed by the 2012 IFC a sprinkler system shall be installed for the operation of this type of business/size. The insufficient infrastructure supporting this sprinkler system will not allow it to function as designed. Even with supplemental components to the system it fails in its required containment capabilities. Enforcing something unattainable does no one justice.

Per City Code of Ordinances 160.07 I have authority to modify and allow for a modification of accepted code under unusual circumstances. This circumstance meets that criteria. I will allow this exception and in its place a fire and smoke detection system will be installed as accepted alternate design at 219 W. Salem Indianola Iowa 50125.

The fire and smoke detection system will have a central panel and monitored by a third-party vendor. Installation will be completed by a licensed contractor in the State of Iowa for fire and smoke detection systems.

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

Respectfully Submitted,

Gregory M. Chia
Fire Chief
Indianola Iowa 50125
gchia@indianolaiowa.gov
515-962-5257



INDIANOLA MUNICIPAL UTILITIES



Electric • Telecommunications • Water

March 7, 2019

Mr. Doug Gaumer

Via E-Mail: luckyboots@aol.com

Dear Mr. Gaumer:

I am writing in response to your inquiry about the possibility of Indianola Municipal Utilities replacing the four-inch water line on West Salem Avenue, between Buxton and "B" Streets, with an eight-inch water line. The intent being that your new micro-brewery would meet the Fire Code by being able to install a sprinkler system.

Unfortunately, there are no funds budgeted in the IMU Water Utility's Five-Year Capital Plan to replace the four-inch line on West Salem Avenue. We presently have a number of higher priority projects scheduled. Were we to embark on such a project the estimated cost is easily between \$100,000 and \$150,000. Once we open the street and start work the likelihood is that items such as the sewer lines would need to be replaced, at an additional expense, and all existing customers along the street would be impacted.

I truly wish you success in the launching of your new business, and regret being the bearer of disappointing news at this juncture. Please call me at 515-962-5301 if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads 'Tom'.

Tom Gaffigan

General Manager

Indianola Municipal Utilities

tgaffigan@indianolaiowa.gov

Meeting Date: 04/15/2019

Information

Subject

Discuss and direction and possible motion for Dollars for Scholars.

Information

In your packet is a request from Indianola Area Dollars for Scholars.

Fiscal Impact

Attachments

Dollars for Scholars

Indianola Area
**Dollars for
SCHOLARS®**
A Program of Scholarship America®



The IHS class of 2018 received 116 scholarships!

March, 2019

Dear Friends of ***Indianola Area Dollars for Scholars®***,

With rising tuition rates and looming student loan debt, college can seem overwhelming to high school seniors. For the past 20 years, the Indianola community has helped its own graduates with the costs of furthering their education by sponsoring scholarships through ***Indianola Area Dollars for Scholars®***. In fact, our community has given over \$645,000 since 1998 to Indianola High School graduates. Last year alone, over \$64,000 was awarded to 116 eligible students who completed the online application.

Our goal for Class of 2019 graduates is to award \$65,000 in scholarships and we are asking for your help to make this possible.

Please consider joining other Indianola businesses, service clubs, families and individuals who contribute a ***Dollars for Scholars*** scholarship for a graduate of the IHS Class of 2019. With a \$300 minimum donation, your sponsorship will be named for your business, your club, your graduating class, or in honor or memory of an individual or family. Named sponsors will have the opportunity to present their award to the student recipient personally at our May awards ceremony. Donations under \$300 will be combined into other scholarship opportunities. A contribution/pledge form is enclosed. May 1st is the deadline for receiving your sponsorship donation, as our awards ceremony is May 24th. We are a 501(c)(3) charitable organization and you can rest assured that 100% of your donation will be awarded as scholarships.

Our community is helping its students realize their dreams for higher education. We thank you for your support of ***Indianola Area Dollars for Scholars®***. For more information we invite you to view our website at www.indianola.dollarsforscholars.org and "LIKE" us on Facebook @IndianolaDFS.

Thank you.

Linda Meyer

President, Indianola Area Dollars for Scholars

Meeting Date: 04/15/2019

Information

Subject

City Manager's Report — Ryan Waller

* Receive and file correspondence from March 29 and April 5, 2019.

Information

In your packet are the March 29 and April 5, 2019, weekly updates from Ryan Waller, City Manager.

Roll call receiving and filing correspondence from the weekly update reports is in order.

Fiscal Impact

Attachments

Waller's Weekly 3/29/19

Site Plan Review 1

County Update

PZ Brochure

Draft April 15, 2019 Agenda

Draft May 6 Agenda

Projects Update 3/29/19

Exp Permit Listing 032819

Prop Main 03282019

Waller's Weekly 4/5/19

Local Purchase

Draft Agenda April 15, 2019

Draft Agenda May 6, 2019

Exp Permit Listing 04052019

Projects Update 4/5/2019

PM 04052019

Legislative Link

Sustainability Presentation

Diana Bowlin

From: Ryan Waller
Sent: Friday, March 29, 2019 3:23 PM
To: City Employees; All Department Heads
Subject: FW: Waller's Weekly 3.29.19
Attachments: WCJC_Site Plan Review 1.pdf; 01-28-2019-Regular-Meeting.pdf; PZ brochure_2019_AccessibleNEW.pdf; Draft April 15, 2019 Agenda.pdf; Draft May 6, 2019 Agenda.pdf; Projects Update 03292019.pdf; EXP Permit Listing 032819.pdf; Prop Maint 032819.pdf

Good afternoon, all.

I hope everyone had a great week. Here is this week's weekly update. As always, if there are any questions or items your respective departments would like included, please feel free to let me know.

Looking forward to seeing you all tonight!

A big thank you to Chris Longer and Melissa McCoy for their efforts to plan tonight's event!

Ryan



Ryan J. Waller

City Manager

rwaller@indianolaiowa.gov

p: 515.962.5274

110 N. 1st Street – Indianola, Iowa 50125

Top Places in Iowa – If you have not seen the post on the City's social media outlets, our community was again named a top 10 place to retire in Iowa by Smart Asset. This year we received a ranking of six (last year we ranked eighth).

Jail/Courthouse Project – As mentioned in last week's update email, the City was provided with a revised site plan for the jail/courthouse project that was being reviewed by staff. Attached is a copy of the letter that was shared with our partners at the County regarding the revised site plan.

Square Lighting – In advance of the jail/courthouse project, IMU removed the lights around the inside of the Square. This process entailed installing a temporary pole, one that is much taller, in front of the KNIA office and Canoe Outfitters. Overhead wires were then installed from the

temporary poles to the existing decorative poles on the outside, in front of the businesses, part of the Square. As of Wednesday, March 27th, the lights on the inside portion of the Square are off and the lights on the outside portion of the Square remain on.

County Updates - Attached please find a copy of the meeting minutes from the January 28th Carlisle City Council meeting. As you will see in the attached minutes, a few County updates were provided that Staff thought were valuable to share with you.

Land Use Training - Iowa State University (ISU) Extension and Outreach has released its schedule for its Introduction to Planning & Zoning for Local Officials Workshop series for Spring 2019. The Introduction to Planning and Zoning workshop is designed as a “basic training” for local elected and appointed officials on the land use issues facing them today. The workshop is intended primarily for local officials new to planning and zoning issues, though it also will serve as a refresher for veteran members. A brochure with additional information, including dates and locations, is attached. If you would like to attend, please let Charlie Dissell know by Friday, April 5th.

Summerset Trail Closure near Hillcrest – As part of the development at the Quail Meadows residential project a section of the trail near Hillcrest will be closed for a period of time. This is due to sewer work that is required for the development. At this time a timeframe has not been set, but Staff remain in contact with the developer and will be advertising once a timeline is established.

School Resource Officer Update – Earlier this week, City Staff met with School District representatives and parents to discuss various items regarding the School Resource Officer position. This was a positive discussion that produced valuable information to consider as we partner with the School District to get this program up and running. This position has already been posted internally for interested officers.

WPC/IMU – Congratulations are in order for the Water Pollution Control Department for receiving a grant in the amount of \$5,000 for the the installation of new controls at McCord and Plainview lift stations. A big thank you to our friends at IMU for this grant award.

Spring Cleaning – As previously mentioned, non-emergency City Hall staff are looking to schedule a spring cleaning day. There are a number of files and storage rooms in City Hall that have not been cleaned in several years. It is anticipated that non-emergency offices would be closed for the spring cleaning day. The tentative date for this cleaning day is April 26th. City staff plan to review this at the April 1st City Council meeting.

Budget Inquiry – Earlier this week Staff received an inquiry about the location of the FY19 budget document on the City’s website. A copy of this document may be found on the City’s

website at <http://indianolaiowa.gov/DocumentCenter/View/8194/FY19-Indianola-Iowa-Budget-Presentation-Document?bidId=>.

Community Development Updates – Attached please find various updates provided by the Community Development Department.

Upcoming City Council Agenda – Attached, please find the draft agendas maintained by the Clerk's Office for the upcoming meetings. As a reminder, these are fluid documents that can change on a regular basis (i.e. some items may get added/rescheduled due to Council direction, as well as other factors that may or may not be within the control of the City departments). If there are items that you would like more information on, please let me know.



COMMUNITY DEVELOPMENT

March 27, 2019

Michael S. Lewis, AIA, NCARB
Institutional Team Leader
Shive-Hattery, Inc.
4125 Westown Parkway, Suite 100
West Des Moines, IA 50266

Dear Mr. Lewis:

The City has performed a review of the preliminary Site Plan the City received for the Warren County Justice Center, located at 115 North Howard Street, from you on March 18, 2019. These comments are in an addition to the email sent to Brandon Schulte and Nick Bruck on March 13, 2019. The purpose of this letter is to provide comments regarding this latest draft and to request additional information. These comments and questions are as follows:

1. As we have discussed, please provide more detail on the timing of the road closures for the new storm water and the water and sanitary connections. These closures will need to be approved by Council, and we will need a two to three-week head time on this. When preparing the proposed closures, please remember that fire code requires a minimum of a 20-foot clearance.
2. The City is considering replacing the stormwater connection to the rest of the system at the Buxton Salem intersection due to a failing pipe. If so proposed flowlines would have to be adjusted a little.
3. The City is evaluating the possibility of changing one of the manholes on the south or east side of the Square into an intake (preferably the east side). Storm-water runs in the gutter from midblock on the south side all the way to the NE corner of the square, it might be good to pick it up in the parking area.
4. Please share the current number of parking stalls on site and on street around the courthouse? What is proposed with the new layout? Will this result in a loss or gain of parking public parking stalls on the public street?
5. What are the dimensions of the parking stalls you are proposing on site and on street?
6. Please clarify the proposed handicap parking stall layout for on street parking and off-street parking. Right now, you are providing 4 total handicap spaces, but it looks like there are over 100 total spaces. As you are aware, number of parking stalls between 101-150 requires 5 handicap assessable spaces, one of which should be a van accessible space.
7. What is the reasoning for the ½ block curb cut on the north side that additionally eliminates ½ a block of public parking?
8. Why are the two on-site parking lots not connected to the west entrance?

9. Has there been any discussion on “squaring off” on the inside of the Square rather than the rounded corners? It appears we could get more parking spaces on street if we did this. Additionally, please know that our Consultants (Bolton & Menk) for the Square Streetscape Plan are indicating this may be a forthcoming recommendation. This will be subject to approval by Council, but we wanted to be sure you were aware of this concept.
10. Where is the refuse collection and how will it be screened?
11. Pursuant to the IFC 2012 and 2015 the Fire Chief will make the decision on whether there is a need to retain a person on-site for fire watch during the demolition. (Chapter 33; 3304.5 2012 IFC) We would prefer that once a contractor is chosen for demolition that the fire department meet with the demolition contractor to go over their process, at that time a decision will be made to require fire watch personnel.
12. In the Sanitary Sewer Construction Notes: under # 4 they still list using Chimney Seals in the manholes. Attached is the specifications we use along with SUDAS that we would like to be included in the Demolition Package.
13. Given the amount of changes, it is requested that the appropriate representatives from the County present an overview to the City Council at an upcoming City Council meeting.

Please submit a response to each comment by Friday, April 5, 2019. If additional time is need, please let me know as soon as possible. If you have any questions, please do not hesitate to contact me at (515) 962-5276 or at cdissell@indianolaiowa.gov.

Regards,



Charlie E. Dissell, AICP
Director of Community & Economic Development
City of Indianola

CITY OF CARLISLE REGULAR CITY COUNCIL MEETING MINUTES

Monday, 28 January 2019; 6:30 P.M

Carlisle City Hall Council Chamber, 195 N. 1st St.

Elected Officials present were Mayor Drew Merrifield, Eric Goodhue, Josiah Doughty, and Rob Van Ryswyk constituting a quorum. Dan McCulloch and Doug Hammerand were absent. Also present were City Administrator Deven Markley, City Clerk Martha Becker, City Attorney Bob Stuyvesant, Police Chief Matt Koch, Electric Superintendent Don Miller, and Parks and Recreation Superintendent Ronda Frost. Mayor Merrifield called the meeting to order at 6:30 P.M.

The Pledge of Allegiance was recited.

PRESENTATIONS

Crystal McIntyre, Warren County Supervisor gave a court house and jail update to Council. McIntyre explained that with cuts the project was coming in at over 33 million dollars. McIntyre noted that there will be less square footage of the building and that the underground parking will be moved above ground. Parking will be towards the middle of the property to allow for expansion to the west rather than upward as earlier planned. There was discussion between Council and McIntyre regarding possible loss of greenspace due to the sally port now being at ground level. McIntyre continued with information regarding updates to the 911 communications system and that there would be reorganization to both the E911 and Emergency Management boards. McIntyre indicated that upgrades to the 911 system are needed, however several jurisdictions, mainly the fire departments would not be able to afford the upgrades and because of that the supervisors want to build the cost of the upgrades into the jail bond and then ask those jurisdictions to make arrangements to pay back the cost. She also stated that five to seven new towers would need to be installed in Warren County for the radio upgrade and the cost would range between 1-1.5 million dollars per tower. McIntyre explained that they would do an Essential Service Bond provided by the county that would not have to go in front of the public but would have a public hearing. McIntyre touched on the topic of a new shop for the Warren County Engineer. The site of the shop would be north of the Annette Nature Center. McIntyre did note that the site for the shop is shovel ready and the funds would be allocated through county reserves up to 4 million dollars. McIntyre also noted that one of her goals is to get the County to an emergency preparedness culture and she will be working with Troy Bass on the project as well as putting together mutual aid agreements with the cities for a large space to house citizens in the event of an emergency.

CONSENT AGENDA & POSSIBLE ACTION

Motion by Goodhue, seconded by Van Ryswyk to APPROVE THE FOLLOWING CONSENT ITEMS.

- Approve City Council Minutes for Budget Workshop January 5, 2019, Regular Council Minutes January 14, 2019, and City Council Minutes for Budget Workshop January 22, 2019
- Receive and File City Administrator's Report
- Receive and File Library Report
- Receive and File Fire/EMS Year-end Report
- Receive and File Treasurer's Report
- Approval of Tax Abatement Resolution, 2019012801 for 1330 Veterans Memorial Drive for Nicholas Nelson and Elizabeth Kellner-Nelson

- Approval of Class E Liquor License (LE) for Casey's General Store #3404, 1020 Gateway Drive with Class C Beer Permit (Carryout Beer), Class E Liquor License and Sunday Sales privileges.

Motion carried unanimously on a roll call vote.

APPROVAL OF BILLS PAYABLE, CHANGE ORDERS AND PAY REQUESTS

Motion by Goodhue, seconded by Doughty to approve bills in the amount of \$31,304.63. Motion carried unanimously on a roll call vote.

CITIZEN PARTICIPATION

None

OLD AND NEW BUSINESS & POSSIBLE ACTION

Sharon Hill, President of the Carlisle Historical Society 5640 SE 68th Place, Carlisle spoke to Council regarding the Lustron House move. Hill explained that the Historical Society is a non-profit and that the Lustron House would be used as a museum in the city and asked that Council waive the permit fees in the amount of \$625.00. Motion by Goodhue seconded by Doughty to approve waiving House Mover's Permit Fee for Lustron House in the amount of \$625.00. Motion carried unanimously on a roll call vote.

Markley explained to Council that 11 permits were issued for utility vehicles (UTV or side-by-side) in error as Carlisle code does not allow UTVs to be used on city streets. The permits were issued at the golf cart rate (\$25.00) by staff members no longer with the city. There was discussion between Council, Markley and Chief Koch regarding how to correct the error. John Peno, 700 School Street spoke to Council asking that they consider allowing UTV's in city limits. Peno explained that he uses his to take refuse to the tree dump and drives to other places such as the ball field. Steve Hill, 740 N 1st, asked that Council consider allowing UTV's in the city limits as it gives Carlisle a small town feel. Glenn Robinson, 400 Lindhardt Road, stated that he would like to see UTV's allowed in the city limits as he uses his for snow removal. There was continued discussion allowing UTV's in the city limits and there was consensus from Council to move forward with allowing UTV's in town. No action was taken.

Markley explained that the Resolution approving LOSST transfers from the January 14 2019 meeting was labeled incorrectly as FY2018 transfers. The new Resolution is correctly labeled as FY2019 and includes three additional budgeted transfers.

Motion by Goodhue seconded by Van Ryswyk to approve Resolution 2019012802, A RESOLUTION APPROVING AND CORRECTING FUND TRANSFERS. Motion carried unanimously on a roll call vote.

Motion by Goodhue seconded by Van Ryswyk to approve Resolution 2019012803, RESOLUTION APPROVING 28E AGREEMENT FOR MUTUAL ASSISTANCE FOR WARREN COUNTY AREA FIRE/RESCUE SERVICES. Motion carried unanimously on a roll call vote.

Markley spoke to Council regarding the section of his employment contract pertaining to the City paying for a membership in a local civic organization. Markley explained that he is

currently a Certified Floodplain Manager (CFM) and a member of the Association of State Floodplain Managers (ASFPM). Markley is requesting that until Carlisle gets an active traditional civic organization, Council pays for the cost of the ASFPM membership in the amount of \$160.00 per year. Motion by Goodhue seconded by Doughty to approve ASFPM Membership Dues Payment. Motion carried unanimously on a roll call vote.

Markley spoke to Council regarding the Great Western Bank building and possible uses for the building. Markley presented several scenarios which included moving City Hall to Great Western Bank, moving the Police Department into the vacated City Hall and moving the library into the Recreation Center. Other scenarios included moving the Library to the Great Western Bank, City Hall to the vacated Library and the Police Department into the vacated City Hall. Council and Markley discussed other options as well. After further discussion there was consensus that moving City Hall to Great Western Bank, moving the Police Department into the vacated City Hall and moving the Library into the Recreation Center would be the best use of the buildings. No action was taken.

CITY ADMINISTRATOR REPORT

City Administrator gave his report

MAYOR AND COUNCIL REPORTS

Mayor and Council gave their reports. Goodhue gave an update on the MPO meeting. Mayor spoke about opening public buildings for heating and cooling centers.

CITY ATTORNEY REPORT

None

UPCOMING MEETINGS AND EVENTS

DOT Meeting regarding Scotch Ridge Roundabout at 1:00 pm, 29 January 2019 at City Hall.

INFORMATION

None

Motion by Goodhue, seconded by Van Ryswyk to enter into closed session at 8:26 pm to Discussion of Scotch Ridge Business Park Letter (*Closed Session Pursuant to Iowa Code Section 21.5[c]*). Motion carried unanimously on a roll call vote.

Motion by Goodhue, seconded by Van Ryswyk to enter into open session at 8:57 pm. Motion carried unanimously on a roll call vote. Mayor Merrifield asked for any action. There was none

Motion by Goodhue, seconded by Doughty to enter into closed session at 8:58 pm for Discussion of School Utility Bill (*Closed Session Pursuant to Iowa Code Section 21.5[c]*). Motion carried unanimously on a roll call vote.

Motion by Goodhue, seconded by Doughty to enter into open session at 9:18 pm. Motion carried unanimously on a roll call vote. No action was taken.

Motion by Doughty, seconded by Goodhue to Adjourn at 9:19 pm. Motion carried unanimously on a roll call vote.

Drew Merrifield, Mayor

Martha Becker, City Clerk

NOTE: Minutes are unofficial until approved by Council-final approval may include corrections as necessary

WHAT YOU WILL LEARN

Elected officials and citizen-led boards and commissions make up the backbone of the local planning and zoning process. Unfortunately, the issues surrounding land use, and the tools and techniques available to address them, are becoming increasingly complex. At the same time developers, landowners, and residents are increasingly likely to litigate over unfavorable decisions.

