



CITY OF INDIANOLA COUNCIL MEETING

June 3, 2024

6:00 PM

City Council Chambers

110 N 1st Street, Indianola, IA

Agenda

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Roll Call**
- 4. Public Comment**
- 5. Consent Agenda**
 - A. Approval of Agenda
 - B. Approval of Claims
 - C. Approval of Minutes of the prior meetings on May 20, 2024.
 - D. Setting dates for future public hearings
 1. Resolution setting a public hearing for June 17, 2024, at 6:00 p.m. regarding a third amendment to the Fiscal Year 24 budget.
 2. Resolution setting a hearing for June 17, 2024, at 6:00 p.m. regarding the determination of a nuisance at 911 North C Street.
 3. Resolution setting a public hearing for July 1, 2024, at 6:00 p.m. regarding an amendment to Section 165.06, Zoning Regulations: Site Plan Regulations and Procedures of the Code of Ordinances of Indianola, Iowa.
 4. Resolution setting a public hearing for July 1, 2024, at 6:00 p.m. regarding an amendment to Section 165.09, Zoning Regulations: Building Design Standards of the Code of Ordinances of Indianola, Iowa.
 - E. Approval of Applications
 1. Consideration of the approval of a Home Base Iowa Incentive Application from Marvin Slagg and authorization of a handwritten warrant in the amount of \$1500.00.
 2. Consideration of the approval of a new liquor license for the Des Moines Metro Opera.
 3. Consideration of the approval of a renewal liquor license for Casey's General Store #1908.

4. Consideration of the approval of a renewal liquor license for Casey's General Store #1623.
5. Consideration of the approval of a renewal liquor license for Sodexo Management, Inc., pending final approval by the Fire Department.
- F. Resolution approving the sale of a portion of the north/south alley located east of the 100 block of South 1st Street and west of the 100 block of South Jefferson Way.
- G. Resolution approving the granting of various easements on a portion of the north/south alley located east of the 100 block of South 1st Street and west of the 100 block of South Jefferson Way.
- H. Resolution approving annual salaries.
- I. Resolution authorizing an agreement with OPG-3.
- J. Resolution approving sculpture locations, wind banner locations and sidewalk inlay locations for the Wonder on Buxton Project.
- K. Resolution declaring emergency conditions on city property and authorizing emergency repairs.
- L. Resolution referring a zoning code amendment request regarding allowable uses in the C-3, Downtown Commercial Zoning District to the Planning And Zoning Commission.
- M. Resolution authorizing the Mayor to execute the Iowa Economic Development Authority Community Development Block Grant (CDBG) Program Contract and the associated required acknowledgment of environmental review requirements.
- N. Approval of Urban Revitalization Designations
- O. Resolution approving salaries.

6. Council Reports

7. Mayor's Report

8. Public Consideration

- A. Old Business
 1. Chapter 165, Zoning Regulations
 - a. Public hearing regarding various amendments to Chapter 165, Zoning Regulations.
 - b. First consideration of ordinance regarding various amendments to Chapter 165, Zoning Regulations.
- B. New Business
 1. First consideration of an ordinance amending the Subdivision Regulations of Chapter 170 of the Code of Ordinances of Indianola, Iowa.
 2. First consideration of an ordinance adding Chapter 171, Parkland Dedication, to the Code of Ordinances of Indianola, Iowa.

3. First consideration of an ordinance adding Chapter 172, Stream Buffer Protection, to the Code of Ordinances of Indianola, Iowa.
4. Resolution approving a Public Right-of-way Lease with The Concession Stand, located at 201 North Buxton Street.

9. Other Business

- A. City Manager's Report - Ben Reeves
- B. Set a special meeting date and time for year-end claims and transfers.

10. Adjourn



MEMORANDUM

To: Mayor and City Council

From:

Date: June 3, 2024

Subject: Approval of Claims

Recommendation: Roll call is in order.