The Introduction to Planning and Zoning workshop is designed as a “basic training” for local elected and appointed officials on the land use issues facing them today. Using case scenarios in a highly-interactive format, it will provide participants with an overview of the roles and responsibilities of the planning commission, the board of adjustment, and the elected council and board of supervisors. It also will highlight legal issues frequently faced by local officials, such as variances, special uses, nonconforming uses, spot zoning, hearing procedures, and conflicts of interest. The workshop is intended primarily for local officials new to planning and zoning issues, though it also will serve as a refresher for veteran members.



IOWA STATE UNIVERSITY
Extension and Outreach

COMMUNITY AND ECONOMIC DEVELOPMENT
2321 North Loop Drive, Suite 121
Ames, Iowa 50010

IOWA STATE UNIVERSITY
Extension and Outreach

INTRODUCTION TO Planning & Zoning for Local Officials WORKSHOP

Spring 2019

Presented by
IOWA STATE UNIVERSITY EXTENSION AND OUTREACH
community and economic development
with assistance from
Iowa League of Cities
Iowa's Regional Councils of Government
Iowa State Association of Counties
ISU Extension County Offices

2019 LOCATIONS

The Introduction to Planning and Zoning for Local Officials workshops are offered annually across the state. Locations change from year to year so that city officials can attend a location near them at least once every two years.

April 16 Fort Dodge

Tue
Triton Cafe 100 & 101
Iowa Central Community College

April 18 Waterloo

Thur
Schoiz Room I
Waterloo Center for the Arts
225 Commercial Street

April 23 Johnston

Tue
Ballroom 3, Hilton Garden Inn
8600 Northpark Drive

April 25 Council Bluffs

Thur
Wabash Rm & River City A, Hilton
Garden Inn Omaha/East Council Bluffs
2702 MidAmerica Drive

May 2 Dubuque

Thur
River Room, Hotel Julien
200 Main Street

May 9 Fairfield

Thur
Fairfield Arts & Convention Center
200 North Main Street

May 14 Davenport

Tue
The River's Edge
700 West River Drive

REGISTRATION INFORMATION

The Introduction to Planning and Zoning Workshops will be held in eight locations throughout Iowa in April and May 2019.

All programs will begin with registration and a light supper at 5:30 p.m. The program will begin at 6:00 p.m. and conclude by 8:45 p.m.

The registration fee is \$65 per individual. This fee is reduced to \$55 per individual if a city or country registers 5 or more officials to attend. This fee covers supper and the workshop materials.



Certification Credits

The workshop has been pre-approved by the Iowa Municipal Finance Officers Association and the Iowa League of Cities for credits toward certification.

Iowa State University Extension and Outreach does not discriminate on the basis of age, disability, ethnicity, gender identity, genetic information, marital status, national origin, pregnancy, race, color, religion, sex, sexual orientation, socioeconomic status, or status as a US veteran, or other protected classes. (Not all prohibited bases apply to all programs.) Inquiries regarding non-discrimination policies may be directed to the Diversity Advisor, 2150 Beardshear Hall, 515 Morrill Road, Ames, Iowa 50011, 515-294-1482, extdiversity@iastate.edu. All other inquiries may be directed to 800-262-3804.

REGISTER ONLINE

We have moved exclusively to an online registration system for the Planning and Zoning for Local Officials workshops.

[Click here to register:](#)

(<http://blogs.extension.iastate.edu/planningBLUZ>)

Click on the "Intro to Planning and Zoning Workshops" tab at the left of the page, then click on the "Register Online Here" link. When you register you will have the option to pay by credit card, or to be invoiced via e-mail.

To receive a meal you must register at least one week before the scheduled date of the workshop you wish to attend. You may register and pay at the door on the day of the workshop if you cannot register by the one-week deadline; however, no meal will be provided.

If you have registered but find you cannot attend you may send a substitute or cancel your registration; however, no refunds will be made for cancellations received less than 3 business days prior to the workshop. No exceptions.

CONTACT FOR QUESTIONS

For registration questions please contact:

Registration Services

515-294-6222
registrations@iastate.edu

For other information about the workshops please contact:

Eric Christianson

515-231-6513
eichr@iastate.edu

Gary Taylor

515-290-0214
gtaylor@iastate.edu

Amanda Youngquist

515-294-8707
amyyoung@iastate.edu

To download additional brochures and link to registration page please visit

<http://blogs.extension.iastate.edu/planningBLUZ>

April 15, 2019
Draft Council Agenda

- Minutes
- Claims
- Applications-Wal Mart, The Garage, Indy 66
- City Manager's Report
- Salaries
- PH and adoption of second amendment to FY 19 budget
- Treasurer's report for February and March
- EMS update
- PH amend Chapter 165
- Oath of Office to Paramedics/firefighters – Robert Collier, Jason Kling and Samuel Hofer
- Traffic Signal Timings Update Agreement
- Indianola Bike Night – (liquor permit, noise permit, street closure application and lease agreement)
- Purchase of a Raw Pump for North Plant
- Policy regarding FCC Small Cell order
- Nuisance Abatement
- Resolution approving the Warren County Geographic Information System (GIS) Commission 28E Agreement
- Discussion and direction and possible motion for RAGBRAI funding
- Jerry Kelley Trail – continuation of the public hearing, resolution approving plans, specs, form of contract and estimate of cost, resolution awarding contract
- Sidewalk use agreement for The Local Vine – 126 W. Ashland

April 15, 2019
Draft Council Study Agenda

- Indianola Sustainability Committee presentation

May 6, 2019
Draft Council Agenda

- Minutes
- Claims
- Applications
- City Manager's Report
- Salaries
- Second consideration to amend Chapter 165
- Final consideration to amend Chapter 122 Section 23
- Greater Des Moines Presentation from Greg Edwards
- Approval of Insurance Broker proposal



PLANNING AND ZONING COMMISSION

To: Ryan J. Waller, City Manager
From: Charlie E. Dissell, AICP, Community and Economic Development Director
Subject: Current Projects Update-March 29, 2019

The purpose of this memorandum is to provide a brief synopsis of different projects that may be of interest to the Council.

- McConnell Subdivision Preliminary Plat
 - City Council approved on January 22, 2019
- Quail Meadows Townhomes Preliminary Plat
 - City Council approved on January 22, 2019
 - Developer met with Warren County Conservation on February 13 regarding easements for sanitary sewer crossing along Summerset Trail.
 - Staff met with the Developer on March 25 to discuss timings of the sanitary sewer extension to this site which will include the temporary closures of both Hillcrest Avenue and the Summerset Trail.
- Prairie Glynn Plat 2
 - Construction plans have been submitted and will be approved once changes are made.
- Autumn Ridge Subdivision
 - City has met with Developer concerning a possible development agreement for Autumn Ridge Plat 3.
- West Hills Brewery (219 West Salem Avenue)
 - City staff held a pre-application meeting with business owners on January 25
 - Plans submitted for a new brewery on January 30.
 - City staff held follow-up meeting with applicant on February 21 on plan review comments regarding the need for a fire sprinkler system.
 - Chief Chia has approved a variance to the automatic sprinkler requirement due to an undersized water main along West Salem Avenue. A Condition of this variance calls for the installation of a fire alarm/smoke detection system and the applicant signing a hold harmless agreement.
 - Staff will bring the hold harmless agreement to Council for approval on April 15.

- Missouri Valley JATC Training Facility
 - City staff held a pre-development meeting with business owners, contractor and architect for the proposed new facility at the corner of East Iowa Avenue and North 15th Street.
 - City Staff has also held internal meetings regarding new road alignment within the industrial park expansion.
 - City staff is continuing to meet to discuss access to this site and possible road upgrades/funding.
- Kappelman Appliance (506 West 2nd Avenue)
 - D&D property
 - On February 1, Justin Kappelman notified the City of his intention to terminate the development agreement with the City for this project.
 - Council approved the termination of transaction and agreements by and between the City of Indianola and JK Management LLC D/B/A Kappelman Appliance on February 19.
 - The Kappelmanns have transferred the property back to the City as of March 28, and the deed is been recorded at the County.
- Gritt Performance (983 East Hillcrest Avenue)
 - Site Plan for this project has been submitted to the City and is being reviewed by Staff and City Engineer.
 - Plan review comments returned to applicant on February 20.
 - Updated site plans were resubmitted on March 4.
 - Updated comments returned on March 18.
 - Updated site plans were resubmitted on March 26.
- Ace Hardware (506 North Jefferson Way)
 - City staff held a pre-development meeting on this project on February 22.
 - The project would include the demolition of the existing car wash, and a new building.
 - The existing Mudslingers Coffee Shop would remain.
- 410 South Jefferson Way
 - D&D property
 - Site plan has been submitted for this project with comments returned to the applicant.
 - Applicant has updated the site plan and elevation drawings for this project.
 - Building permit has been issued.
- New Heights Church (309 East Hillcrest Avenue)
 - Project engineer contacted the City on February 7 to clarify plan review comments.
 - Updated Site Plan was received on March 7.
 - Updated comments returned to applicant on March 20.
- Chumbley's Auto Care (110 South Jefferson Way)
 - Staff meet with the business owner on March 15 to discuss plans for future building.
 - Staff has submitted preliminary comments on the site plan to the business owner.

- Warren County Courthouse (115 North Howard Street)
 - Staff has continued to meet with the General Contractor on this project to discuss site layout, utilities, closures, haul routes, etc.
 - Staff has compiled a comment and questions letter and sent it back to the County's contractor and design team on March 27.
- Hillcrest TIF Update
 - Staff submitted all preliminary information to Attorneys to begin to TIF Update process on March 11.
 - Staff is continuing to work with Attorneys on next steps.

Permit #	Permit Year	Permit Date	Permitte	Owner if Different from Permittee	Address	Project	Last Inspected	Permit Expired	Date Letter Sent	Re Apply?	New Permit #	Date RePerm	DATE Re Inspect/ Finaled	Notes
2015														
78	2015		Garrett Miller		503 West 18th Place	Garage	NONE	5/17/2016	1/29/2019 02/25/2019					Resent letters with SECOND NOTICE listed on top.
98	2015		Brad Butler	Bradley Butler & Alesia Wright 1306 E Detroit Ave Indianola, IA 50125	410 W 1st Ave	Front Porch Repair	NONE	3/19/2016	11/8/2018 1/29/2019 02/25/2019					Resent letters with SECOND NOTICE listed on top.
2016														
10	2016		Thomas Sherly Nicholson		200 West Orchard Ave	Bathroom Remodel	3/21/2016	9/17/2016	10/31/2018 1/29/2019					
42	2016		Jeff Downing		1202 North 9th Street	Sun Shade Structure	NONE	10/29/2016	10/31/2018 1/29/2019					
82	2016		Larry Powell		1201 North D Street	Garage	8/16/2016	2/12/2017	01/29/19					BOA Approval approval in file. Letter sent from RP and CB on 8/25/16 to owner regarding electric in the garage being separate rather than upgrading to 200amp. No further info or notes in file.
91	2016		Bryon Keeney		505 E Ashland Ave	Deck	NONE	12/28/2016	10/31/2018 1/29/2019					
93	2016		Rich Piper		1800 Fairway Drive	Garage	10/6/2016	4/4/2017	01/29/19					BOA twice approval for projects. No final. Last inspection was a RI framing
95	2016		LTD Corp		2312 West 2nd Ave	Loading Dock	NONE	1/9/2017	10/31/2018 1/29/2019					
99	2016		R & D Precision Builders		1001 E Madison Ave	Basement & Room Addition	NONE	1/11/2017	10/31/2018 1/29/2019				8/3/06	
111	2016		Greg Oakes		1001 N O Street	Basement Finish	5/2/2018	10/29/2018	9/21/2018 11/12/2018 1/29/2019					RP contacted 2/27/18 regarding no inspections and permit sitting without final. Final inspect scheduled FAILED - 5/02/18 RP writes Sheet rock under stairs, cover all exposed NM cable -Romex
117	2016		Joe Kissner		1003 N O Street	Basement Finish	NONE	2/8/2017	10/31/18 1/29/2019					Note in file from RP stating left message about open permit on 2/27/18 Original Building permit issued 8/12/16
126	2016		Jeremy King	Anthony Hotz	505 N L Street	Repair of Deck Stairs / Dangerous Non Conforming Structures	NONE	3/6/2017	11/12/2018 1/29/2019					
135	2016		Cory Till		1109 South K Street	Garage	NONE	3/28/2017	01/29/19					
2017														
84	2017	7/5	Wayne & Susan Prather		810 N T Ct	Deck	7/27/2017	1/23/2018	01/29/19					
87	2017	7/6	CMC Pools	Bryan Bussanmas	101 S 19th Ct	Pool	NONE	1/2/2018	01/29/19					
104	2017	8/18	Brook Breuklander		908 N Y Street	Pool Deck	NONE	2/14/2018	01/29/19					
105	2017	8/24	Brenda McCoy		1200 E Euclid Ave	Deck	NONE	2/20/2018	01/29/19					
121	2017	10/4	Custom Specialty Services	The Village (Wesley Life)	707 Robin Glen	Bus Garage / Carport	11/15/2017	5/14/2018	01/29/19					
126	2017	10/17	Christopher Lutheran		306 N 17th Street	Basement Finish	11/9/2017	5/8/2018	01/29/19					Electric and Plumbing RI inspection completed by CB on 11/09/17. no other inspections found in file. Number listed as 319-631-2578
2018														
2	2018	1/17	Russ Vanderpool		512 E Euclid Ave	Garage	NONE	7/16/2018	9/21/2018 10/31/2018 1/29/19					Re issued letter regarding Shed on 512 E Euclid. 9/21/18-10/31/18
10	2018	2/14	Steger Construction	Brad Nancy Kotz	807 E Trail Ridge Pl	Alteration	2/22/2018	8/21/2018	9/21/2018 11/26/2018	No				11/23/18 Contacted contractor, P Steger 515-988-6027 states they decided to finish the job on their own. No contact info given for the owners. Will resend letter today 11/26
13	2018	2/21	Ann Mahoney	Equity Trust Custodian 1 Equity Way West Lake, OH 44145-2526	610 East 1st Ave	Home Restoration/ Alteration	3/5/2018	9/1/2018	9/27/2018 1/29/19					
14	2018	2/22	Genesis Development	Attn: Justin Terry	1809 W 2nd Ave	Alteration	NONE	8/21/2018	9/21/2018 10/31/2018					
15	2018	2/23	Jope Joliff	Mail To: 15397 90th Ave	701 N 1st St	Home Alteration	3/5/2018	9/1/2018	10/5/2018 Returned 10/23 Remailed 10/31 1/29/19					Return notice sent letter back. Recvd 10/23/18. Warren Co shows 15397 90th Ave. Remailed 10/31/18
ACTIVE - in Motiong for INSPECTION														
133	2015		Jeremy Selvage		3214 W 4th Ave	Garage	NONE	6/8/2016	1/29/2019 02/25/2019					Resent letters with SECOND NOTICE listed on top. Owner called in to schedule an inspection to help close the file. Scheduled Wed 2:00 p

40	2015		TLCD Investments LLC	615 Brookwood Drive Indianola, IA 50125-3306	220/222 W Salem Ave	Alteration	9/16/2015	3/14/2016	11/8/2018 1/29/2019 02/25/2019	Dec-18			Failed 03/04/2019	Resent letters with SECOND NOTICE listed on top. Terry Pauling cld in, stated that he talked to Frank Rasco, states Rich came down to do final inspection. Permit application pulled for same location in 12/2018. Emailed SB to inspect for completion. Terry not moving forward at this time with new permit for an additional alteration. Sent doc from that application in 12/2018 to Terry via email so he has on him for future application if and when needed. SB inspection failed 03/04/2019 all outlets are over counter top need GFCI protection. Only one projected. All other itmes complete. Call to reschedule once GFCI protected.
141	2016		Sean Thompson		204 E Kentucky Ave	Deck	NONE	4/12/2017	11/12/2018 1/29/2019 2/25/19					Resent letters with SECOND NOTICE listed on top. Recvd call from owner of the home. 515-330-7168. Sean Thompson 515-991-4729. He is out of town until 3/5/19. Advised that Safebuilding to call to set up final inspect next week.
148	2017	11/3	Iowa Drone	Sean Thompson	204 E Kentucky Ave	Garage	NONE	5/2/2018	1/29/2019 2/25/19					Resent letters with SECOND NOTICE listed on top. Recvd call from owner of the home. 515-330-7168. Sean Thompson 515-991-4729. He is out of town until 3/5/19. Advised that Safebuilding to call to set up final inspect next week.
29	2015		Alex Van Clark		1003 North E Street	Addition BR and Egress Wind	7/2/2015	12/29/2015	11/8/2018 1/29/2019	EXT			02/08/19 FAILED	515-669-7886 - Alex - states they did the finish the basement walls just cut a hole in the drywall to add a different bedroom. He states the egress windows are complete. Requesting an extension on bedrooms or will call if no longer doing them to close permit. SB inspected 02/08/19 FAILED. Fire alarm outside of bedroom is more than 10' from door. Closet light had exposed bulb. Needs to be reinspected to final out.
82	2015		Brian Hoxmeier		1308 N 6th Street	Basement Finish	1/6/2016	7/4/2016	01/29/19	EXT til December of 2019 per CD				Brian (38-991-3092) called and would like an extension until the end of the year on this permit. Please make note of an extension until 12/31/19 per Charlie D.
140	2016		Joe Ripperger		209 N M Street	Deck	NONE	4/11/2017	11/12/2018 1/29/2019	EXT			02/05/19 FAILED	Zach current home owner - 515-729-4649 says okay to come whenever just call. Per SB 02/05/19 Jeff Begg "4x4 post more than 8' tall. Appear to be buried in the ground, unable to verify frost depth. Beam should be notched into post or supported with approved brackets. Stairs and all railing approved. FAILED DECK. Will need to schedule reinspection."
146	2016		Brad Butler	Ross Huff	611 Quail Ridge Rd	Deck	11/7/2016	5/6/2017	11/12/2018 1/29/2019	EXT			1/3/2019 FAIL	Owner called in requesting inspection for final. Sent to safebuild 12/27/18 Ross Huff - Safebuild inspected project on 1/3/19 FAILED- Will reinspect when called
68	2017		Richard Stewart		1209 Lancaster Way	Single Family Dwelling	10/10/2017	4/8/2018	8/28/2018 1/29/2019	EXT			2/13/19 FAILED 2/27/19 FAILED 2/28/19 FAILED for final but ok for TEMP CO (sod, gutters, grade)	Owner came in 02/11/19 reports final done by RP in July of 2018. No inspec sht in file. Scheduled final with Safebuilding. Mr. Stewart 515-490-8339 "SB inspected 2/13/19 failed "AC breaker is 30 amp needs to be 25 amp, unfinished basement outlets need to be GFI protected, water heater drain pipe is missing, need gutters and downspouts installed." Owner came to office 2/19 asked if he could just get final or temp co for GFI, breaker and drain pipe being done, but will not be able to get to gutters and downspouts till its warmer. Jeff with SB agreed to do Temp CO inspection. Owner will call in when ready for Temp CO inspection. Reinspection for final set up with sb 2/27/19. FAILED - Punchlist complete except gutter and downspout. Will complete by spring. Will call for reinspection. SB inspection 2/28/19 "missing gutters. missing final grade and sod. Landing at lower end of the stairs approved. Need drip leg on gas line at furnace. Permanent address required. House number not visible from street. Builder is planning a column with address at end of drive. Temp address sign in place now. Ok for temp CO.
98	2017	8/8	Jeffrey Simmerman		102 S 20th Street	Residential Addition/Garage/Deck	10/25/2017	2/1/2018 Ext 04/30/19	2/1/2018 1/29/2019	Ext				Extension given per DC for 180 days. Owner plans to complete January 2019 - 11/1/19 krb called Inom 1/24/2019 to remind of extension and plan for Jan completion. Owner called back 1/24 states due to weather needs additional time. Extension expires on April 30th or else they will need to re apply and pay fees for permitting again.
110	2017	9/7	Cross Cut Custom Carpentry	Robert & Deb Elgin	210 N 15th Street	Deck	9/7/2017	3/6/2018	01/29/19				02/07/19 FAILED	2/5/19 owner called in regarding inspection needed. SB scheduled for 2/07/19. Inspection Failed. Will need to call to reinspect. Owner cld in 2/11 asked for failed inspection report. Emailed inspection report to owenr 2/11. advised to let us know when she would like to reschedule final
100	2017	8/15	John Adams	Helen Morgan	407 W Lincoln Ave	Garage	9/28/2017	3/27/2018	01/29/19				FAILED 03/06/2019	SB inspected property 03/06/2019 Failed "outlets need GFCI protected" 3/26 owner called in- reports ready for re inspection 3/26 emailed sb.
8	2018	2/1	Benjamin Rogers		1000 North O St	Basement Finish	NONE	7/31/2018	10/5/2018 1/29/19	EXT til May				Still has not been completed yet. Extension needed until May 2018. 515-808-3030
32	2018	4/9	Amie Hale		107 South 19th Court	Pool	8/3/2018	1/30/2019	9/27/2018 1/29/19	EXT til May				Warning Letter advising of expiration if no final inspection. Extension given until May 2019 for final. 515-556-6715 Amie ..
35	2018	4/18	DDVI	IMU	110 S B Street	Line Shop Remodel	10/1/2018		01/29/19	EXT til 4/19			10/19 Failed Fire	1/29/18 letter sent out reminding of 180 days expiration from last inspection. Previous inspections September and October. Nothing since. Kurt R emailed stating electrical final will be scheduled by March. Extension given till April 2019

67	2018	6/8	Dan & Irene Bertsch	Mail to : 805 W 3rd Ave. Indianola	610 S Freeman Street	Garage Addition	NONE 1/30/19 SB	12/5/2018	01/29/19	Ext	N/a		1/30/19 FAILED	Added to spreadsheet 1/24/19 krb - Mail to 805 W 3rd Ave. 1/29/19. Owner called in to have inspection for final. 1/30 Safebuilding. States unable to see previous work covered prior to inspection. Needs hurricane clips. FAILED. Will need to have re inspected once items mentioned are corrected. Owners email 2/14/19 "I am responding to the letter I received from you regarding the construction at 610 south freeman. The work is not completed so I will need an extension of the permit. The work is being done by Ron Miller construction. Dan Bertsch"
RECTIFIED PERMITS														
1	2015	1/9	Paul Edenburn		102 S Howard	Alteration ADA Restrooms	1/14/2015	7/13/2015	11/8/2018 1/29/2019	EXT			2/13/2019 PASSED	Thomas Smith - 515-271-1877 Cld in. Sd ok to set up inspections on this. Emailed SB to set up . 2/13 Final passed. " ADA Bathroom at hair salon complete" Pass
2	2015		Indianola Com. School Dist./ Emerson Elem.		1109 E Euclid Ave	Elem Addition Alteration	12/15/2015	6/12/2016					Exec Dec	Per DC- ok to close. Director should have signed. I have no probem with documentation other than signature. DC
3	2015		Bengstrom Construction Inc		1707 North 14th	Office Alteration	2/2/2015	8/1/2015	11/8/2018 1/29/2019 2/25/2019				Passed 03/04/2019	Resent letters with SECOND NOTICE listed on top. MO Valley Line Construction called 2/28/19. 515-961-5062 Robby SB inspected for final 3/4/19 complete and passed.
15	2015		Rick & Tamara Stump		307 W 17th Ave	Garage	4/16/2015	10/13/2015	11/8/2018 1/29/2019	EXT			2/13/19 PASSED	Owner called in. ok to schedule final- Safebuild scheduled for 02/06/19. Per SB Ron Frazee " Electrical outlets need to be GFI protected. 2/6 FAILED. Will need to reschedule inspection. Owner called in 02/11 to reschedule for final. SB inspected 2/13 FAILED "electrical outlets are GFI protected. Garage complete"
11	2015		Horton Robinson Construction	Tim Stacy Darr	2407 W 10th Ave	Garage Addition	4/7/2015	10/4/2015	11/8/2018 1/29/2019 02/25/2019				3/18/2019 PASSED	Horton came into office left phone number that rang busy each attempt. 3/11/18 emailed Tom Horton to return call with questions. Explained as letters did, that the property is not closed or finaled due to lack of inspections on file. SB 3/18/19 inspect " approved framing, plumbing and mechanical. State is doing electrical." SB 3/18/19 completed 3rd car stall.
22	2015		Schultz Construction		1020 Scott Felton Rd	Demolition Deck	4/17/2015	10/14/2015	11/8/2018 1/29/2019					ALSO PERMIT for this location 22-2015 & 28-2018 Sandy Peterson ok to inspect 515-480-5913 - confirm demolition of deck. Scheduled with Safebuilding 2/09/19 at 9:30 am. 02/05/19 completed. "Pre fabricated shed on concrete pad 10x12 center of rear yard plus foot setback on side and rear yard. Rear deck appears to be original to house. No demo apparent. Deck was recently stained .
26	2015		Dave Morey		1009 W 3rd Ave	Garage	11/16/2015	5/14/2016	1/29/2019 02/25/2019				3/6/2019 PASSED	SB inspected 03/06/2019 garage complete GFCI protected outlets heated floors.
47	2015		Rebecca McGill		1607 East Boston Ave	Pool	NONE	12/6/2015	11/8/2018 1/29/2019 02/25/2019					Resent letters with SECOND NOTICE listed on top. Owner called in, states they put it up but then took it down the following year. Go ahead and close 3/1/2019
41	2015		James Lavelle		1719 E Boston Ave	Addition	11/15/2016	5/13/2016	11/8/2018 1/29/2019				02/05/19 Final passed	Note on Building permit says RENEW 1 TIME ONLY?? Owner cld in 02/01/19 stating ok to come out to inspection and final. 618-334-2950 Jim Lavalie
100	2015		Delta Delta Delta Sorority	Delta Alumnae Association 1309 Levin Drive Knoxville, IA 50138	705 N C Street	Alteration	NONE	3/19/2016	11/8/2018 1/29/2019 02/25/2019				Passed 03/06/2019	Resent letters with SECOND NOTICE listed on top. Recvd call from Dennis Parker regarding the letter received about expired permit. Discussed. This is for a canopy. Was complete3d. Can confirm complete by driving by. Asked to have confirmation letter sent to him via email. Parkerbilt@outlook.com also send notification of completion and closure to Rich Thompson rich_thompson@eaglesign.net . Safebuild reinspected 3/06/2019 canopy installed per plans and permit
42	2015		Adam Smith		1708 Apple Drive	Addition Deck	9/1/2015	2/28/2016	11/8/2018 1/29/2019				02/14/19 PASSED	Owner called in. Purchased home since 2015. Its behind the home and behind a fence. Covered in snow at this time. Will need to wait til thaw for inspection. Amk_bowlin25@yahoo.com 515-238-0025 Alicia. 2/8 per SB this is scheduled for 2/14/19 at 10am for inspection
53	2015		Michael Yofremewkov		406 N K Street	Garage	NONE		09/27/18				10/18/18	Finald by DC on 10/18. email from jason regarding property. This was a called in complaint that involved the construction debris from the shed. Found to be an expired permit. Close ok per DC inspection .
71	2015		Steger Construction		2209 North 8th St	Addition Covered Porch	NONE	1/16/2016	11/8/2018 1/29/2019				2/7/19	Spoke to owner . Stated ok for final inspection 515-238-7081 Cherly Koch. Says if she doesn't need to be home, then come whenever. Per SB Jeff Begg - Roof over existing patio footing depth on supporting post not verified. Project is complete"
74	2015		Hats Off LLC	Tim McConnell	400 S J Street	Garage for Residence	NONE	1/24/2016	11/8/2018 1/29/2019				2/5/19	515-491-8353 McConnell - States that Vandepool was his contractor. There are no permits in file for electric, plumbing etc. No inspections found in file. Tim states CB would stopped out once during concrete pour and he was unaware he needed to continue to call in for inspections. Sent to Safebuild to schedule inspection to rectify file. Tim told Safebuilding that this garage is actually located at 206 N G Street. Jeff Begg with SB "four stall garage, unable to verify frost footings - installed per owner. Electrical supplied to units from main panel complete ."
79	2015		Kurt Houska		1211 South G Street	Repair Foundation/Garage	9/15/2015	3/13/2016	11/8/2018 1/29/2019				2/5/19	Final inspection scheduled for 02/05/19 Safebuilding. Marked Final complete
85	2015		LMC Pools	Paty Duax Aeillo	2306 W Anderson Ave	Pool	9/22/2015	3/20/2016	11/8/2018 1/29/2019				2/19/19	This inspection for final was completed same day as expired permit for same address location 95-2015 on 2/19/19 . Close per SB complete
87	2015		Chester Crouse		1302 N 6th Street	Storage Building	NONE	3/1/2016	11/8/2018 1/29/2019				2/7/19	Final inspection scheduled by owner. 02/07/19 Passed

93	2015	7/25	Stephen Sparks		410 W Orchard Ave	Shed	NONE	1/20/2016	11/8/2018 1/29/2019				2/14/19 PASSED	641-208-5208 Steve Sparks owner called in ok to inspect for final. Sent email to SB to schedule 2/13/19
95	2015		James & Shannon Aiello		2306 W Henderson Ave	Garage	NONE	3/12/2016	11/8/2018 1/29/2019				2/19/19 PASSED	James called in 2/19 regarding "shed" states this is not a garage. Insists that Rich came out several times to home for inspections. Agreed to allow SB to confirm completion. 281-814-8132. 2/19 emailed SB to set up inspection for final
104	2015		Michael Bilyeu		1011 N B Street	Deck	10/12/2015	4/9/2016	11/8/2018 1/29/2019				2/5/19	Owner called in. Michael Bilyeu states come whenever to inspect. 515-971-5600. Per SB Jeff Begg Deck complete framing approved. Railing approved. Depth of 6x6 posts unverified. Owner stated footing inspections were completed by City of Indianola
105	2015		Kevin Robbins		1300 S. O Street	Shed	NONE	4/9/2016	11/8/2018 1/29/2019				2/5/19	515-249-3658 Kelly Adair ok with inspections for final on shed Final 02/05/19 safebuild passed "noted shed is complete it is located approx. 8' north of south lot line and more than 50' off rear lot line"
106	2015		Ryan Phipps		111 N G Street	Egress Window	NONE	4/10/2016	11/8/2018 1/29/2019				02/05/19 FAILED 02/06/19 PASSED	Owner called in 1/31/19 stated that this was completed and inspected back in late 2015. / agreed to have inspector out to validate 515-689-7926 Per SB Window installed. Depth of area wall is 48' ladder is required-no ladder present. Failed - will need to call for reinspection. 2/5/Owner called back stated ladder present. reinspected. Passed
115	2015		Plumb Construction LLC	Dave Dobson	315 South Spruce Street	Alteration Finish Basement	11/12/2015	5/10/2016	01/29/19					Owner called in 2/1/19 sd he "doesn't want ppl going through his house. Go ahead and let permit expire."
116	2015		B & S Construction	Nrk And Ark Rev Trust 1401 Apple Drive Indianola, IA 50125	605 West 2nd Ave	Repair Foundation	10/30/2015	4/27/2016	11/8/2018 1/29/2019 02/25/2019	EXT				Resent letters with SECOND NOTICE listed on top. Owner called in. Requested final and extension. SB emailed. Inspected 03/06/2019 "foundation newer than house. Concrete block. Water drainage panels applied to exterior. Complete.
128	2015		Dan J Nicholson		607 S Howard	Carport Root Only	12/1/2015	5/29/2016	01/29/19				2/14/19 PASSED	Dan called in 2/8 states that he is ok with coming out to do a final inspection. SB emailed to set up. 515-205-2152
135	2015		Scenic Point Mall	Troy Knight 376 Hwy F62 W Monroe, IA 50170	1709 N Jefferson Way #200	Alteration Office	NONE	6/15/2016	11/12/2018 1/29/2019 02/25/2019				Passed 03/11/2019	Note in file from RP 2/27/18 left message about open permit and status. Resent letter 2/25 showing SECOND NOTICE listed on top. Troy Knight called regarding the letter. Says he has sold the property since the remodel in 2016. Accelerated (new owners) he will contact them and arrange for ok to inspect. 515-962-9272. Emailed Sb 2/28 to set up inspection date. SB 3/4/19 completed. "added aprox. 520 sf to original space. Added outlets, lighting, no plumbing.
21	2016		John Amy Jakes		1201 E Iowa Ave	Foundation replacement	5/12/2016	11/8/2016	10/31/18	No	EXT		11/9/18	Owner called in and scheduled inspection for final. DC inspected 11/09 ok for final. CO given to owner at time of inspection.
24	2016		Don Bendon		715 West 2nd Ave	Garage	NONE	9/25/2016	11/05/18	No	No		11/9/18	Bendon came to office. Set up final inspection to complete file. 11/09/2018 Per DC ok to final. Documented file. 11/09
25	2016		Ronald Cooney		813 W 4th Ave	Shed	NONE	10/2/2016	10/31/18	No	EXT		11/15/18	Owner called in on 11/14 requested final inspection. Reports 2 previous inspections were done on the shed by RP. No inspections in file to reflect. Said he (owner) was hurt during the end of the project and forgot to call in the final. But deck is finished. Scheduled follow up inspection for final on 11/15 at 2pm. Owner asked to be present during inspection. Inspection scheduled for 11/15/18 ok per DC
30	2016		Matt Harmison		814 W Clinton Ave	Deck	NONE	10/2/2016	10/31/18	No	EXT		11/12/18	Per DC extension given. Inspected property 11/12 ok'd
36	2016		Justin Tully		908 N J Street	Deck	5/13/2016	11/9/2016	10/31/18	No	EXT		12/3/18	Received call from owner. Set up inspection to confirm finished. Sent request to Safebuild. Completed and confirmed deck done 12/3
43	2016		Kirk Hansen		1103 N D Street	Garage	12/20/2017	6/18/2018	11/12/18	No			11/19/18	11/19/18 per DC finished.
44	2016		All American Exteriors	Steve Biddle	1806 Apple Ln	Front Deck	NONE	10/31/2016	10/31/18				11/12/18	Inspection for final set up for 11/12/18 @ 10:30am per DC ok
47	2016		Beth Zimmerman		1313 S O Street	Basement Alteration	5/26/2016	11/22/2016	10/31/18	EXT			11/16/18	Note in file saying Rich Parker called 2/27/18 and left a message for the tenant to call back regarding the permit for the basement finish that has not been finalised out. RP DC 11/16 final inspect. Ok CO signed off on 12/04/2018 for file
54	2016	5/11	Devon Sadler		1001 Ann Parkway	Porch Repair	5/17/2016	11/13/2016	10/31/18				11/16/18	DC inspected site 11/16 ok'd for final. Close file
56	2016		Paul Whipple		1801 Fairway Drive	Deck	NONE	11/9/2016	11/12/18				11/17/18	DC inspected 11/16/2018 Owner Joe Nydle called in to set up final once ltr received. Complete as of 11/17 final and closed
60	2016		Brenda Simpson		500 South Buxton	Deck	NONE	11/16/2016	11/12/18	NO			11/19/18	Final inspection 11/19/2018
71	2016		Sean Thompson		1110 N Howards St	Deck	6/7/2016	12/4/2016	10/31/18		EXT		11/16/18	Owner called in, set up final inspection on deck for 11/16 DC ok 11/16
72	2016		Dan Hickman		600 N 14th Street	Shed	NONE	12/4/2016	10/31/18				11/16/18	DC inspected Shed ok finished
75	2016		James Burgin		103 West Hillcrest Dr	Garage	6/20/2016	12/17/2016	01/29/19				2/14/19 PASSED	BOA Approval for this project to even happen. James burgin called in 2/01/19. stated will be out of state til second wk in Feb. ok to schedule inspection when he gets back. Sent notification to Safebuilding
104	2016		Kathleen Picken		1003 N C Crt	Deck	8/24/2016	2/20/2017	Called				9/17/18	Final says that the deck needs handrails before finaling- NO approved for final due to 4 rizers need handrail. - Sitsky Note from DC states ok to close. No inspection or reasoning, just sticky note. 09/17/18
109	2016		Al Thayer		3212 W 4th Ave	Deck	8/10/2016	2/6/2017	n/a				n/a	Per DC ok to close. No reason, just a sticky note.
123	2016		Jos Nesvedt		903 North B Street	Addition	3/30/2017	9/26/2017	11/12/18				11/21/18	DC at 9am
133	2016	9/21	Stephen Neve		1709 Apple Lane	Basement Finish	6/28/2017	12/25/2017	8/28/2018 11/12/18				1/3/19	Note in file from RP stating left message about open permit on 2/27/18 Original Building permit issued 09/21/2016 RI inspections done. Nothing else. Ltr sent 11/12/18 owner called in. scheduled inspection. Safebuild inspected for final on 1/03/2019 FAILED owner will call once rectified and for reinspection. FINAL INSPECTION PASSED 1/17/19