Attachments: 1. Vendor Report 6032024

Vendor Name	Description	Invoice Date	Net Invoice Amount	FUND
A+ LAWN & LANDSCAPE				
A+ LAWN & LANDSCAPE	PICKARD POND TREATMENT	05/15/2024	450.00	PARK & RECREATI
Total A+ LAWN & LANDSCAPE:			450.00	
ACE HARDWARE				
ACE HARDWARE	POOL CAULKING	05/13/2024	28.97	POOL (MEMORIAL)
ACE HARDWARE	POOL CAULKING	05/13/2024	5.98	POOL (MEMORIAL)
ACE HARDWARE	CASTER WHEELS	05/14/2024	22.36	PARK & RECREATI
ACE HARDWARE	POOL PLUMBING FIXTURES	05/16/2024	13.96	POOL (MEMORIAL)
ACE HARDWARE	POOL PLUMBING FIXTURE RETURN	05/16/2024	11.18	POOL (MEMORIAL)
ACE HARDWARE	IWC	05/17/2024	17.18	MAINTENANCE
ACE HARDWARE	BUCKETS, COUPLET SET, AIR HOSE	05/20/2024	37.35	SEWER FUND
ACE HARDWARE	MISC. FASTNERS	05/20/2024	9.58	PARK & RECREATI
ACE HARDWARE	MAINTENANCE FOR POOL	05/21/2024	244.50	WELLNESS CAMP
ACE HARDWARE	SHOP SUPPLIES	05/22/2024	17.99	ROAD USE TAX FU
ACE HARDWARE	STIHL TRIM LINE	05/23/2024	31.98	PARK & RECREATI
ACE HARDWARE	PICKARD AC	05/23/2024	7.99	MAINTENANCE
ACE HARDWARE	PICKARD AC	05/23/2024	21.99	MAINTENANCE
Total ACE HARDWARE:			448.65	
ACTION REPROGRAPHICS				
ACTION REPROGRAPHICS	VEHICLE GRAPHICS	05/13/2024	268.06	POLICE FUND
Total ACTION REPROGRAPHICS:			268.06	
ADVANCED DATA PROCESSING INC				
ADVANCED DATA PROCESSING	MONTHLY EMS INVOICE APRIL 2024	05/17/2024	4,659.87	AMBULANCE FUN
Total ADVANCED DATA PROCESSING INC:			4,659.87	
AGRILAND FS INC				
AGRILAND FS INC	PROPANE FOR GREENHOUSE	04/19/2024	1,120.00	PARK & RECREATI
AGRILAND FS INC	FIELD MARKING CHALK	04/08/2024	531.00	PARK & RECREATI
AGRILAND FS INC	TORDON	05/15/2024	71.41	PARK & RECREATI
AGRILAND FS INC	ROUNDUP QUICK PRO	05/17/2024	392.92	PARK & RECREATI
Total AGRILAND FS INC:			2,115.33	
AHLERS & COONEY P.C.				
AHLERS & COONEY P.C.	DEBT SERVICE LEGAL SERVICE	05/22/2024	292.50	DEBT SERVICE FU
Total AHLERS & COONEY P.C.:			292.50	
ALLSUP, PAT				
ALLSUP, PAT	MAY 2024 CELL	05/16/2024	50.00	POLICE FUND
Total ALLSUP, PAT:			50.00	
AMAZON CAPITAL SERVICES				
AMAZON CAPITAL SERVICES	360 CAMERA	05/25/2024	560.00	GENERAL FUND
AMAZON CAPITAL SERVICES	POOL SEALANT AND ICE MACHINE CLEANER	05/21/2024	35.40	POOL (MEMORIAL)
AMAZON CAPITAL SERVICES	OFFICE SUPPLIES	05/27/2024	60.01	ROAD USE TAX FU
AMAZON CAPITAL SERVICES	OFFICE SUPPLIES	05/15/2024	146.41	ROAD USE TAX FU
AMAZON CAPITAL SERVICES	NETWORK ENDS	05/24/2024	57.99	GENERAL FUND
AMAZON CAPITAL SERVICES	SUPPLIES	05/19/2024	23.69	SEWER FUND
AMAZON CAPITAL SERVICES	MOP HEADS, LANYARDS, OFFICE SUPPLIES	05/25/2024	117.76	PARK & RECREATI

Vendor Name	Description	Invoice Date	Net Invoice Amount	FUND
AMAZON CAPITAL SERVICES	COMMUNICATIONS EQUIPMENT	05/21/2024	2,678.19	GENERAL FUND
AMAZON CAPITAL SERVICES	TREE GATORS	05/23/2024	142.97	PARK & RECREATI
AMAZON CAPITAL SERVICES	POOL CONCESSIONS	05/25/2024	60.78	POOL (MEMORIAL)
AMAZON CAPITAL SERVICES	IWC FAUCET	05/15/2024	57.75	MAINTENANCE
AMAZON CAPITAL SERVICES	OFFICE SUPPLIES	05/27/2024	109.98	ROAD USE TAX FU
AMAZON CAPITAL SERVICES	NETWORK ENDS	05/16/2024	57.99	GENERAL FUND
AMAZON CAPITAL SERVICES	SUPPLIES FOR TRAINING	05/18/2024	178.79	WELLNESS CAMP
AMAZON CAPITAL SERVICES	OUTDOOR BENCH FOR BUILDING	05/22/2024	232.33	FIRE FUND
Total AMAZON CAPITAL SERVICES:			4,520.04	
APPLE INC.				
APPLE INC.	APPLE PENCIL	05/16/2024	119.00	GENERAL FUND
APPLE INC.	IPAD	05/17/2024	1,528.00	GENERAL FUND
Total APPLE INC.:			1,647.00	
BENDON PLUMBING, HEATING, & AIR LLC				
BENDON PLUMBING, HEATING,	NEW 375XL WILKINS RPZ FOR SESQUI IRR	05/15/2024	1,457.00	PARK & RECREATI
BENDON PLUMBING, HEATING,	REPAIRS TO BUXTON PARK IRRIGATION	05/21/2024	311.65	PARK & RECREATI
Total BENDON PLUMBING, HEATING, & AIR LLC:			1,768.65	
BIRDLAND INVITATIONAL				
BIRDLAND INVITATIONAL	BIRDLAND SWIM MEET	05/29/2024	128.00	WELLNESS CAMP
Total BIRDLAND INVITATIONAL:			128.00	
BLUEMARK ENERGY LLC				
BLUEMARK ENERGY LLC	NATURAL GAS	05/23/2024	1,213.77	WELLNESS CAMP
Total BLUEMARK ENERGY LLC:			1,213.77	
BOB'S CUSTOM TROPHIES				
BOB'S CUSTOM TROPHIES	NAME PLATE - BRIAN SHER	05/24/2024	11.95	POLICE FUND
BOB'S CUSTOM TROPHIES	NAME PLATE - DOUG BYLUND	05/24/2024	11.95	PARK & RECREATI
BOB'S CUSTOM TROPHIES	NAME PLATE - JARED KEENAN	05/24/2024	11.95	SEWER FUND
BOB'S CUSTOM TROPHIES	NAME PLATE - CALEB ADAMS -BROWN	05/24/2024	11.95	ROAD USE TAX FU
BOB'S CUSTOM TROPHIES	NAME PLATE - JACKIE RAFFETY	05/24/2024	11.95	GENERAL FUND
BOB'S CUSTOM TROPHIES	NAME PLATE - BEN REEVES	05/24/2024	11.95	GENERAL FUND
BOB'S CUSTOM TROPHIES	NAME PLATE - COURTNEY SILLIMAN	05/24/2024	11.95	GENERAL FUND
BOB'S CUSTOM TROPHIES	NAME PLATE - AKHILESH PAL	05/24/2024	11.95	ROAD USE TAX FU
BOB'S CUSTOM TROPHIES	NAME PLATE - CHARLIE DISSELL	05/24/2024	11.95	GENERAL FUND
BOB'S CUSTOM TROPHIES	NAME PLATE - AARON YOUNG	05/24/2024	11.95	GENERAL FUND
BOB'S CUSTOM TROPHIES	NAME PLATE - JASON HOLDER	05/24/2024	11.95	GENERAL FUND
BOB'S CUSTOM TROPHIES	NAME PLATE - ROXANNE STOTLER	05/24/2024	11.00	GENERAL FUND
Total BOB'S CUSTOM TROPHIES:			142.45	
BOEGE, KATELYN				
BOEGE, KATELYN	3RD-5TH YTH SB OFFICIAL	05/21/2024	80.00	PARK & RECREATI
BOEGE, KATELYN	3RD-5TH YTH SB OFFICIAL	05/24/2024	40.00	PARK & RECREATI
Total BOEGE, KATELYN:			120.00	
BOEGE, LISA				
BOEGE, LISA	3RD-5TH YTH SB OFFICIAL	05/21/2024	140.00	PARK & RECREATI
BOEGE, LISA	3RD-5TH YTH SB OFFICIAL	05/24/2024	70.00	PARK & RECREATI