139	2016		Kevin Wood		901 East 1st Ave	Deck	NONE	4/8/2017	10/31/2018 1/29/2019				02/22/19 PASSED	Owner called in to schedule final 238-6392 ok to have inspection. Per SB Jeff Begg 02/05/19 "Inspected eck on SE corner of House . Deck is 35' above grade, deck requires a guardrail. Guardrail is in place but only 35' above decking. Code requires 36' Left message with homeowner . SB reinspected for final 2/22/19 passed
148	2016		John Dianne Liepa		603 E Salem Ave	Repair of flooring and roof	NONE	5/6/2017	11/12/18	No			Close	LetterA52:N52 was returned with forward address of 1101 22nd St. WDSM 50265-2222 remailed 11/15/18. Letter received from prev owner stating the porch was in poor shape, replaced and not aware needing a final inspection. Apologized and stated the home has been sold with new owners.
149	2016		Jerry Weeks		409 W 17th Ave	Carport	NONE	5/9/2017	11/12/18				11/19/18	Owner called in-11/19 ok to come to do final inspection. DC ok to close 11/19/18
157	2016		Ronald Fridley		708 E 1st Ave	Alteration	Alteration	6/5/2017	11/12/2018 1/29/2019				2/14/2019 PASSED	Per DC Send letter instead of inspection only. SB inspection for final 02/14/19 Passed. Egress window complete as view from exterior. Ladder build into area wall. We were not able to get inside to see anything. .
49	2017		John Jakes		1201 E Iowa Ave	Deck	5/28/2017	11/24/2017	08/28/18	Yes	107-18	8/29/2018	10/29/18	Expired prev permit extended. Inspections completed. Re cert 8/30 final 10/29
65	2017	5/15	Kevin & Denise Kalbus		1319 E Franklin Ave	Deck Addition	NONE	11/11/2017	NONE	YES		Extension	Exec Dec	Per Charlie, ok to give extension. New Expiration of 05/25/19
86	2017	7/6	Midwest Builders	Steve Hoover	601 Trail Ridge Rd	Sunroom Addition (Full Screen)	NONE	1/2/2018	01/29/19				02/05/19 Passed Final	Steve Hoover cld in. States it was completed in July 2017. 515-229-8129 ok to come out to inspect
89	2017	7/19	Uhnemus Construction	Mark Hines	1206 E Franklin Ave	Deck	7/19/2017	1/15/2018	01/29/19				2/28/19 PASSED	Owner cld in ok to schedule inspection. Emailed SB. SB unable to get ahold of owner. Jeff with SB will do a drive by and stop today since deck is not fenced in and should be accessible from the road. Will wait for inspection report back 2/28/19 PASSED - Deck complete
90	2017	7/24	Phipps Properties	Ryan Phipps	111 N G Street	Foundation Repair	NONE	1/20/2018	01/29/19					Owner called in 1/31/19 stated allowed permit to expire due to discontinuation of project. Too expensive to complete. 515-689-7926
97	2017	8/4	Steven Ponzeline		311 South Freeman St	Open Carport	8/17/2017	2/13/2018	01/29/19				02/04/19 Passed Final	Owner called in 2/01/19 spoke to Charlie - Said ok to inspect for final 515-808-0320 Monday
98	2017		Jerffrey Simmerman		102 S 20th Street	Deck	8/28/2017	2/24/2018	10/31/18	Yes		Extension	Exec Dec	Owner called in. Extension given per DC till 02/01/2019
111	2017	9/12	Adam McCarty		2710 N Jefferson Way	Deck	10/20/2017	4/18/2018	9/21/2018 1/29/2019	Will re apply for new permit in 2019	CLOSED	EXPANDED	CLOSED	Applied for utility shed on 09/21/18. Will inspect both for compliance 09/24- 9/24 inspect deck is not finished. Owner will need to re apply for building permit. Owner called 12/12/18 asking for an extension on his deck permit, he wasn't able to get to it or work to finish it this year. Advised that he will need to re apply and pay for a new building permit next spring 2019
122	2017	10/11	Bern Investments	Bellagio Construction	402 West 1st St	Garage	4/19/2017	10/16/2017	Called	Yes	02-2019	1/14/2018	CLOSED	RP rejected and failed the footing inspection on 4/19 and there is no return for inspection in the file. Contractors cards found in file. American Masonry Donnie Doyle 641-990-9236 641-236-6800 and Bellagio Construction & Renovations Nils Norland 515-979-4443 nilsnorland@yahoo.com 3909 NE Bellagio Circle Ankeny, IA 50021. Reissue of permit 02/2019 Curtis White. Repaid permit fee. Came in to void-decided to demo property instead of finish. Closed 1/18/2019
138	2017	10/24	Construction by Cambron	Ryan & Juli Cambron	201 E 4th Ave	Garage	2/12/2018	8/1/2018	01/29/19				02/04/19 Passed Final	Per RP 11/14/17 Footing inspection completed - per RP Electric Service Insp 2/12/18 ok. No other or final inspection found in file. 515-480-0985 Ryan Cambron called in stated RP finalized but he is okay with inspection to close out
139	2017	10/25	Jessica Schonnert	Keith Smith	412 W Iowa Ave	Garage	NONE	4/23/2017	01/29/19				02/07/19 PASSED	SB inspected 02/07/19 "detached garage is complete. Unable to verify footing depth. Framing approved. Unfinished interior.
142	2017	10/27	Stuppy Inc		2205 E 2nd Ave	Greenhouse	10/26/2017	4/24/2018	01/29/19				PASSED	Labeled as a Greenhouse for Indianola Parks & Rec. Recvd call from Clerk of Court stating 2205 is their address however this is not a permit they have pulled. May need acrossed the street. Confirm address. Call made to Doug B with Parks & Rec to discuss. Scheduled inspection for greenhouse.
143	2017	10/27	Luke Riedmann		1024 Scott Felton Rd	Basement Finish	11/20/2017	5/19/2018	01/29/19				3/6/19	SB inspectiond Final passed FGCI and smoke detectors are good
152	2017	12/5	Murphy Tower Service	IMU	111 S Buxton Street	Telecommunications Hut	1/24/2017	6/23/2017	01/29/19				Close	Electric service was approved on 1/24/14 per RP and footings 12/05/17. No final inspection. Inspections show ok for electric service buy RP 1/24/17
153	2017	12/7	Hope Jolliff		608 N Howard Street	Basement Wall Alteration (Crawl Space)	1/8/2017	7/26/2017	01/29/19				Closed	Called contractor Santos orellana 515-979-5040, states that after the footing inspection the inspector told him he wouldn't need to come back. No final shown and no CO issued. Will forward to Charlie.
154	2017	12/7	Robert Dale		406 E 2nd Ave	Garage	NONE	6/5/2018	01/29/19				02/04/19 Final Complete	BOA approved 12/06/17 no inspections after approval and building permit issued. Owner Robert cld in 2/1/19 to schedule final inspection. Contacted safebuilding to set up for next week
9	2018	2/21	Todd & Johna Clancy		808 East Scenic Valley Ct	Addition	7/31/2018	1/27/2019	09/21/18	No	No	N/a	9/18/18	Permit has not expired however they sent in pics of the footing holes. No inspections face to face were performed. This property was never inspected but approved from pics only. DC to inspect 09/18/2018- Per DC ok to close 9/18/18. Deck is complete and appears in good condition.
11	2018	2/14	Jonathan Cook		1200 Caroline Terrace	Alteration	NONE	8/13/2018	09/21/18	No	Ext		Exec Dec	Per DC extension granted. "Owner requests final inspection 12/26 - Completed 1/09/19. Need final OK from Safebuilding. File placed back in cabinet to pull Extension given 103 days to expire on August 05, 2019
12	2018	2/21	Ground Breaker Homes	Peoples Company	113 W Salem	Repair/Replacement	3/12/2018	9/8/2018	09/21/18	No	No	N/a	11/5/18	There is a CO signed for this but no final inspection recorded. Please look at file. ODD 09/17/18 DC ok to close. FU Inspection 11/05/18 CLOSED
16	2018	3/1	Steve Westra		1111 E Gerard Ave	Pool	5/21/2018	11/17/2018	10/05/18	No	No	Extension	11/5/18	Warning Letter Sent of expiration prior to winter. Owner called in on 11/05/18 requesting a final inspection. Scheduled for 11/05/18

19	2018	3/12	Midwest Builders	Ross & Sally Dale	615 E Scenic Valley	Alteration	None	8/30/2018	10/05/18					CLOSED	Owner called in stating this project was complete. 641-660-2066 Ross Dale
22	2018	3/27	Atlas Masonry Tom Smith 2104 37th St, Des Moines, IA 50310	I Street Holdings LLC 503 N I Street Indianola, IA 50125	102-104 1/2 E Salem Ave	Repair Brick Store Front	None	9/23/2018	9/27/2018 1/29/19					02/11/2019 PASSED	Shows as 102-104 1/2 E Salem Ave - Currently owned by I Street Holdings 503 N I Street. Emailed the letter to the address provided on the permit as well. 09/26 dustin@atlasasonry.net, No response. Letter sent 1/25/19 to I street Holdings LLC as well as to permittee at Atlas Masonry- Owner called stated ok to send out inspector to final or confirm completion 515-271-1877 . Completed as of 02/11/19 passed final-inspection notes "tuck pointing off allbrickwork at location is complete- no work done on any wood site fronts, windows, or doors. "
24	2018	3/30	Apex Storal Solutions LLC	Andrew Hart	802 East Hillcrest Ave	28 Storage Units	NONE	9/26/2018	09/27/18	No	No	N/a	10/4/18	Andrew came into office to discuss. States inspectors came out several times and said project was ok. Set up reinspection for final with David. Final completed on 10/04/18	
25	2018	3/30			910 Scott Felton Rd	Egress Windows	4/6/2018	10/3/2018	09/27/18	No	No	Extension	11/5/18	Warning Letter advising of expiration if no final inspection. Final Inpsection set for 11/05/18. CO issued 11/05/18 mailed.	
26	2018	4/2	Joshua Hayes	Jason & Heather Glenn	1012 N 1st Street	Deck	4/2/2018	9/29/2018	09/27/18	No	No	Extension	10/2/18	Owner cld office 10/01 scheduled final inspection - final inspection completed by DC on 10/02/2018 ok and completed.	
28	2018	4/3	Sandy Peterson		1020 Scott Felton Rd	Shed	NONE	9/30/2018	9/27/2018 1/29/19				Passed 2/5/19	Warning Letter advising of expiration if no final inspection. Sandy 480-5913 cld in. ok to inspect. Safebuilding schedule for 2/5 9:30am	
37	2018		James Steffen		2012 W Euclid Ave	Deck	None	10/20/2018	09/27/18	No	No	N/a	10/19/18	Warning Expiration letter sent 9/27. Inspected 10/19 before 10/20 expiration.	
49	2018		Jerry's Homes	Michelle & Theodore Mercer	404 North 18th Street	Basement	6/1/2018	11/28/2018	01/29/19				02/08/19 PASSED	RI Inspections completed by RP on 06/1/18 no final. Spoke to Jerry's Homes. Asked to contact new owners of home. Ltr sent 1/29. Michelle Mercer called in 02/01/2019 states that she is ok with having a final inspection to close permit. Requests call at 515-577-8548 SB inspected 02/08/19 COMPLETE	
58	2018	5/22	Sean Thompson	Russ Sivadge	107 E Kentucky Ave	Deck	NONE	11/18/2018	Called	No	No	N/a	1/26/19	No inspections in file. Simply a permit with site plan. Contacted Contractor Sean Thompson 1/24/19 he stated footing and final were inspected by Rich Parker and this was complete in July . Advised no inspections sheets in file. Will drive by to confirm deck complete. Confirmed by Safebuilding 1/26/19	
68	2018	6/11	Jeff Kinter	Vernon Branness	306 N J Street	Garage	7/20/2018	1/16/2019	Called	Ext	No	N/a	12/28/18	Safebuilding inspected 11/27/18 - Final CO approved 12/28/18	

Property Address	Owner Information	Issue	Code	Complaint Info, Progress and Actions	Dept Actions	Established Deadline for Abatement	Follow Up by- Date
NEW THIS WEEK							
507 E Salem Ave	City	Dead Tree		City tree in ROW between sidewalk and street on E Salem Ave - in front of 507 E Salem.	3/18 JASON - Streets Dept		
604 E Ashland	Ed & Vicki Wood	Junk Debris	51.03 (01)	IHP reports junk/shade tent on property 3/13 . 3/20 TL visit. Pics taken. Spoke to owner no shade tent present-owner has made progress, vehicles in rear of property to be removed 3/27/19	TL & KB 3/19		03/29/19
110 8th Street	Greg & Danielle Hodges	Junk Debris	51.03 (01)	IHP reports mattress in side yard. TL 3/19 visited site. Took pics. No mattress on site, box spring and other materials on curb for garbage pic up, Plastic sheeting found along fence line. Left door hanger. Owner cld in office 3/20 will comply by 3/27	TL & KB 3/19		03/29/19
901 E Ashland	Thomas Longer	Junk Debris	51.03 (01)	IHP reports junk and garbage front and side of home	TL & KB 3/20		
1009 E Salem	Carrie Putney	Junk Debris	51.03 (01)	IHP reports garbage piled up by front door. TL 3/19 Visited Site. Took Pics. Spoke with owner adv. Of violations and gave until 3/27 to comply.	TL & KB 3/19 F/U on 3/29		03/29/19
1006 E Salem	Thomas & Brenda Wadle 307 N D Street	Junk Debris	51.03 (01)	IHP reports garbage on front porch/porch/plastic bins. TL 3/19 Visited site. Took pics. Left door hanger. Owners brother called 3/21. Will have areas of concerned cleaned up by 3/29.	TL & KB 3/19 F/U on 3/29		03/29/19
1105 E Salem	Kevin & Rebecca King	Junk Debris / Vehicles	51.03 (01) 51.03 (03)	IHP reports corner lot- side lot full of junk / RV. TL Visited site 3/19. Took pics.	TL & KB 3/19 SEND LETTER W PICS		03/29/19
910 E 1st Ave	Pamela Dean Gaul	Sump Pump	50.02 (17)	TL 3/20 took pics of discharge piping coming from home through yard, over sidewalk into street.	TL & KB 3/20 SEND LETTER W PICS		03/29/19
1000 E 3rd Ave	Ronald Lee Jr III	Junk Vehicles	51.03 (3)	Junk bus, without engine, loose parts and side door open allowing animal habitat	TL & KB 3/20 SEND LETTER W PICS		03/29/19
802 E Salem	Tim & Cindy Phillips	Junk Debris	51.03 (01)	IHP reports front porch - old tv/junk/old swingset slide	TL & KB 3/20 SEND LETTER W PICS		03/29/19
EXISTING							
305 W 17th Ave	Warren Burge (Deed Holder) 4603 Little River Ln, FL 33905 Jeffrey Schrader (Contract) 803 S 1st St, Indianola Robert Reeses (Tenant) 305 W 17th St	Junk Debris / Vehicles	51.03 (01) 51.03 (03)	TRAILER -Complaint of junk debris, trailers full of scrap junk and metal, tables and campers on grass. 2/13/19 KB visited site. Took pics. Contacted owner. Sent letter with pics to deed holder, contract buyer and tenant or residence. Contract holder states tenant has been evicted but refuses to leave. Follow up by 02/28/19. TL 3/20 Took pics. Property has van without license plates. Junk/debris stacked up against camper. Ample time has been given for cleanup of property. Deadline has expired. Propose for abatement.	Letter sent to: (Deed Holder) (Contract Buyer) and (Tenant) PROPOSE FOR ABATEMENT	2/26/2019 EXPIRED	2/28/2019 EXPIRED
111 W 3rd Street	Phipps Properties LLC 111 N G Street	Junk Debris	51.03 (01)	Left hanger and took pics. 1/29 515-8003-8403 Owner called in 2/01/19 explained with snow unable to move but will this weekend and work on it. KB visited site 2/7 vehicles without plates on property, futon still in snow on curb/no uncovered due to melt, not removed. Garbage and debris piles by buildings and garage- Pics taken . Owner came to office 02/12 stated he has spoken to tenants and this will be rectified by the end of the week. Given until 2/25/19 to resolve. KB visited site 2/27/19 vehicle still parked on grass, damaged windows. Garbage pile by the garbage not in it, and garbage on front deck. Will contact landlord to discuss. TL 3/20 Visited site. Took pics. Vehicle without license plates also has flat tire (donut/spare tire) at drivers side front. Same vehicle also has brick behind drives side rear tire implying the vehicle is not road worthy therefore deemed immobile. Broken glass scattered in City ROW. Ample time has been given for cleanup of property. Deadline has expired. Propose for abatement.	Letter sent 1/30/19 PROPOSE FOR ABATEMENT	2/25/2019 EXPIRED	3/7/2019 EXPIRED
609 N 1st Street (same internal block 604 and 602 N Howard Properties) Full block covered in junk debris and junk vehicles	Marilynn Vanzanten-Peters	Junk Debris	51.03 (01)	Junk debris - hanger left 1/29 and pics taken. Revisit property 02/07/19 - KB visited site 2/7 decorations all over home, back yard near garage are issues. Trailer empty but parked on grass, construction and junk debris still exist around garage. Pics taken. Send letter. 2/21/19 no change. pics taken. TL 3/20 Visited site. Took pics, left hanger. 3/20 Owner called in, agreed to comply by 3/25.	Letter sent 02/26/19	03/07/19 3/25/2019	03/25/19

701 E 1st Ave	Vale LLC 6416 Mott Ave Windsor Heights IA 50324-1810	Junk Debris	51.03 (01)	12/10 rcvd complaint of home deteriorating with each tenant that moves. Windows covered with plastic. 2/28/19 KB visited site. No change. Large pile of insulation or carpet between home and garage now. TL 3/20 visited site. Took pics. Owner called in and said it will all be cleared out by this weekend. TL visited site 3/22 for wiring from electrical meter to house inspection. Property has been cleaned up. Carpet at curb is only thing remaining to be disposed of. Gave owner 30 days to hire an electrical contractor licensed to do business in the state of Iowa to repair service wiring (Needs to be in weather/water proof conduit) from meter to house. Also told owner that said electrical repair requires a permit.	Certified Letter 1/23/2019 Resent Letter 2/25/19 BID FOR ABATE	1/23/2019 ABATE - 2nd try gave 10/03/05/19	03/25/19
911 N C Street	Jon W Backstrom PO Box 375	Junk Vehicles	51.03 (03)	Call regarding junk vehicles with no front plates and one that has been parked for months - does not work. 2/21 visited site. Took updated pics of exterior of home for legal. Took pics of vehicles in complaint. Noticed broken screen side door and broken glass window in door. Also in front of home, broken window in front overhang window. Shows large barrels or large blue containers of some sort placed against windows? TL 3/20 visited site. Took pics. Large barrels are gone but property has several debris piles behind house and between house and garage.	Legal		03/07/19
1604 W Detroit Ave	Gaymarie Bittner	Junk Debris	51.03 (01)	1/3/19 Called states garbage all over yard after a move from property. Also reported abandoned vehicle in adjacent property/vacant home where owner lives out of town, car not owners. Owner called in. Extension given until 02/21/19. 2/13 KB visited site. All totes removed. Only things remaining are office chair and construction materials. Pics taken. Car still across street in vacant home. sent letter for follow up const. items left and vehicle 2/25. TL Visited site. Took pics. Office chair and construction material have not been removed. Also, all garbage/junk/debris previously in front yard were moved to back yard therefore remain in violation of city code of ordinance (51.03) (01). Vehicle still remains on abandoned adjacent property. Ample time has been given for cleanup of property. Deadline has expired. Propose for abatement.	Certified Letter 1/23/2019 Progress Follow Up Letter 2/25/19	3/12/2019 EXPIRED	3/13/2019 EXPIRED
1900 South E Drive	John Rennenger	Fire Restoration & Demo	163.02-06	Fire damaged structure - garage . CD requests pics taken of structure and follow up standard set to insure property is maintained or demolished accordingly. KM 1/16/19 pics taken. FU to insure demolished by 02/16/2019. 2/19 KB visited site. Took pics. Garage is not demolished. Looks as though nothing has been touched since FD extinguished fire. TL 3/20 Visited site. Took pics. Garage has been demolished and all debris hauled away. Construction material (plywood, dimensional lumber etc.) appears to have been recently delivered. Left door hanger reminding owner to obtain a Building Permit before commencing any work. Owner came in, applied for and was issued a building permit #34-2019	Owner needs to obtain a Building Permit. Building permit was issued 3/26/2019 Permit #34-2019	CLOSE	
1000 E Salem	Scott & Josephine Helgeson 11133 165th Ave	Junk Debris / Vehicles	51.03 (01) 51.03 (03)	visited site 02/21 vehicles have been removed from side driveway, junk and debris along with trailer and camper have been parked in back of property. Pics taken. Camper, trailer and junk vehicles are in rear yard with no hard surface. Recheck for compliance in spring	Certified Letter 1/22/2019	1/29/2019 02/21/19 V	03/20/19
1007 N D Street	Rebel Snodgrass	Tree	50.02 (13)	Bids received for abatement of tree. Owner contacted office states will have tree removed by spring. Given extension per C Dissell and JE. Unable to abate due to cost per C dissell			03/20/19
208 S 4th Street	Karla Gilsalazar	Junk Debris	51.03 (01)	Owner Jordan Clark called in 515-612-5310 stated that he would be working on it. Garbage removed, vehicles removed. Stroller still out by garage partially under snow. Revisit 03/20/19	Certified Letter 1/23/2019 - Follow up Letter sent 2/25/19 of few items left	03/04/17	03/20/19
2412 N Jefferson Way	Southtown Chrysler Jefferson Way LLC	Parking Violations with Vehicles not on hard surface		Received complaint of several vehicles being parked in field not on pavement or rock. Received additional complaint stating now parking in for sale lot next to the dealership in a field - getting worse. 2/06/19 KB took pics of overflow gave to CD to evaluate. 2/20 Rcvd call from (2506). Cars parked in all directions of the home, each side and behind. 2/21 took pics. Referred to Charlie. TL 3/20 Visited site. Took pics. Vehicles have been removed from field on North side of home. Overflow of vehicles are parked in field, East of home/North of dealership. Refer back to Charlie for decision on how to proceed.	Refer to Director -		03/20/19
504 N O Street	Erica Fretwell	Junk Debris	51.03 (01)	Junk debris and furniture piled in front of home. Pics taken 02/28/19 Send Letter	Send Letter	03/20/19	03/21/19
802 E Salem Ave	Tom & Cindy Phillips	Junk Vehicles	51.03 (03)	3 vehicles located on property, appear inoperable, one in front drive with bumper damage - side of garage, no license plates, similar vehicle makes and models on property (collecting?). Send letter with pics. IHP reports junk on porch old tv and old swingset/slide?	Letter Sent 2/25/19	03/25/19	03/26/19
602 N Howard Street	Chad Cumes, Jennifer Larson	Improper Disposal of Yard Waste	50.02 (17)	Caller reports improper disposal of yard waste in the creek behind the residence, causing build up and clogging the creek. 11/19 took pics. Door hanger left. 12/17/18 owner of home contacted office. Discussed matter, sent pics taken. Extension 12/28/18. 1/16/19 KM visited site. No change. Bid for abate. Unable to abate due to weather, snow and ice. Will extend and check on 1/30/19 weather permitting. May need to wait to spring to thaw. 2/21 visited site. Snow covered return in May	Letter Sent - Spoke with Owner - Transfer to Legal for MI	1/18/2019 Extension due to freezing - Check in Spring	04/12/19