Vendor Name	Description	Invoice Date	Net Invoice Amount	FUND
Total BOEGE, LISA:			210.00	
BOLTON & HAY INC.				
BOLTON & HAY INC.	PICKARD CONCESSIONS THERMOMETERS	05/22/2024	38.47	PARK & RECREATI
BOLTON & HAY INC.	POOL CONCESSIONS AND THERMOMETER	05/22/2024	192.30	POOL (MEMORIAL)
Total BOLTON & HAY INC.:			230.77	
BOUND TREE MEDICAL LLC				
BOUND TREE MEDICAL LLC	EMS SUPPLIES	05/16/2024	2,017.85	AMBULANCE FUN
Total BOUND TREE MEDICAL LLC:			2,017.85	
BRUENING ROCK PRODUCTS				
BRUENING ROCK PRODUCTS	ROAD STONE	05/20/2024	1,451.27	ROAD USE TAX FU
Total BRUENING ROCK PRODUCTS:			1,451.27	
CEMEN-TECH				
CEMEN-TECH	EASEMENT/ROW PAYMENT	05/22/2024	17,340.00	INDUSTRIAL PARK
Total CEMEN-TECH:			17,340.00	
CENTRAL IOWA FASTENERS				
CENTRAL IOWA FASTENERS	POOL CLEANING SUPPLIES, SOAP, TP	05/16/2024	1,415.04	POOL (MEMORIAL)
Total CENTRAL IOWA FASTENERS:			1,415.04	
CHRISTIAN OPPORTUNITY CENTER				
CHRISTIAN OPPORTUNITY CEN	APRIL CLEANING SERVICE	05/10/2024	185.40	ROAD USE TAX FU
Total CHRISTIAN OPPORTUNITY CENTER:			185.40	
CINTAS CORPORATION				
CINTAS CORPORATION	CINTAS	05/15/2024	223.60	SEWER FUND
Total CINTAS CORPORATION:			223.60	
CITY SUPPLY CORPORATION				
CITY SUPPLY CORPORATION	PARTS FOR DRINKING FOUNTAINS - TRAILH	05/16/2024	52.09	PARK & RECREATI
CITY SUPPLY CORPORATION	POOL PLUMBING PARTS	05/16/2024	10.85	POOL (MEMORIAL)
Total CITY SUPPLY CORPORATION:			62.94	
CNM OUTDOOR EQUIPMENT				
CNM OUTDOOR EQUIPMENT	CHAINSAW SUPPLIES	05/21/2024	257.12	ROAD USE TAX FU
Total CNM OUTDOOR EQUIPMENT:			257.12	
COMPLETE CARPET CARE INC				
COMPLETE CARPET CARE INC	CLEAN LEARN & PLAY CARPET	05/18/2024	135.00	WELLNESS CAMP
Total COMPLETE CARPET CARE INC:			135.00	
CONFLUENCE INC.				
CONFLUENCE INC.	HOSUING STUDY	05/28/2024	3,458.00	GENERAL FUND