1213 W Clinton	Gary & Jill Downey	Brush Pile	50.02 (12)	KM visited site took pics, left door hanger 1/2. Owner called 1/3/19 out of state, will return in April. Spoke with CD. Ok'd for extension until return in April	Extension given to 04/2019	Extension given from 2/28/19 to 05/05/2019	04/12/19
211 S D Street	Michael Goode	Dangerous Building ?	163.02-06	KM to visit site to take pics of home- may be dangerous building (garage)? KB visited site. Nothing found to be dangerous. Pics taken. Ends of overhang of roof are off but does not allow anything inside of the structure. Will have Building Official inspect this Spring	Hold for Building Official Structural Inspection		04/12/19
913 E Detroit	Tom Wadle 1003 W 2nd Ave Indianola	Junk Debris/ Vehicles	51.03 (01) 51.03 (03)	Black truck and junk on property. 2/21 took pics. Send letter with pics and code violations. This is accrossed from another prop main property doing same. KB visited site 2/27/19 New and more vehicles now. Pics taken. Bid for abate	Letter sent 2/25/19	Extension given from 3/27/19 to 05/05/2019	05/07/19
909 N Buxton	Denise Anderson	Junk Vehicles	51.03 (03)	KB visited site. 2/27 no change. pics taken. No movement or attempts to comply since December of 2018. Owner called in stating that the camper is her sons and she requests more time to remove due to weather and mud from snow melting. States she has been out of town, just received notice. Requests extension for 2 months to May 5th.	Letter sent 2/28/19	03/28/19	05/08/19
305 W Salem Ave	Willaim & Harriett Edwards	Junk Debris / Vehicles	51.03 (01) 51.03 (03)	Several vehicles in front drive and back of home / garage. Brush piles and appliances, tires, swing set etc. KB visited site 2/27 took pics. Send letter with pics to owner	Letter sent 02/28/19	03/28/19	
BID FOR ABATEMENT							
604 N Howard Street	Lewis Souer 701 S R Street Unit 1	Junk Debris / Vehicles	51.03 (01) 51.03 (03)	Progress being made, however it is not completed. Extension till February 2019. KB visited site 02/7 improvements being made. Still several items outside around building and vehicles without tags in alleyway. 2/21/19 Same- no change. Pics taken	Letter sent 2/8/19 has til 3/7/19	03/07/19	Request Bid for abatement
308 W 1st	Ernest Martens	Junk Debris	51.03 (01)	KB visited site 2/27/19 No change Previous letters, visits, door hangers and abatement notices have gotten zero response for progress. 12/13/18, 12/19/18, 1/02/19, 1/16/19, 2/07/19, 2/22/19. BID FOR ABATE.	Certified Letter 1/23/2019 Extension til 2/4 for debris 2/22 for vehicle	02/22/19	Request Bids for Abate
407 W 1st	Reuben & Donna Burdess 1648 Hwy J46 Allerton IA 50008	Junk Debris -Dangerous Home (windows)	51.03 (01)	KB visited site 2/27/19 took pics Maint asked for extension til Wed 03/06/17 to remove all furniture and debris as has no where to dump at this time. AGreed. Advised him that if not removed by 3/06/17 we may move forward with abatement of the property.	Letter to owner given by hand to property maintenance contractor of prop 02/04/19 2/21 Referred to Legal	03/07/19	Request Bids for Abate 3/7/2019
411 W 1st St	Reuben O Burdess 410 W 2nd Ave 1648 Hwy J46 Allerton IA 50008	Junk Debris	51.03 (01)	KB visited site 2/27/19 took pics Maint asked for extension til Wed 03/06/17 to remove all furniture and debris as has no where to dump at this time. New trailer and vehicle have been found on property since last visited. He stated it is being towed today. 2/28/19 confirmed trailer and truck there yesterday has been removed KB. Advised him that if not removed by 3/06/17 we may move forward with abatement of the property.	Certified Letter 1/23/2019 Letter with new pics 02/11/19	03/07/19	Request Bids for Abate 3/7/2019
CLOSED THIS WEEK							
307 N Howard	Properties By B C Inc C/O DONNIE D & BETTY M CURTIS 1875 185th St Webster City IA 50595	Junk Debris	51.03 (01)	TL Visited site 3/26/19. Took Pics. Property no longer in violation		CLOSE	

Diana Bowlin

From: Ryan Waller
Sent: Friday, April 05, 2019 11:20 AM
To: All Department Heads; City Employees
Subject: FW: Waller's Weekly 4.5.19
Attachments: Local Purchase.pdf; Draft April 15, 2019 Agenda.pdf; Draft May 6, 2019 Agenda.pdf; Exp Permit Listing 04052019.pdf; Projects Update_April 5 2019.pdf; PM 04052019.pdf; Legislative Link.pdf; Final Sustainability Presentation.pdf

Happy Friday, all.

Below/attached please find the items that comprise this week's update email. If there are any questions or items your department would like included in a future update, please let me know.

Have a great weekend and enjoy the warmer weather.

Thanks for all you do!

Ryan



Ryan J. Waller

City Manager

rwaller@indianolaiowa.gov

p: 515.962.5274

110 N. 1st Street – Indianola, Iowa 50125

RAGBRAI – If you haven't heard, on Tuesday the community's RAGBRAI committee released the theme and logo via a 39 second video. The video is available at <https://vimeo.com/327999973>. The release has generated a lot of exposure for our community and has received a tremendous amount of positive feedback. In addition to the release of the theme and logo, the website and social media outlets have been made public. They are:

Website: <https://www.indianolaragbrai.com/>

Facebook: <https://www.facebook.com/nolaragbrai/>

Twitter: <https://twitter.com/nolaragbrai>

Instagram: <https://www.instagram.com/nolaragbrai/>

SnapChat: <https://www.snapchat.com/add/nolaragbrai>

Comprehensive Master Plan – A kickoff meeting for the Comprehensive Master Plan Update Project took place on Tuesday at City Hall. Nineteen committee members, made up of community stakeholders, kicked off the comprehensive plan update with a 90-minute meeting. The project team discussed where Indianola is today (both positives and negatives), and where the team would like to see Indianola in the future. The consultants also presented the team with census data, mapping, existing plans and the proposed public engagement process. The next step in the process is to continue data collection and for the consultants to host focus group meetings with various organizations in Indianola. The public engagement process will begin in June when a community survey is released. The consultants also plan to attend some community events to get public input, as well as have a public open house later on in the fall. This planning process is anticipated to last for about nine months.

Catch Des Moines Meeting – Earlier this week, I met with Greg Edwards and Vicki Comegys of Catch Des Moines. It was a great meeting during which we discussed our community's powerhouse line-up of the Des Moines Metro Opera, RAGBRAI, County Fair, and the National Balloon Classic, as well as a great deal of other positive projects taking place in our community. They were impressed with the amount of activity happening and were very gracious in offering assistance where needed. An example of their assistance was with the release of our community's RAGBRAI theme and logo video, Catch Des Moines shared via their social media accounts which have more than 80,000 followers (Facebook and Twitter combined).

IDOT Meeting – This morning (April 5th) City representatives met with IDOT to review a few topics, including: summer events, Highway 92 project, and funding for our traffic signalization project. At the conclusion of the meeting the IDOT representative expressed his appreciation for the positive working relationship with the City. A follow-up meeting is being scheduled.

Panel Presentation – Attached is a copy of the presentation that was shared at the Building Sustainable, Vibrant Communities event that was hosted last night at Simpson College by the Culver Public Policy Center and the local American Association of University Women (AAUW) branch.

City Council Policy – A request was made at Monday's City Council meeting for a copy of the local preference policy. A pdf of this policy is attached. The full version of the City Council policy document may be found on the City's website at <http://indianolaiowa.gov/DocumentCenter/View/8173/Council-Policy-Folder-110518>.

League of Cities – Attached please find a copy of this week's Legislative Link that is provided by the League of Cities.

Community Development Updates – Attached please find various updates provided by the Community Development Department.

Upcoming City Council Agenda – Attached, please find the draft agendas maintained by the Clerk's Office for the upcoming meetings. As a reminder, these are fluid documents that can change on a regular basis (i.e. some items may get added/rescheduled due to Council direction, as well as other factors that may or may not be within the control of the City departments). If there are items that you would like more information on, please let me know.

Local Purchase Policy

Pursuant to Iowa Code Section 23A.3 the Indianola City Council adopts the following policy:

Whenever any department of the City of Indianola purchases good or services from private enterprise, consideration shall be given to purchasing these goods or services from a locally owned business located within the City of Indianola which offers these goods or services if the cost and other considerations are relatively equal.

Adopted by City Council on September 19, 1988.

April 15, 2019
Draft Council Agenda

- Minutes
- Claims
- Applications-Wal Mart, The Garage, Indy 66
- City Manager's Report
- Salaries
- PH and adoption of second amendment to FY 19 budget
- Treasurer's report for February and March
- EMS update
- PH amend Chapter 165
- Oath of Office to Paramedics/firefighters – Robert Collier, Jason Kling and Samuel Hofer
- Traffic Signal Timings Update Agreement
- Indianola Bike Night – (liquor permit, noise permit, street closure application and lease agreement)
- Purchase of a Raw Pump for North Plant
- Policy regarding FCC Small Cell order
- Nuisance Abatement
- Resolution approving the Warren County Geographic Information System (GIS) Commission 28E Agreement
- Discussion and direction and possible motion for RAGBRAI funding
- Jerry Kelley Trail – continuation of the public hearing, resolution approving plans, specs, form of contract and estimate of cost, resolution awarding contract
- Sidewalk use agreement for The Local Vine – 126 W. Ashland

April 15, 2019
Draft Council Study Agenda

- Indianola Sustainability Committee presentation

May 6, 2019
Draft Council Agenda

- Minutes
- Claims
- Applications
- City Manager's Report
- Salaries
- Second consideration to amend Chapter 165
- Greater Des Moines Presentation from Greg Edwards
- Approval of Insurance Broker proposal
- FY18 Audit Presentation

Permit #	Permit Year	Permit Date	Permittee	Owner if Different from Permittee	Address	Project	Last Inspected	Permit Expired	Date Letter Sent	Re Apply?	New Permit #	Date RePerm	DATE Re Inspect/ Finaled	Notes
2015														
78	2015		Garrett Miller		503 West 18th Place	Garage	NONE	5/17/2016	1/29/2019 02/25/2019	FINAL NOTICE 4/05/2019				Resent letters with SECOND NOTICE listed on top.
98	2015		Brad Butler	Bradley Butler & Alesia Wright 1306 E Detroit Ave Indianola, IA 50125	410 W 1st Ave	Front Porch Repair	NONE	3/19/2016	11/8/2018 1/29/2019 02/25/2019	FINAL NOTICE 4/05/2019				Resent letters with SECOND NOTICE listed on top.
2016														
10	2016		Thomas Sherly Nicholson		200 West Orchard Ave	Bathroom Remodel	3/21/2016	9/17/2016	10/31/2018 1/29/2019	FINAL NOTICE 4/05/2019				
42	2016		Jeff Downing		1202 North 9th Street	Sun Shade Structure	NONE	10/29/2016	10/31/2018 1/29/2019	FINAL NOTICE 4/05/2019				
82	2016		Larry Powell		1201 North D Street	Garage	8/16/2016	2/12/2017	01/29/19	Second Notice 04/05/2019				BOA Approval approval in file. Letter sent from RP and CB on 8/25/16 to owner regarding electric in the garage being separate rather than upgrading to 200amp. No further info or notes in file.
91	2016		Bryon Keeney		505 E Ashland Ave	Deck	NONE	12/28/2016	10/31/2018 1/29/2019	FINAL NOTICE 4/05/2019				
93	2016		Rich Piper		1800 Fairway Drive	Garage	10/6/2016	4/4/2017	01/29/19					BOA twice approval for projects. No final. Last inspection was a RI framing
95	2016		LTD Corp		2312 West 2nd Ave	Loading Dock	NONE	1/9/2017	10/31/2018 1/29/2019	FINAL NOTICE 4/05/2019				
99	2016		R & D Precision Builders		1001 E Madison Ave	Basement & Room Addition	NONE	1/11/2017	10/31/2018 1/29/2019	FINAL NOTICE 4/05/2019			8/3/06	
111	2016		Greg Oakes		1001 N O Street	Basement Finish	5/2/2018	10/29/2018	9/21/2018 11/12/2018 1/29/2019	FINAL NOTICE 4/05/2019				RP contacted 2/27/18 regarding no inspections and permit sitting without final. Final inspect scheduled FAILED - 5/02/18 RP writes Sheet rock under stairs, cover all exposed NM cable -Romex
117	2016		Joe Kissner		1003 N O Street	Basement Finish	NONE	2/8/2017	10/31/18 1/29/2019	FINAL NOTICE 4/05/2019				Note in file from RP stating left message about open permit on 2/27/18 Original Building permit issued 8/12/16
126	2016		Jeremy King	Anthony Hotz	505 N L Street	Repair of Deck Stairs / Dangerous Non Conforming Structures	NONE	3/6/2017	11/12/2018 1/29/2019	FINAL NOTICE 4/05/2019				
135	2016		Cory Till		1109 South K Street	Garage	NONE	3/28/2017	01/29/19					
2017														
84	2017	7/5	Wayne & Susan Prather		810 N T Ct	Deck	7/27/2017	1/23/2018	01/29/19	Second Notice 04/05/2019				
87	2017	7/6	CMC Pools	Bryan Bussanmas	101 S 19th Ct	Pool	NONE	1/2/2018	01/29/19	Second Notice 04/05/2019				
104	2017	8/18	Brook Breuklander		908 N Y Street	Pool Deck	NONE	2/14/2018	01/29/19	Second Notice 04/05/2019				
105	2017	8/24	Brenda McCoy		1200 E Euclid Ave	Deck	NONE	2/20/2018	01/29/19	Second Notice 04/05/2019				
121	2017	10/4	Custom Specialty Services	The Village (Wesley Life)	707 Robin Glen	Bus Garage / Carport	11/15/2017	5/14/2018	01/29/19	Second Notice 04/05/2019				
126	2017	10/17	Christopher Lutheran		306 N 17th Street	Basement Finish	11/9/2017	5/8/2018	01/29/19	Second Notice 04/05/2019				Electric and Plumbing RI inspection completed by CB on 11/09/17. no other inspections found in file. Number listed as 319-631-2578
2018														
2	2018	1/17	Russ Vanderpool		512 E Euclid Ave	Garage	NONE	7/16/2018	9/21/2018 10/31/2018 1/29/19	FINAL NOTICE 4/05/2019				Re issued letter regarding Shed on 512 E Euclid. 9/21/18-10/31/18
10	2018	2/14	Steger Construction	Brad Nancy Kotz	807 E Trail Ridge Pl	Alteration	2/22/2018	8/21/2018	9/21/2018 11/26/2018	No				11/23/18 Contacted contractor, P Steger 515-988-6027 states they decided to finish the job on their own. No contact info given for the owners. Will resend letter today 11/26
13	2018	2/21	Ann Mahoney	Equity Trust Custodian 1 Equity Way West Lake, OH 44145-2526	610 East 1st Ave	Home Restoration/ Alteration	3/5/2018	9/1/2018	9/27/2018 1/29/19	FINAL NOTICE 4/05/2019				
14	2018	2/22	Genesis Development	Attn: Justin Terry	1809 W 2nd Ave	Alteration	NONE	8/21/2018	9/21/2018 10/31/2018	FINAL NOTICE 4/05/2019				
15	2018	2/23	Jope Jolliff	Mail To: 15397 90th Ave	701 N 1st St	Home Alteration	3/5/2018	9/1/2018	10/5/2018 Returned 10/23 Remailed 10/31 1/29/19	FINAL NOTICE 4/05/2019				Return notice sent letter back. Recvd 10/23/18. Warren Co shows 15397 90th Ave. Remailed 10/31/18
ACTIVE - in Motion for INSPECTION														

133	2015		Jeremy Selvage		3214 W 4th Ave	Garage	NONE	6/8/2016	1/29/2019 02/25/2019	Reminder Letter Sent 04/05/2019				Resent letters with SECOND NOTICE listed on top. Owner called in to schedule an inspection to help close the file. Scheduled Wed 2:00 p
40	2015		TLCD Investments LLC	615 Brookwood Drive Indianola, IA 50125-3306	220/222 W Salem Ave	Alteration	9/16/2015	3/14/2016	11/8/2018 1/29/2019 02/25/2019	Dec-18		Failed 03/04/2019		Resent letters with SECOND NOTICE listed on top. Terry Pauling cld in, stated that he talked to Frank Rasco, states Rich came down to do final inspection. Permit application pulled for same location in 12/2018. Emailed SB to inspect for completion. Terry not moving forward at this time with new permit for an additional alteration. Sent doc from that application in 12/2018 to Terry via email so he has on him for future application if and when needed. SB inspection failed 03/04/2019 all outlets are over counter top need GFCI protection. Only one projected. All other itmes complete. Call to reschedule once GFCI protected.
141	2016		Sean Thompson		204 E Kentucky Ave	Deck	NONE	4/12/2017	11/12/2018 1/29/2019 2/25/19	Reminder Letter Sent 04/05/2019				Resent letters with SECOND NOTICE listed on top. Recvd call from owner of the home. 515-330-7168. Sean Thompson 515-991-4729. He is out of town until 3/5/19. Advised that Safebuilding to call to set up final inspect next week.
148	2017	11/3	Iowa Drone	Sean Thompson	204 E Kentucky Ave	Garage	NONE	5/2/2018	1/29/2019 2/25/19	Reminder Letter Sent 04/05/2019				Resent letters with SECOND NOTICE listed on top. Recvd call from owner of the home. 515-330-7168. Sean Thompson 515-991-4729. He is out of town until 3/5/19. Advised that Safebuilding to call to set up final inspect next week.
29	2015		Alex Van Clark		1003 North E Street	Addition BR and Egress Wind	7/2/2015	12/29/2015	11/8/2018 1/29/2019	Reminder Letter Sent 04/05/2019			02/08/19 FAILED	515-669-7886 - Alex - states they did the finish the basement walls just cut a hole in the drywall to add a different bedroom. He states the egress windows are complete. Requesting an extension on bedrooms or will call if no longer doing them to close permit. SB inspected 02/08/19 FAILED. Fire alarm outside of bedroom is more than 10' from door. Closet light had exposed bulb. Needs to be reinspected to final out.
82	2015		Brian Hoxmeier		1308 N 6th Street	Basement Finish	1/6/2016	7/4/2016	01/29/19	EXT til December of 2019 per CD				Brian (38-991-3092) called and would like an extension until the end of the year on this permit. Please make note of an extension until 12/31/19 per Charlie D.
140	2016		Joe Ripperger		209 N M Street	Deck	NONE	4/11/2017	11/12/2018 1/29/2019	Reminder Letter Sent 04/05/2019			02/05/19 FAILED	Zach current home owner - 515-729-4649 says okay to come whenever just call. Per SB 02/05/19 Jeff Begg "4x4 post more than 8' tall. Appear to be buried in the ground, unable to verify frost depth. Beam should be notched into post or supported with approved brackets. Stairs and all railing approved. FAILED DECK. Will need to schedule reinspection."
146	2016		Brad Butler	Ross Huff	611 Quail Ridge Rd	Deck	11/7/2016	5/6/2017	11/12/2018 1/29/2019	Reminder Letter Sent 04/05/2019			1/3/2019 FAIL	Owner called in requesting inspection for final. Sent to safebuild 12/27/18 Ross Huff - Safebuild inspected project on 1/3/19 FAILED- Will reinspect when called
68	2017		Richard Stewart		1209 Lancaster Way	Single Family Dwelling	10/10/2017	4/8/2018	8/28/2018 1/29/2019	Reminder Letter Sent 04/05/2019			2/13/19 FAILED 2/27/19 FAILED 2/28/19 FAILED for final but ok for TEMP CO (sod, gutters, grade)	Owner came in 02/11/19 reports final done by RP in July of 2018. No inspec sht in file. Scheduled final with Safebuilding. Mr. Stewart 515-490-8339 "SB inspected 2/13/19 failed "AC breaker is 30 amp needs to be 25 amp, unfinished basement outlets need to be GFI protected, water heater drain pipe is missing, need gutters and downspouts installed." Owner came to office 2/19 asked if he could just get final or temp co for GFI, breaker and drain pipe being done, but will not be able to get to gutters and downspouts till its warmer. Jeff with SB agreed to do Temp CO inspection. Owner will call in when ready for Temp CO inspection. Reinspection for final set up with sb 2/27/19. FAILED - Punchlist complete except gutter and downspout. Will complete by spring. Will call for reinspection. SB inspection 2/28/19 "missing gutters. missing final grade and sod. Landing at lower end of the stairs approved. Need drip leg on gas line at furnace. Permanent address required. House number not visible from street. Builder is planning a column with address at end of drive. Temp address sign in place now. Ok for temp CO.
98	2017	8/8	Jeffrey Simmerman		102 S 20th Street	Residential Addition/Garage/Deck	10/25/2017	2/1/2018 Ext 04/30/19	2/1/2018 1/29/2019	Reminder Letter Sent 04/05/2019				Extension given per DC for 180 days. Owner plans to complete January 2019 - 11/1/19 krb called Imom 1/24/2019 to remind of extension and plan for Jan completion. Owner called back 1/24 states due to weather needs additional time. Extension expires on April 30th or else they will need to re apply and pay fees for permitting again.
110	2017	9/7	Cross Cut Custom Carpentry	Robert & Deb Elgin	210 N 15th Street	Deck	9/7/2017	3/6/2018	01/29/19	Reminder Letter Sent 04/05/2019			02/07/19 FAILED	2/5/19 owner called in regarding inspection needed. SB scheduled for 2/07/19. Inspection Failed. Will need to call to reinspect. Owner cld in 2/11 asked for failed inspection report. Emailed inspection report to owenr 2/11. advised to let us know when she would like to reschedule final
8	2018	2/1	Benjamin Rogers		1000 North O St	Basement Finish	NONE	7/31/2018	10/5/2018 1/29/19	EXT til May				Still has not been completed yet. Extension needed until May 2018. 515-808-3030
32	2018	4/9	Amie Hale		107 South 19th Court	Pool	8/3/2018	1/30/2019	9/27/2018 1/29/19	EXT til May				Warning Letter advising of expiration if no final inspection. Extension given until May 2019 for final. 515-556-6715 Amie ..
35	2018	4/18	DDVI	IMU	110 S B Street	Line Shop Remodel	10/1/2018		01/29/19	EXT til 4/19			10/19 Failed Fire	1/29/18 letter sent out reminding of 180 days expiration from last inspection. Previous inspections September and October. Nothing since. Kurt R emailed stating electrical final will be scheduled by March. Extension given till April 2019

67	2018	6/8	Dan & Irene Bertsch	Mail to : 805 W 3rd Ave. Indianola	610 S Freeman Street	Garage Addition	NONE 1/30/19 SB	12/5/2018	01/29/19	Reminder Letter Sent 04/05/2019	N/a		1/30/19 FAILED	Added to spreadsheet 1/24/19 krb - Mail to 805 W 3rd Ave. 1/29/19. Owner called in to have inspection for final. 1/30 Safebuilding. States unable to see previous work covered prior to inspection. Needs hurricane clips. FAILED. Will need to have re inspected once items mentioned are corrected. Owners email 2/14/19 "I am responding to the letter I received from you regarding the construction at 610 south freeman. The work is not completed so I will need an extension of the permit. The work is being done by Ron Miller construction. Dan Bertsch"
RECTIFIED PERMITS														



COMMUNITY DEVELOPMENT

To: Ryan J. Waller, City Manager
From: Charlie E. Dissell, AICP, Community and Economic Development Director
Subject: Current Projects Update-April 5, 2019

The purpose of this memorandum is to provide a brief synopsis of different projects that may be of interest to the Council.