Vendor Name	Description	Invoice Date	Net Invoice Amount	FUND
Total CONFLUENCE INC.:			3,458.00	
CORE-MARK MIDCONTINENT INC				
CORE-MARK MIDCONTINENT I	PICKARD CONCESSIONS	05/17/2024	754.20	PARK & RECREATI
CORE-MARK MIDCONTINENT I	PICKARD CONCESSIONS	05/21/2024	1,487.48	PARK & RECREATI
CORE-MARK MIDCONTINENT I	POOL CONCESSIONS	05/21/2024	1,733.23	POOL (MEMORIAL)
CORE-MARK MIDCONTINENT I	POOL CONCESSIONS	05/24/2024	1,119.97	POOL (MEMORIAL)
CORE-MARK MIDCONTINENT I	POOL CONCESSIONS	05/24/2024	557.11	POOL (MEMORIAL)
CORE-MARK MIDCONTINENT I	PICKARD CONCESSIONS	05/24/2024	992.92	PARK & RECREATI
Total CORE-MARK MIDCONTINENT INC:			6,644.91	
CRAWFORD, RICHARD L.				
CRAWFORD, RICHARD L.	COED CHURCH SB OFFICIAL	05/24/2024	96.00	PARK & RECREATI
Total CRAWFORD, RICHARD L.:			96.00	
CUNNINGHAM, LEANNA				
CUNNINGHAM, LEANNA	REIMBURSEMENT - LIFEGUARD CERTIFICA	05/28/2024	55.00	WELLNESS CAMP
Total CUNNINGHAM, LEANNA:			55.00	
DLH GRAFX				
DLH GRAFX	PICKARD SPONSORSHIP BANNERS	05/24/2024	702.00	PARK & RECREATI
Total DLH GRAFX:			702.00	
DOORS INC				
DOORS INC	DOOR KEYS CUT & STAMPED	05/14/2024	166.92	WELLNESS CAMP
Total DOORS INC:			166.92	
DOWNEY TIRE PROS				
DOWNEY TIRE PROS	TIRE REPAIR LANDPRIDE MOWER	05/13/2024	30.22	PARK & RECREATI
Total DOWNEY TIRE PROS:			30.22	
DUST PROS JANITORIAL				
DUST PROS JANITORIAL	JANITORIAL SERVICES	05/15/2024	500.00	GENERAL FUND
DUST PROS JANITORIAL	JANITORIAL SUPPLIES	05/15/2024	29.50	GENERAL FUND
DUST PROS JANITORIAL	WRRF JANITOR SERVICES	05/15/2024	650.00	SEWER FUND
DUST PROS JANITORIAL	WRRF JANITORIAL SERVICE	05/15/2024	29.50	SEWER FUND
DUST PROS JANITORIAL	JANITORIAL - N HOWARD	05/15/2024	225.00	CH BUILDING PRO
Total DUST PROS JANITORIAL:			1,434.00	
DVM INSURANCE AGENCY				
DVM INSURANCE AGENCY	K9 INSURANCE	05/23/2024	590.94	POLICE FUND
Total DVM INSURANCE AGENCY:			590.94	
EGINOIRE, JACKLYN				
EGINOIRE, JACKLYN	REIMBURSEMENT LIFEGUARD INSTRUCTO	05/28/2024	235.00	WELLNESS CAMP
Total EGINOIRE, JACKLYN:			235.00	