- McConnell Subdivision Preliminary Plat
 - City Council approved on January 22, 2019
- Quail Meadows Townhomes Preliminary Plat
 - City Council approved on January 22, 2019
 - Developer met with Warren County Conservation on February 13 regarding easements for sanitary sewer crossing along Summerset Trail.
 - Staff met with the Developer on March 25 to discuss timings of the sanitary sewer extension to this site which will include the temporary closures of both Hillcrest Avenue and the Summerset Trail.
- Prairie Glynn Plat 2
 - Construction plans have been submitted and will be approved once changes are made.
- Autumn Ridge Subdivision
 - City Council has authorized staff to work with the developer on a possible development agreement for Autumn Ridge Plat 3.
- West Hills Brewery (219 West Salem Avenue)
 - City staff held a pre-application meeting with business owners on January 25
 - Plans submitted for a new brewery on January 30.
 - City staff held follow-up meeting with applicant on February 21 on plan review comments regarding the need for a fire sprinkler system.
 - Chief Chia has approved a variance to the automatic sprinkler requirement due to an undersized water main along West Salem Avenue. A Condition of this variance calls for the installation of a fire alarm/smoke detection system and the applicant signing a hold harmless agreement.
 - Staff will bring the hold harmless agreement to Council for approval on April 15.

- Missouri Valley JATC Training Facility
 - Site Plan for this project was submitted on April 3 to the City and is being reviewed by Staff and City Engineer.
 - City Staff has also held internal meetings regarding new road alignment within the industrial park expansion.
 - City staff is continuing to meet to discuss access to this site and possible road upgrades/funding.
- Kappelman Appliance (506 West 2nd Avenue)
 - D&D property
 - On February 1, Justin Kappelman notified the City of his intention to terminate the development agreement with the City for this project.
 - Council approved the termination of transaction and agreements by and between the City of Indianola and JK Management LLC D/B/A Kappelman Appliance on February 19.
 - The Kappelmanns have transferred the property back to the City as of March 27, and the deed is been recorded at the County.
 - Staff is working to get this property re-listed.
- Gritt Performance (983 East Hillcrest Avenue)
 - Site Plan for this project has been submitted to the City and is being reviewed by Staff and City Engineer.
 - Plan review comments returned to applicant on February 20.
 - Updated site plans were resubmitted on March 4.
 - Updated comments returned on March 18.
 - Updated site plans were resubmitted on March 26.
- Ace Hardware (506 North Jefferson Way)
 - City staff held a pre-development meeting on this project on February 22.
 - The project would include the demolition of the existing car wash, and a new building.
 - The existing Mudslingers Coffee Shop would remain.
- 410 South Jefferson Way
 - D&D property
 - Site plan has been submitted for this project with comments returned to the applicant.
 - Applicant has updated the site plan and elevation drawings for this project.
 - Building permit has been issued.
- 204 North Jefferson Way
 - D&D property
 - City Council approved an offer on this lot
 - Staff is working to schedule the alley vacation and draft a development agreement.

- New Heights Church (309 East Hillcrest Avenue)
 - Project engineer contacted the City on February 7 to clarify plan review comments.
 - Updated Site Plan was received on March 7.
 - Updated comments returned to applicant on March 20.
- Chumbley's Auto Care (110 South Jefferson Way)
 - Staff meet with the business owner on March 15 to discuss plans for future building.
 - Staff has submitted preliminary comments on the site plan to the business owner.
- Warren County Courthouse (115 North Howard Street)
 - Staff has continued to meet with the General Contractor on this project to discuss site layout, utilities, closures, haul routes, etc.
 - Staff has compiled a comment and questions letter and sent it back to the County's contractor and design team on March 27. Staff requested a response to this letter by April 5.
- Hillcrest TIF Update
 - Staff submitted all preliminary information to Attorneys to begin to TIF Update process on March 11.
 - The consultation meeting with affected taxing entities (Warren County and Indianola School District) is scheduled for April 24 at 9 AM.
 - The public Hearing for the first amendment is tentatively scheduled for May 20.

Property Address	Owner Information	Issue	Code	Complaint Info, Progress and Actions	Dept Actions	Established Deadline for Abatement	Follow Up by- Date
NEW THIS WEEK							
507 E Salem Ave	City	Dead Tree		City tree in ROW between sidewalk and street on E Salem Ave - in front of 507 E Salem.	3/18 JASON - Streets Dept		
1004 E Iowa Ave	J&R Property Managment LLC	Non conforming Use	165 (p1045)	M1 zoning however he is adjacent to Residential therefore he cannot store campers as a business when adjacent to residential. Also is not being stored on hard surface or rock- parked on grass field. Special use permit applied for or approved since 2017? TL Visited site. Took pics.	TL 4/4/19 SEND LETTER W PICS		
1105 E Salem	Kevin & Rebecca King	Junk Debris / Vehicles	51.03 (01) 51.03 (03)	reports corner lot- side lot full of junk / RV. TL Visited site 3/19. Took pics.	TL & KB 3/19 SEND LETTER W PICS		03/29/19
204 N J Street	Jay & Barb Holland	Junk Debris	51.03 (01)	Caller reports garbage in yard and around home including mattress. TL Visited site 4/4/19. Took pics.	TL 4/4/19 SEND LETTER W PICS		04/19/19
910 E 1st Ave	Pamela Dean Gaul	Sump Pump	50.02 (17)	TL 3/20 took pics of discharge piping coming from home through yard, over sidewalk into street.	TL & KB 3/20 SEND LETTER W PICS		03/29/19
1000 E 3rd Ave	Ronald Lee Jr III	Junk Vehicles	51.03 (3)	Junk bus, without engine, loose parts and side door open allowing animal habitat	TL & KB 3/20 SEND LETTER W PICS		03/29/19
EXISTING							
111 W 3rd Street	Phipps Properties LLC 111 N G Street	Junk Debris	51.03 (01)	Left hanger and took pics. 1/29 515-8003-8403 Owner called in 2/01/19 explained with snow unable to move but will this weekend and work on it. KB visited site 2/7 vehicles without plates on property, futon still in snow on curb/no uncovered due to melt, not removed. Garbage and debris piles by buildings and garage- Pics taken . Owner came to office 02/12 stated he has spoken to tenants and this will be rectified by the end of the week. Given until 2/25/19 to resolve. KB visited site 2/27/19 vehicle still parked on grass, damaged windows. Garbage pile by the garbage not in it, and garbage on front deck. Will contact landlord to discuss. TL 3/20 Visited site. Took pics. Vehicle without license plates also has flat tire (donut/spare tire) at drivers side front. Same vehicle also has brick behind drives side rear tire implying the vehicle is not road worthy therefore deemed immobile. Broken glass scattered in City ROW. Ample time has been given for cleanup of property. Deadline has expired. Propose for abatement.	Letter sent 1/30/19 PROPOSE FOR ABATEMENT	2/25/2019 EXPIRED	3/7/2019 EXPIRED
609 N 1st Street (same internal block 604 and 602 N Howard Properties) Full block covered in junk debris and junk vehicles	Marilynn Vanzanten-Peters	Junk Debris	51.03 (01)	Junk debris - hanger left 1/29 and pics taken. Revisit property 02/07/19 - KB visited site 2/7 decorations all over home, back yard near garage are issues. Trailer empty but parked on grass, construction and junk debris still exist around garage. Pics taken. Send letter. 2/21/19 no change. pics taken. TL 3/20 Visited site. Took pics, left hanger. 3/20 Owner called in, agreed to comply by 3/25.	Letter sent 02/26/19	03/07/19 3/25/2019	03/25/19
701 E 1st Ave	Vale LLC 6416 Mott Ave Windsor Heights IA 50324-1810	Junk Debris	51.03 (01)	12/10 rcvd complaint of home deteriorating with each tenant that moves. Windows covered with plastic. 2/28/19 KB visited site. No change. Large pile of insulation or carpet between home and garage now. TL 3/20 visited site. Took pics. Owner called in and said it will all be cleared out by this weekend. TL visited site 3/22 for wiring from electrical meter to house inspection. Property has been cleaned up. Carpet at curb is only thing remaining to be disposed of. Gave owner 30 days to hire an electrical contractor licensed to do business in the state of Iowa to repair service wiring (Needs to be in weather/water proof conduit) from meter to house. Also told owner that said electrical repair requires a permit.	Certified Letter 1/23/2019 Resent Letter 2/25/19 BID FOR ABATE	1/28/2019 ABATE 2nd Ltr Gave 10 03/05/19	03/25/19
911 N C Street	Jon W Backstrom PO Box 375	Junk Vehicles	51.03 (03)	Call regarding junk vehicles with no front plates and one that has been parked for months - does not work. 2/21 visited site. Took updated pics of exterior of home for legal. Took pics of vehicles in complaint. Noticed broken screen side door and broken glass window in door. Also in front of home, broken window in front overhang window. Shows large barrels or large blue containers of some sort placed against windows? TL 3/20 visited site. Took pics. Large barrels are gone but property has several debris piles behind house and between house and garage.	Legal		03/07/19

1604 W Detroit Ave	Gaymarie Bittner	Junk Debris	51.03 (01)	1/3/19 Called states garbage all over yard after a move from property. Also reported abandoned vehicle in adjacent property/vacant home where owner lives out of town, car not owners. Owner called in. Extension given until 02/21/19. 2/13 KB visited site. All totes removed. Only things remaining are office chair and construction materials. Pics taken. Car still acrossed street in vacant home. sent letter for follow up const. items left and vehicle 2/25. TL Visited site. Took pics. Office chair and construction material have not been removed. Also, all garbage/junk/debris previously in front yard were moved to back yard therefore remain in violation of city code of ordinance (51.03) (01). Vehicle still remains on abandoned adjacent property. Ample time has been given for cleanup of property. Deadline has expired. Propose for abatement.	Certified Letter 1/23/2019 Progress Follow Up Letter 2/25/19	3/12/2019 EXPIRED	3/13/2019 EXPIRED
1000 E Salem	Scott & Josephine Helgeson 11133 165th Ave	Junk Debris / Vehicles	51.03 (01) 51.03 (03)	visited site 02/21 vehicles have been removed from side driveway, junk and debris along with trailer and camper have been parked in back of property. Pics taken. Camper, trailer and junk vehicles are in rear yard with no hard surface. Recheck for compliance in spring	Certified Letter 1/22/2019	1/29/2019 02/21/19 V	03/20/19
1007 N D Street	Rebel Snodgrass	Tree	50.02 (13)	Bids received for abatement of tree. Owner contacted office states will have tree removed by spring. Given extension per C Dissell and JE. Unable to abate due to cost per Cdisell			03/20/19
208 S 4th Street	Karla Gilsalazar	Junk Debris	51.03 (01)	Owner Jordan Clark called in 515-612-5310 stated that he would be working on it. Garbage removed, vehicles removed. Stroller still out by garage partially under snow. Revisit 03/20/19	Certified Letter 1/23/2019 - Follow up Letter sent 2/25/19 of few items left	03/04/17	03/20/19
2412 N Jefferson Way	Southtown Chrysler Jefferson Way LLC	Parking Violations with Vehicles not on hard surface		Received complaint of several vehicles being parked in field not on pavement or rock. Received additional complaint stating now parking in for sale lot next to the dealership in a field - getting worse. 2/06/19 KB took pics of overflow gave to CD to evaluate. 2/20 Rcvd call from (2506). Cars parked in all directions of the home, each side and behind. 2/21 took pics. Referred to Charlie. TL 3/20 Visited site. Took pics. Vehicles have been removed from field on North side of home. Overflow of vehicles are parked in field, East of home/North of dealership. Refer back to Charlie for decision on how to proceed.	Refer to Director -		03/20/19
504 N O Street	Erica Fretwell	Junk Debris	51.03 (01)	Junk debris and furniture piled in front of home. Pics taken 02/28/19 Send Letter	Send Letter	03/20/19	03/21/19
802 E Salem Ave	Tom & Cindy Phillips	Junk Vehicles	51.03 (03)	3 vehicles located on property, appear inoperable, one in front drive with bumper damage - side of garage, no license plates, similar vehicle makes and models on property (collecting?). Send letter with pics. IHP reports junk on porch old tv and old swingset/slide?	Letter Sent 2/25/19	03/25/19	03/26/19
602 N Howard Street	Chad Cumes, Jennifer Larson	Improper Disposal of Yard Waste	50.02 (17)	Caller reports improper disposal of yard waste in the creek behind the residence, causing build up and clogging the creek. 11/19 took pics. Door hanger left. 12/17/18 owner of home contacted office. Discussed matter, sent pics taken. Extension 12/28/18. 1/16/19 KM visited site. No change. Bid for abate. Unable to abate due to weather, snow and ice. Will extend and check on 1/30/19 weather permitting. May need to wait to spring to thaw. 2/21 visited site. Snow covered return in May	Letter Sent - Spoke with Owner - Transfer to Legal for MI	1/18/2019 Extension due to freezing - Check in Spring	04/12/19
1213 W Clinton	Gary & Jill Downey	Brush Pile	50.02 (12)	KM visited site took pics, left door hanger 1/2. Owner called 1/3/19 out of state, will return in April. Spoke with CD. Ok'd for extension until return in April	Extension given to 04/2019	Extension given from 2/28/19 to 05/05/2019	04/12/19
211 S D Street	Michael Goode	Dangerous Building ?	163.02-06	KM to visit site to take pics of home- may be dangerous building (garage)? KB visited site. Nothing found to be dangerous. Pics taken. Ends of overhang of roof are off but does not allow anything inside of the structure. Will have Building Official inspect this Spring	Hold for Building Official Structural Inspection		04/12/19
913 E Detroit	Tom Wadle 1003 W 2nd Ave Indianola	Junk Debris/ Vehicles	51.03 (01) 51.03 (03)	Black truck and junk on property. 2/21 took pics. Send letter with pics and code violations. This is acrossed from another prop main property doing same. KB visited site 2/27/19 New and more vehicles now. Pics taken. Bid for abate	Letter sent 2/25/19	Extension given from 3/27/19 to 05/05/2019	05/07/19
909 N Buxton	Denise Anderson	Junk Vehicles	51.03 (03)	KB visited site. 2/27 no change. pics taken. No movement or attempts to comply since December of 2018. Owner called in stating that the camper is her sons and she requests more time to remove due to weather and mud from snow melting. States she has been out of town, just received notice. Requests extension for 2 months to May 5th.	Letter sent 2/28/19	03/28/19	05/08/19
305 W Salem Ave	Willaim & Harriett Edwards	Junk Debris / Vehicles	51.03 (01) 51.03 (03)	Several vehicles in front drive and back of home / garage. Brush piles and appliances, tires, swing set etc. KB visited site 2/27 took pics. Send letter with pics to owner	Letter sent 02/28/19	03/28/19	
BID FOR ABATEMENT							
604 N Howard Street	Lewis Souer 701 S R Street Unit 1	Junk Debris / Vehicles	51.03 (01) 51.03 (03)	Progress being made, however it is not completed. Extension till February 2019. KB visited site 02/7 improvements being made. Still several items outside around building and vehicles without tags in alleyway. 2/21/19 Same- no change. Pics taken	Letter sent 2/8/19 has til 3/7/19	03/03/19	Request Bid for abatement
308 W 1st	Ernest Martens	Junk Debris	51.03 (01)	KB visited site 2/27/19 No change Previous letters, visits, door hangers and abatement notices have gotten zero response for progress. 12/13/18, 12/19/18, 1/02/19, 1/16/19, 2/07/19, 2/22/19. BID FOR ABATE. Inspection report for unsafe home was sent from Building Official	Certified Letter 1/23/2019 Extension til 2/4 for debris 2/22 for vehicle	02/22/19	Request Bids for Abate

407 W 1st	Reuben & Donna Burdess 1648 Hwy J46 Allerton IA 50008	Junk Debris -Dangerous Home (windows)	51.03 (01)	KB visited site 2/27/19 took pics Maint asked for extension til Wed 03/06/17 to remove all furniture and debris as has no where to dump at this time. AGreed. Advised him that if not removed by 3/06/17 we may move forward with abatement of the property.	Letter to owner given by hand to property maintenance contractor of prop 02/04/19 2/21 Referred to Legal	03/07/19	Request Bids for Abate 3/7/2019
411 W 1st St	Reuben O Burdess 410 W 2nd Ave 1648 Hwy J46 Allerton IA 50008	Junk Debris	51.03 (01)	KB visited site 2/27/19 took pics Maint asked for extension til Wed 03/06/17 to remove all furniture and debris as has no where to dump at this time. New trailer and vehicle have been found on property since last visited. He stated it is being towed today. 2/28/19 confirmed trailer and truck there yesterday has been removed KB. Advised him that if not removed by 3/06/17 we may move forward with abatement of the property.	Certified Letter 1/23/2019 Letter with new pics 02/11/19	03/07/19	Request Bids for Abate 3/7/2019
CLOSED THIS WEEK							
307 N Howard	Properties By B C Inc C/O DONNIE D & BETTY M CURTIS 1875 185th St Webster City IA 50595	Junk Debris	51.03 (01)	TL Visited site 3/26/19. Took Pics. Property no longer in violation		CLOSE	
604 E Ashland	Ed & Vicki Wood	Junk Debris	51.03 (01)	IHP reports junk/shade tent on property 3/13 . 3/20 TL visit. Pics taken. Spoke to owner no shade tent present-owner has made progress, vehicles in rear of property to be removed 3/27/19. TL Visited site 4/4/19. Took pic. Property no longer in violation.	TL 4/4/19 CLOSE	CLOSE	03/29/19
110 8th Street	Greg & Danielle Hodges	Junk Debris	51.03 (01)	reports mattress in side yard. TL 3/19 visited site. Took pics. No mattress on site, box spring and other materials on curb for garbage pic up, Plastic sheeting found along fence line. Left door hanger. Owner cld in office 3/20 will comply by 3/27. TL Visited site 4/4/19. Took pic. Property no longer in violation	TL 4/4/19 CLOSE	CLOSE	03/29/19
901 E Ashland	Thomas Longer	Junk Debris	51.03 (01)	reports junk and garbage front and side of home	TL & KB 3/20	CLOSE	
1009 E Salem	Carrie Putney	Junk Debris	51.03 (01)	reports garbage piled up by front door. TL 3/19 Visited Site. Took Pics. Spoke with owner adv. Of violations and gave until 3/27 to comply. TL Visited site 4/4/19. Took pic. Property no longer in violation.	TL 4/4/19 CLOSE	CLOSE	03/29/19
1006 E Salem	Thomas & Brenda Wadle 307 N D Street	Junk Debris	51.03 (01)	reports garbage on front porch/porch/plastic bins. TL 3/19 Visited site. Took pics. Left door hanger. Owners brother called 3/21. Will have areas of concerned cleaned up by 3/29. TL Visited site 4/4/19. Property no longer in violation.	TL 4/4/19 CLOSE	CLOSE	03/29/19
1900 South E Drive	John Rennenger	Fire Restoration & Demo	163.02-06	Fire damaged structure - garage . CD requests pics taken of structure and follow up standard set to insure property is maintained or demolished accordingly. KM 1/16/19 pics taken. FU to insure demolished by 02/16/2019. 2/19 KB visited site. Took pics. Garage is not demolished. Looks as though nothing has been touched since FD extinguished fire. TL 3/20 Visited site. Took pics. Garage has been demolished and all debris hauled away. Construction material (plywood, dimensional lumber etc.) appears to have been recently delivered. Left door hanger reminding owner to obtain a Building Permit before commencing any work. Owner came in, applied for and was issued a building permit #34 2019	Owner needs to obtain a Building Permit. Building permit was issued 3/26/2019 Permit #34-2019	CLOSE	
802 E Salem	Tim & Cindy Phillips	Junk Debris	51.03 (01)	reports front porch - old tv/junk/old swingset slide. TL Visited site 4/4/19. Took pic. Property no longer in violation.	TL 4/4/19 CLOSE		03/29/19
305 W 17th Ave	Warren Burge (Deed Holder) 4603 Little River Ln, FL 33905 Jeffrey Schrader (Contract) 803 S 1st St, Indianola Robert Reeses (Tenant) 305 W 17th St	Junk Debris / Vehicles	51.03 (01) 51.03 (03)	TRAILER - Complaint of junk debris, trailers full of scrap junk and metal, tables and campers on grass. 2/13/19 KB visited site. Took pics. Contacted owner. Sent letter with pics to deed holder, contract buyer and tenant or residence. Contract holder states tenant has been evicted but refuses to leave. Follow up by 02/28/19. TL 3/20 Took pics. Property has van without license plates. Junk/debris stacked up against camper. TL Visited site 4/4/19. Took Pics. Property no longer in violation.	Letter sent to: (Deed Holder) (Contract Buyer) and (Tenant) CLOSE		

Ryan Waller

From: Iowa League of Cities <legislativestaff@iowaleague.org>
Sent: Friday, April 5, 2019 11:02 AM
To: Ryan Waller
Subject: Legislative Link



April 5, 2019

88th General Assembly

[Property Tax Reform - Amended](#) | [Reprisal for Employees](#) | [Criminal Surcharge Fee](#) | [Hotel Motel Tax Extension](#) | [Acquisition of Land for Water Quality Initiatives](#) | [Lawful Preexisting Nonconfirming Use](#) | [Electric and Special Fuel Vehicle Tax](#) | [Legislative Forums](#) | [League Updates](#)

You need to know

- **AMENDMENT RELEASED:** HSB165, a property tax reform bill, continues to be the top issue the League is working to impact. A strike after amendment was released on Thursday afternoon. **This bill is expected to be discussed in the House Ways & Means Committee next week. It is important that you reach out to your legislators and discuss with them the impacts that this legislation could have on your city.**
- Second Funnel was this week. With few exceptions, a bill must have been passed out of a full committee in both the House and Senate to still be considered. Property tax reform is considered by the Ways & Means Committee, which is not subject to the funnel.
- Appropriation bills are starting to be debated at committee level including the [Rebuild Iowa Infrastructure Fund \(RIIF\)](#). This is a symbolic milestone in the legislative session which marks the beginning of the end of the session. [Legislator's per diem ends on May 3.](#)

HSB165 | **Property Tax Reform** - As amended

This section discusses HSB165 as amended by the strike after amendment that was released on Thursday. The amendment is not yet available online through the legislative website. The League is providing a PDF for our members to review.

The amended version of HSB165 has several main components.

2% Revenue Growth Limitation: The 2% revenue growth limitation is set below uncontrollable increases to costs that cities face (e.g. IPERS and 411 contribution rate increases, and public safety wages and benefits to name a few). The bill does provide a method to exceed this limitation which may result in a reverse referendum. 271 cities would need to go through that process if their revenues needed to increase next year by more than \$1,000. If a reverse referendum does occur, the cost of an election will be at least \$3,000 and increases based on the size of the city. Thankfully, the amendment allows the amount exceeded in a previous year to be included in the maximum property tax dollars that may be levied to the following year.

Trust and Agency Levy Eliminated: The amendment eliminates the ability for cities to use the Trust and Agency Levy to pay for anything other than receiving gifts. This means that cities cannot use this fund for pension payments or other employee benefits. This, along with ending fund balance restrictions, may have negative impacts on a city's credit rating.

Caps Unassigned Ending Fund Balance at 25%: This may affect a city's ability to plan for natural disasters or other large unforeseen expenses. Without adequate ending fund balances a city would be forced to take on more debt. Additionally, lowering unassigned ending fund balances may negatively impact a city's credit rating, making borrowing money more expensive.

It is very important that you reach out to your legislators and let them know how this bill impacts your individual city. [Your legislators contact information can be found here.](#)

SF502 | Prevention of Reprisal for Employees

- Successor to [SF400](#).
- Prevents reprisals for providing information to human resource officers and also directs cities to inform employees of the purpose and authority of the office of the ombudsman.
- Specific language says a city shall create procedures to notify new employees of the authority of the office of the ombudsman to investigate complaints as well as provide the toll free number for the ombudsman to employees.
- Passed out of the Senate as well as the House Local Government subcommittee.
- League is registered undecided on the bill.

SF457 | Criminal Surcharge Fee

- Successor and companion to [SSB1059](#) and [SF225](#).
- Raises criminal penalties, eliminates certain surcharges, and restructures the division of revenues in an attempt to provide more clear and transparent criminal penalties.
- Passed out of House Ways and Means Committee.
- League is registered undecided.

HF760 | Hotel Motel Tax Extension

- Successor and companion to [HF171](#) and [SF131](#).
- Allows Hotel and Motel tax to be collected on room rentals for 90 days. After 90 days, the tax is exempted.

- Passed out of House Ways and Means Committee.
- League is registered in support of the bill.

SF548 | Acquisition of Land for Water Quality

Initiatives

- Successor to [SSB1221](#).
- Prohibits State Revolving Fund loans to be used to acquire property for resale to a political subdivision, the department of natural resources, or the federal government.
- Passed out of the Senate as well as House Natural Resources Committee.
- League is registered undecided.

HF701 | Restrictions on Lawful Preexisting

Nonconforming Use

- Companion and successor to [HSB100](#), [SSB1141](#) and [SF368](#).
- Prevents a city from enforcing or passing an ordinance that would prevent the replacement of a mobile home with another mobile home of similar features and dwelling units.
- This prohibition applies unless there is a safety concern.
- Passed out of the House and was placed on Senate “unfinished business calendar.”
- League is registered in opposition.

HF725 | Electric and Special Fuel Vehicle Tax

- Provides a special car registration for electric vehicles that is in addition to standard registration.

- Provides Road Use Tax Fund (RUTF) levies on alternative fuels such as electricity or hydrogen in order to pay for infrastructure costs that are typically paid for by a gasoline tax.
- Passed out of the House Ways and Means Committee.
- League is registered undecided.

Legislative Forums

April 5

[Sen. Amy Sinclair in Corydon](#)

[Rep. Heather Matson in Ankeny](#)

[Sen. Amy Sinclair in Chariton](#)

[Sen. Amy Sinclair in Osceola](#)

[Sen. Amy Sinclair in Leon](#)

April 6

[Rep. Wes Breckenridge in Prairie City](#)

[Rep. David Sieck in Malvern](#)

[Rep. Karin Derry in Johnston](#)

[Rep. Megan Jones in Emmetsburg](#)

[Sen. Dan Dawson, Rep. Charlie McConkey, Rep. Mary Ann Hanusa, Rep. Jon Jacobsen and Sen. Tom Shipley in Council Bluffs](#)

[Rep. Gary Carlson, Rep. Bobby Kaufmann, Rep. David Kerr, Sen. Thomas Greene, Sen. Mark Lofgren and Sen. Zach Wahls in Muscatine](#)

[Rep. Tim Kapucian and Rep. Dave Maxwell in Grinnell](#)

[Rep. Kenan Judge and Sen. Charles Schneider in Waukee](#)

[Sen. Mariannette Miller-Meeks, Sen. Ken Rozenboom, Rep. Holly Brink, and](#)

[Rep. Mary Gaskill in Ottumwa](#)

[Rep. Lindsay James in Dubuque](#)

[Rep. Cecil Dolecheck and Rep. David Sieck in Red Oak](#)

[Rep. Matt Windschitl and Sen. Jason Schultz in Onawa](#)

[Rep. Jennifer Konfrst in Clive](#)

[Rep. David Maxwell in Williamsburg](#)

[Rep. Bruce Bearinger in Oelwein](#)

[Rep. David Kerr in Wappello](#)

April 8

[Rep. Marti Anderson in Des Moines](#)

League Updates

Robert Palmer – Des Moines Business Record Forty Under 40

We're proud to congratulate Robert Palmer, general counsel and director of government affairs, on being a [2019 Business Record Forty Under 40](#) Honoree. Each year, the Business Record recognizes 40 local leaders who have demonstrated impressive career achievements and unparalleled community involvement. This year's class joins the 760 past Business Record Forty Under 40 honorees to bring the total number of honorees to 800 since the Business Record began the awards in 2000.

[Applications are due today, April 5](#), for the League's 2019 All-Star Community Award, which recognizes city projects implemented or completed in the 2018 calendar year.

[Get even more updates and news from the League](#) by subscribing to League Weekly. That newsletter is emailed each Tuesday and includes grant opportunities, workshops and more.

Thank you for taking the time to read the League's legislative newsletter, *Legislative Link*.

As always, *Legislative Link* is a snapshot of the League's overall government affairs efforts. It is meant to provide as much information as possible without overwhelming you with the minutia of the legislative process. It is important to know that all of this information including bill numbers, viability, and even the bills contents are constantly changing until they are signed into law by the

Governor. If you have any questions about the legislative process in Iowa, if you would like to get more information about legislation listed above, if you would like to know about legislation that is not listed above, or if you want to learn how you can be more involved in advancing the League's Legislative Values through grassroots outreach, please contact danielstalder@iowaleague.org.



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You are receiving this email because you requested legislative updates from the Iowa League of Cities.

The League sends Legislative Link on Fridays during session, and it contains a snapshot of where pertinent bills are throughout the legislative process. Legislative Link is designed to educate and inform members of the current legislative process and climate as a first step to engaging and helping the League create positive outcomes for cities across Iowa. We hope you will help advance our legislative values, and we welcome your support.

Our mailing address is:

Iowa League of Cities
500 SW 7th Street
Suite 101
Des Moines, IA 50309

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BUILDING SUSTAINABLE VIBRANT COMMUNITIES



Ryan J. Waller
City Manager
City of Indianola

THE GOAL!!!

 definition of build  

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build

[bild] 

VERB

1. construct (something, typically something large) by putting parts or material together over a period of time.
"the factory was built in 1936"
synonyms: [construct](#) · [erect](#) · [put up](#) · [assemble](#) · [set up](#) · [raise](#) · [make](#) · [construct](#) · [\[more\]](#)

 definition of vibrant  

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vi·brant

['vɪbrənt] 

ADJECTIVE

- full of energy and enthusiasm.
"a vibrant cosmopolitan city"
synonyms: [spirited](#) · [lively](#) · full of life · full of spirit · [high-spirited](#) · [energetic](#) · [sprightly](#) · [vigorous](#) · [vital](#) · full of vim and vigor · [animated](#) · [sparkling](#) · [coruscating](#) · [effervescent](#) · [\[more\]](#)

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sus·tain·a·ble

[səˈstānəb(ə)] 

ADJECTIVE

1. able to be maintained at a certain rate or level.
"sustainable fusion reactions"
synonyms: [acceptable](#) · [trustworthy](#) · [reliable](#) · [dependable](#) · [sure](#) · [good](#) · [valid](#) · [\[more\]](#)
- conserving an ecological balance by avoiding depletion of natural resources.
"our fundamental commitment to sustainable development"

 definition of community  

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com·mu·ni·ty

[kəˈmyoʊnədə] 

NOUN

1. a group of people living in the same place or having a particular characteristic in common.
"the scientific community" · [\[more\]](#)
synonyms: [group](#) · [section](#) · [body](#) · [company](#) · [set](#) · [circle](#) · [clique](#) · [coterie](#) · [ring](#) · [\[more\]](#)

Main responsibility is to put into action the community's vision (GOAL)

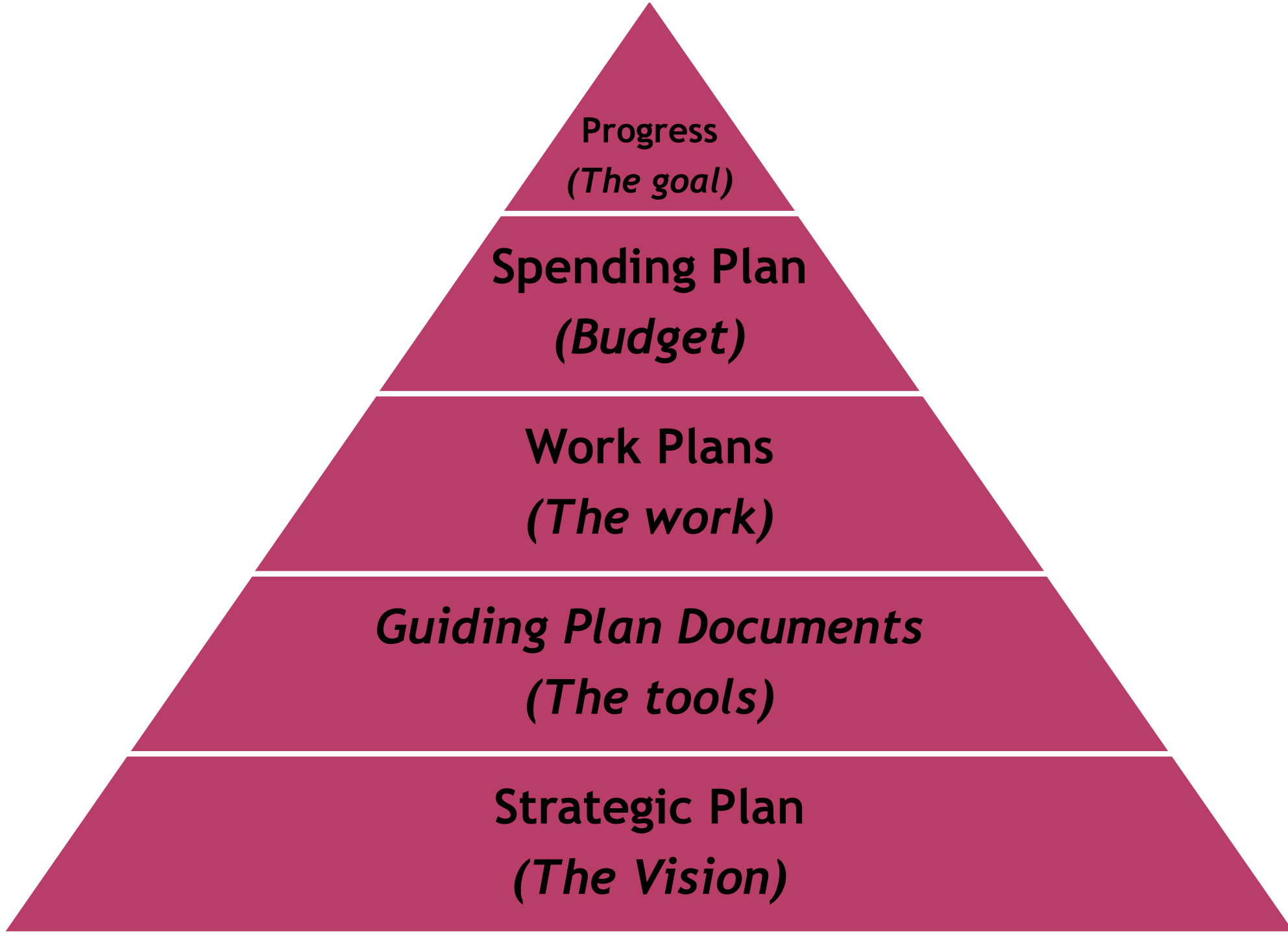


*“A goal without a plan is just
a wish.”*

- ANTOINE DE SAINT-EXUPERY

*“If you fail to plan, you are
planning to fail!”*

- BENJAMIN FRANKLIN





SOME OF OUR PLANNING...

- ◉ Establishment of Financial Plans
 - Capital Improvement Plan (completed - 2016)
 - Vehicle & Equipment Replacement Plan (completed - 2016)
 - Financial Policy (completed - 2017)
- ◉ Five year street condition indexing (entering 3rd year)
- ◉ Three year stormwater master planning (entering final year)
- ◉ Updating of City's Trail Plan (FY20)
- ◉ Updating of City's Comprehensive Master Plan (underway)
- ◉ Comprehensive study of public safety staffing (completed)
- ◉ Evaluation of current municipal building (1st phase completed)
- ◉ Square Assessment (completed)



A LITTLE
PROGRESS
EACH DAY
ADDS UP
TO BIG RESULTS

SQUARE ASSESSMENT

- ◉ The Square - commercial/pedestrian district - is the heart of the community
- ◉ Wanted to develop a plan to protect, preserve and enhance the heart of the community
- ◉ Conducted in September 2018
- ◉ Partnership with:
 - City
 - Chamber
 - Warren County Economic Development Corporation
 - IEDA
- ◉ County Courthouse/Jail was a big motivator



RESULTS

- Great community engagement
- Great input
- Great data

INDIANOLA | survey says

Downtown's Greatest Challenge or Weakness

- Attracting/keeping a variety of retailers/Businesses/Empty buildings 59
- Some storefronts/buildings not well kept/Run down buildings and businesses/Aging/Tired 26
- Shopping hours limited/Poor evening and weekend hours 22
- Too many offices/Non-retail 17
- Customers/Visitors/Foot traffic to support businesses/People shop in Des Moines 15
- Parking is tough 13
- Limited dining options/No fine dining/Not enough unique food items 13
- Lack of business variety and sophistication compared to Des Moines 12
- Courthouse condition and appearance/Ugly 9
- Removing courthouse and building square box/Jail in the middle/Need greenspace 9

INDIANOLA | survey says

Downtown's Greatest Strength

- Stores/Boutiques/Locally owned/Variety/Shop owners/Unique 75
- Central location/Convenience/Accessible/Proximity to highways 29
- Gathering place for events/Community center/Event friendly 23
- Restaurants 21
- The Square/People care about square /One block each direction 18
- Charming, Historic downtown/Beauty/Curb appeal/Setting 13
- Architecture/Historic Buildings 10

RECOMMENDATIONS

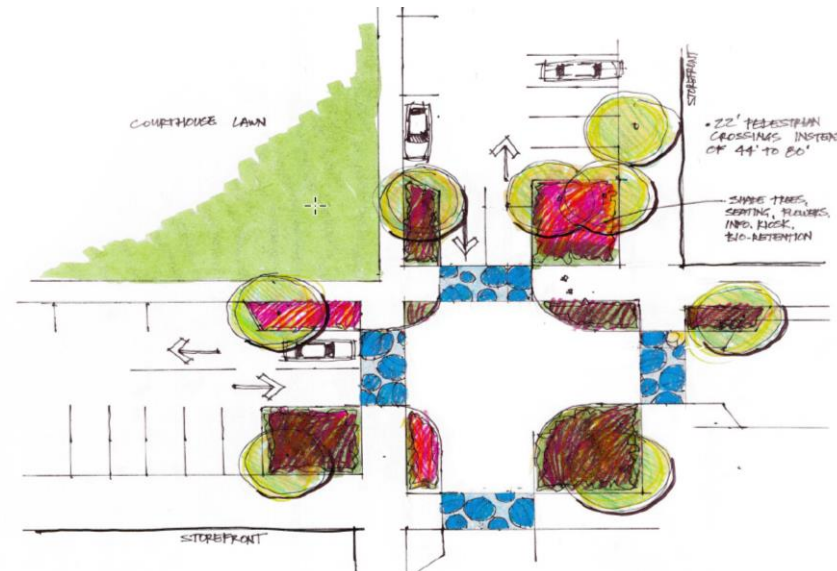
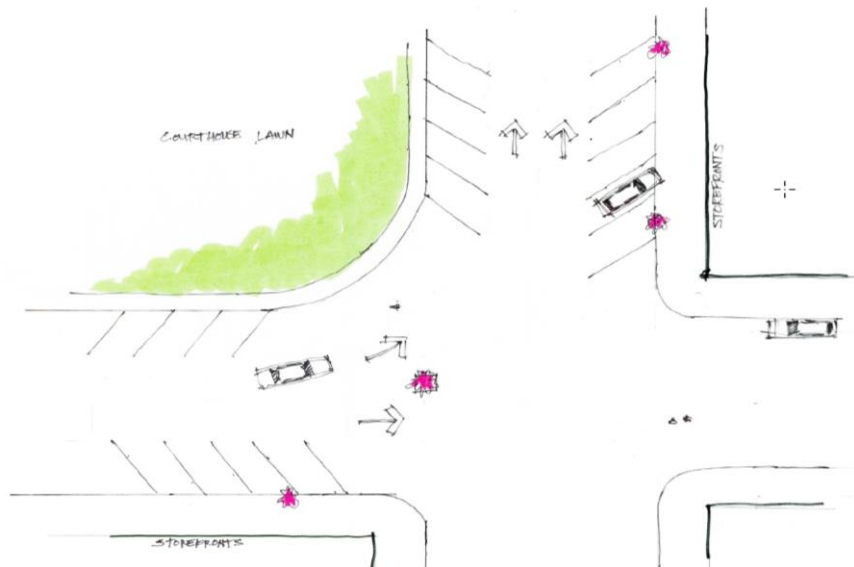
INDIANOLA | Streetscape

- Build on what has already been done
- Find ways to add green space
- Walkability
- Gateway entrance from Hwy 65/69
- Tie in brand identity
- Amenities for events



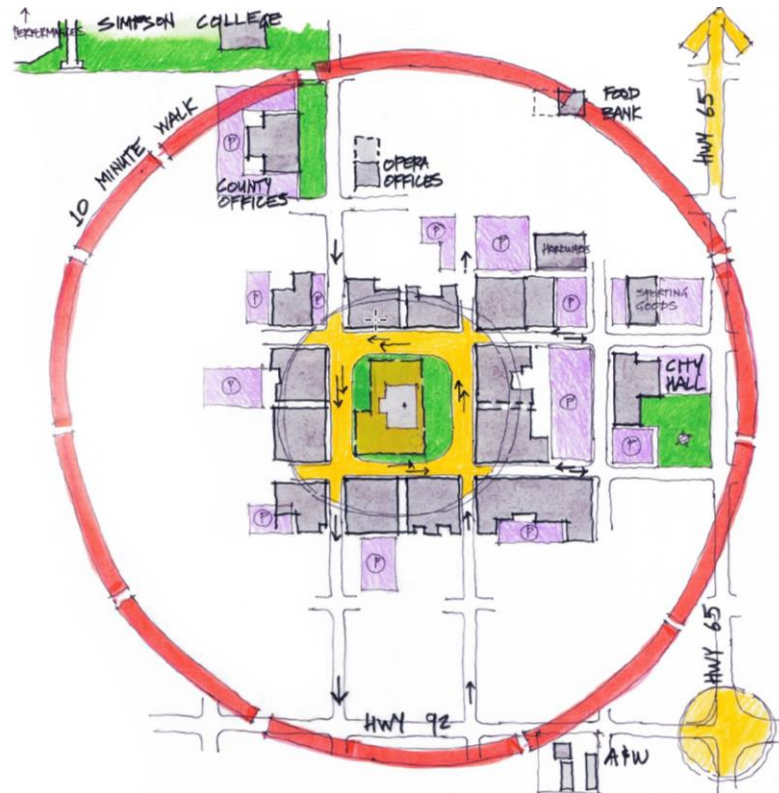
- ◉ Zoning (more retail, less services)
- ◉ Programs (parades & community events)
- ◉ Direction & gateway signage
- ◉ Connect Simpson College to Square
- ◉ Streetscape

IOWA
ECONOMIC DEVELOPMENT



IMPLEMENTATION

- ◉ Streetscape Concept
- ◉ Comprehensive Master Plan
- ◉ Programs (RAGBRAI)
- ◉ Connect Simpson College to Square



- DOWNTOWN DEFINED BY 10 MINUTE WALK
- LINK MAJOR DESTINATIONS WITH THE SQUARE
- THE SQUARE SHOULD BELONG FIRST TO PEOPLE/PEDESTRIANS, SECOND TO SLOW MOVING CARS
- PROVIDE FLEXIBLE VEHICULAR CIRCULATION WITH ALL ROADS BRINGING YOU TO THE SQUARE
- HOW TO PROVIDE TWO WAY STREETS & 11' LANES AND BUMP CUTS AT INTERSECTIONS
- 2. PROVIDE GENEROUS "GREEN" STREETSCAPES ALONG SELECT CORRIDORS & IDENTIFY PARKING AND GET PEOPLE OUT OF THEIR CARS.



STAFFING & BUILDING

- ◉ Understand current/future needs
 - Staffing
 - Space
- ◉ Staffing completed first
 - Police
 - Fire
- ◉ Building assessment followed



FINDINGS

Understaffed

- Police - 4 officers; 1 clerical
- Fire - 6 FF/EMT

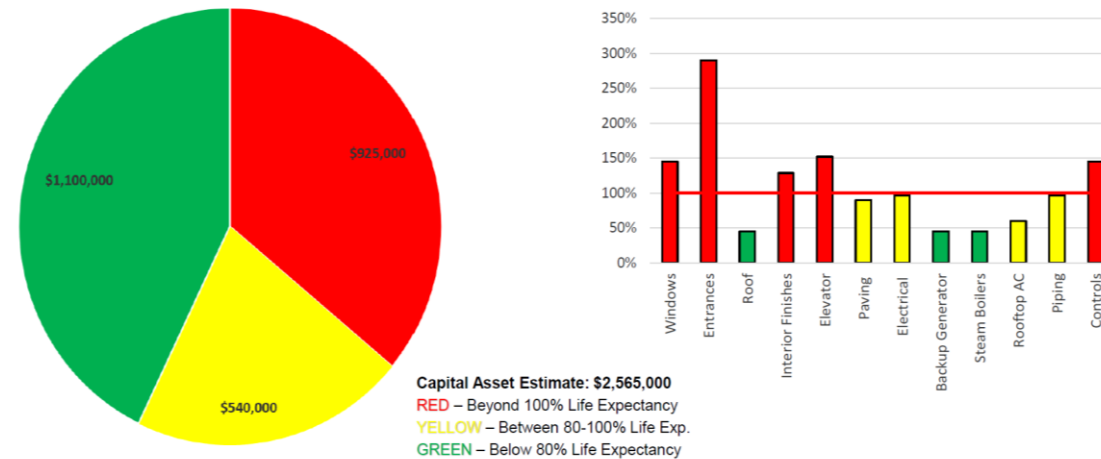
Undersized

- Current & future staffing

Inefficient

- Multiple locations
- Energy Consumption

Building Systems Life Assessment



GREEN + GREEN

Energy Performance and Cost

Utility consumption and the overall building energy use performance should be analyzed and compared to facilities of similar type and scale to confirm potential annual savings that would be generated by system upgrades. Summary of utility expense for the existing facility:

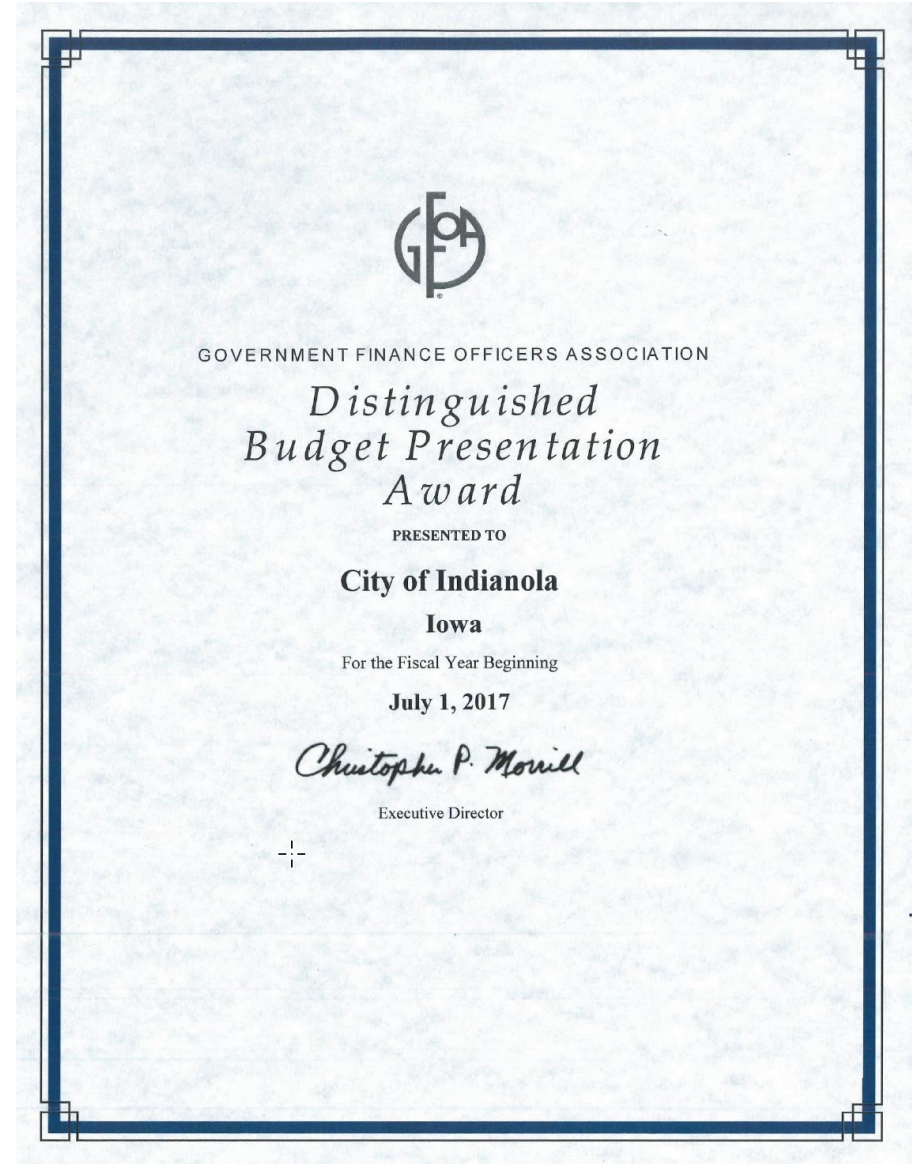
	Electric	Natural Gas
FY2013	\$34,488.68	\$10,192.40
FY2014	\$36,937.40	\$12,495.50
FY2015	\$30,982.27	\$8,315.29
FY2016	\$30,692.51	\$6,201.44
FY2017	\$46,029.42	\$7,076.09
FY2018	\$49,116.23	\$9,320.31



Replacing mechanical equipment and upgrading to digital controls could save as much as 20-25% per year in utility expense which could equate to \$14,609 yearly energy savings and will significantly enhance staff comfort.

IMPLEMENTATION

- FY 20 Budget includes:
 - Additional Police and Fire Staff to meet the emergency needs of a growing community
 - City Hall Assessment Follow-up to work on space needs for Police, Fire, Admin and Community Development



“...We will transmit this place not only, not less, but greater and more beautiful than it was transmitted to us.”

- ATHENIAN OATH

Meeting Date: 04/15/2019

Information

Subject

Update regarding turkey vultures that are a nuisance at a home on West Clinton Ave

Information

The Police Department will coordinate with the DNR to place an effigy in the citizen's tree to keep the turkey vultures away.

Fiscal Impact

Attachments

No file(s) attached.

Meeting Date: 04/15/2019

Information

Subject

Discussion and possible motion regarding the Banker's Trust Notice of Assignment to UMB Bank.

Information

In your packet is a memo from Mike Maloney of D.A. Davidson regarding the registrar paying agent change for Series 2011C Bond.

Roll call is in order.

Fiscal Impact

Attachments

Davidson Memo

Memorandum

To: Andy Lent, Director of Finance, City of Indianola
From: Michael Maloney, Senior Vice President – D.A. Davidson & Co.
Telephone: 515.471.2723 Email: mmaloney@dadco.com
Date: Monday, April 8, 2019
Re: Registrar Paying Agent Change for Outstanding Bonds/Notes

We wanted to take this opportunity to provide this correspondence because Davidson provides dissemination agent services to the City of Indianola (the “City”). This work primarily entails the compiling and posting of annual disclosure information to bondholders (investors) through the centralized online repository created by the Municipal Securities Rulemaking Board (“MSRB”) called Electronic Municipal Market Access (“EMMA”). In addition to the annual filings, we also assist in the event any of the ongoing material events listed in the bonds’ continuing disclosure certificate does occur over the course of a given year.

One of the material events listed is change in trustee, which has further guidance from the Federal government that in this case “trustee” also encompasses the role of registrar/paying agent. A paying agent is an agent who accepts payments from the issuer of a security and then distributes the payments to the holders of the security.

Paying agents are usually banks, designated to make principal and interest payments to the security holder on behalf of the issuer. In addition, a paying agent may provide further services including processing the early redemption or “call” of outstanding bonds/notes.

Historically most bond issues in Iowa have included Bankers Trust as paying agent to service the loan between the noteholders and the entity which issued the notes. On March 5th, it was announced Bankers Trust sold its Corporate Trust department which handles this service to United Missouri Bank. The City has already received information on this topic directly from Bankers Trust.

Whether you assign the business to United Missouri Bank or an alternative service provider, the notice of this change must be submitted to EMMA as a continuing disclosure event within 10 days of the occurrence. Your communication with D.A. Davidson on the matter is the only way we are able to complete the submission on your behalf pursuant to your continuing disclosure requirement. We will not be charging a fee for this service.

Over the last several weeks, Davidson has been reviewing this situation with the bonding attorneys to ensure this is addressed consistently around Iowa. In short, you will need Council action for a resolution changing registrar/paying agent regardless of your chosen provider. This process would be effective after the next payment date (Bankers Trust will make payments through the June 10th when the transition to United Missouri Bank is effective). For the City, the next payment is June 1st, so any changes would be effective after that time.

The other provider that has been pursuing business in Iowa is BOK Financial (Bank of Oklahoma) currently staffed out of Lincoln, Nebraska. We have worked with them elsewhere on transactions (in Nebraska and Illinois) and they are a reputable firm. They are a lower cost for this annual service: \$150 less per year per series and additional services (most applicably to the City is redemption of outstanding bonds) are included rather than an additional cost. So for the City’s Series 2011C Bonds outstanding beyond June 1st, the City would save \$300.

The decision at this time is simply: does the City want to work with BOK Financial or United Missouri Bank on a go forward basis related to the Series 2011C Bonds?

Additionally, the City has explored using a third-party registrar/paying agent for other outstanding series (City Clerk currently processes these semi-annual payments for all other series), so this may be a good time to evaluate that further considering the required action on the Series 2011C Bonds.

The Council can take action (by resolution) regardless of provider selected at a subsequent Council meeting. Please let us know your decision and we will ensure the City, Ahlers (the City’s bond counsel) and Davidson are all in the loop to effect the change through resolution by the Council and make the necessary disclosure within 10 days of the change.

BOK FINANCIAL

Trustee, PAYING AGENT, BOND REGISTRAR AND TRANSFER AGENT FEE SCHEDULE

ADMINISTRATION FEE – PAYING AGENT

- | | |
|--------------------------------------|----------------------------|
| • Book Entry Bonds | \$300 initial/\$450 annual |
| • Registered/Private Placement Bonds | \$300 initial/\$700 annual |

ADMINISTRATION FEE – TRUSTEE / PAYING AGENT

- | | |
|--------------------------------------|------------------------------|
| • Book Entry Bonds | \$750 initial/\$1,250 annual |
| • Registered/Private Placement Bonds | \$750 initial/\$1,500 annual |

* Initial Fees paid at Closing

* Annual Fees paid at Interest/Principal Dates

ADDITIONAL SERVICES

- | | |
|-------------------------------------|------------------------|
| • Placement of CDs or Sinking Funds | Included in Annual Fee |
| • Optional or Partial Redemption | Included in Annual Fee |
| • Mandatory Redemption | Included in Annual Fee |
| • Early Termination/Full Call | Included in Annual Fee |
| • Paying Costs of Issuance | Included in Annual Fee |

SERVICES AVAILABLE UPON REQUEST

- | | |
|----------------------------------|------------------------|
| • Dissemination Agent | \$250 Annual Fee |
| • Tax credit bond filing | \$350 Annual Fee |
| • Disbursement Agent | Included in Annual Fee |
| • Disbursement Agent wires/check | Included in Annual Fee |

Reasonable charges will be made for additional services or reports not contemplated at the time of execution of the Agreement or not covered specifically elsewhere in this schedule. Extraordinary out-of-pocket expenses will be charged at cost. However, this does not include ordinary out-of-pocket expenses such as normal postage and supplies, which are included in the annual fees quoted above.

Effective January 1, 2019



PAYING AGENT, BOND REGISTRAR AND TRANSFER AGENT FEE SCHEDULE

ADMINISTRATION FEE

- | | |
|--------------------------------------|------------------------------|
| • Book Entry Bonds | \$300 initial/\$600 annual |
| • Registered/Private Placement Bonds | \$500 initial/\$1,000 annual |

* Initial Fees paid at Closing

* Annual Fees paid at Interest/Principal Dates

ADDITIONAL SERVICES

- | | |
|-------------------------------------|------------------------------|
| • Placement of CDs or Sinking Funds | \$500 per set up/outside BTC |
| • Optional or Partial Redemption | \$300 |
| • Mandatory Redemption | \$100 |
| • Early Termination/Full Call | \$500 |
| • Paying Costs of Issuance | \$500 one-time fee |

SERVICES AVAILABLE UPON REQUEST

- | | |
|----------------------------------|--------------------------------|
| • Dissemination Agent | \$1,000 annual |
| • Tax credit bond filing | \$500 annual |
| • Disbursement Agent | \$5,000 initial/\$3,000 annual |
| • Disbursement Agent wires/check | \$10 per wire or check |

CHANGES IN FEE SCHEDULE

Bankers Trust reserves the right to renegotiate this fee schedule.

Reasonable charges will be made for additional services or reports not contemplated at the time of execution of the Agreement or not covered specifically elsewhere in this schedule. Extraordinary out-of-pocket expenses will be charged at cost. However, this does not include ordinary out-of-pocket expenses such as normal postage and supplies, which are included in the annual fees quoted above.

Effective January 1, 2018

Meeting Date: 04/15/2019

Information

Subject

Enter into closed session in accordance with Iowa Code Section 21.5(1)(c) to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation.

Information

Roll call to go into closed session is in order.

Fiscal Impact

Attachments

No file(s) attached.

Meeting Date: 04/15/2019

Information

Subject

Enter into closed session in accordance with Iowa Code Section 21.5(1)(j) to discuss the purchase or sale of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property or reduce the price the governmental body would receive for that property.

Information

Roll call is in order to go into closed session.

Fiscal Impact

Attachments

No file(s) attached.