Vendor Name	Description	Invoice Date	Net Invoice Amount	FUND
ELIXIR RX SOLUTIONS				
ELIXIR RX SOLUTIONS	411 RX	05/15/2024	58.34	POLICE FUND
Total ELIXIR RX SOLUTIONS:			58.34	
FAREWAY STORE				
FAREWAY STORE	TEA PARTY SNACKS	05/14/2024	62.57	PARK & RECREATI
Total FAREWAY STORE:			62.57	
GLOBAL PUBLIC SAFETY				
GLOBAL PUBLIC SAFETY	TAC10 MAINTENANCE RENEWAL	05/22/2024	1,620.00	POLICE FUND
Total GLOBAL PUBLIC SAFETY:			1,620.00	
GRAINGER INC				
GRAINGER INC	IWC RTU4&5	05/22/2024	16.50	MAINTENANCE
Total GRAINGER INC:			16.50	
HAWKEYE TRUCK EQUIPMENT				
HAWKEYE TRUCK EQUIPMENT	MOTOR SEAL KIT	05/14/2024	155.00	ROAD USE TAX FU
Total HAWKEYE TRUCK EQUIPMENT:			155.00	
HAWKINS INC				
HAWKINS INC	FERRIC CHLORIDE	05/16/2024	11,947.10	SEWER FUND
Total HAWKINS INC:			11,947.10	
HENRY, DALE & LUCILLE				
HENRY, DALE & LUCILLE	EASEMENT/ROW PAYMENT	05/22/2024	3,775.00	INDUSTRIAL PARK
Total HENRY, DALE & LUCILLE:			3,775.00	
HENRY, KEITH				
HENRY, KEITH	EASEMENT/ROW PAYMENT	05/22/2024	2,915.00	INDUSTRIAL PARK
Total HENRY, KEITH:			2,915.00	
HR GREEN INC				
HR GREEN INC	ON CALL SERVICES- HR GREEN	04/12/2024	17,777.96	SEWER CAPITAL P
Total HR GREEN INC:			17,777.96	
HY-VEE				
HY-VEE	MULCH	05/08/2024	1,890.00	PARK & RECREATI
HY-VEE	TEA PARTY FLOWERS	05/16/2024	200.00	PARK & RECREATI
HY-VEE	PICKARD CONCESSIONS	05/23/2024	5.59	PARK & RECREATI
Total HY-VEE:			2,095.59	
INDEPENDENT ADVOCATE				
INDEPENDENT ADVOCATE	PH CHAPTER 165 ZONING REG	05/14/2024	13.70	GENERAL FUND
INDEPENDENT ADVOCATE	ORD 1735	05/14/2024	103.56	GENERAL FUND
INDEPENDENT ADVOCATE	ORD 1734	05/14/2024	26.34	GENERAL FUND
INDEPENDENT ADVOCATE	20240506 COUNCIL MINUTES	05/14/2024	461.15	GENERAL FUND

Vendor Name	Description	Invoice Date	Net Invoice Amount	FUND
Total INDEPENDENT ADVOCATE:			604.75	
INFOMAX OFFICE SYSTEMS INC.				
INFOMAX OFFICE SYSTEMS IN	PRINTER CONTRACT	05/13/2024	4,017.46	GENERAL FUND
Total INFOMAX OFFICE SYSTEMS INC.:			4,017.46	
IOWA MEDICAID ENTERPRISE				
IOWA MEDICAID ENTERPRISE	IOWA GEMT MCO PAYMENT	05/24/2024	6,481.06	AMBULANCE FUN
Total IOWA MEDICAID ENTERPRISE:			6,481.06	
IOWA ONE CALL				
IOWA ONE CALL	IOWA ONE CALL	05/23/2024	419.40	SEWER FUND
Total IOWA ONE CALL:			419.40	
IOWA PRISON INDUSTRIES				
IOWA PRISON INDUSTRIES	WORK SHIRTS	05/14/2024	310.13	ROAD USE TAX FU
Total IOWA PRISON INDUSTRIES:			310.13	
IOWA-DES MOINES SUPPLY INC.				
IOWA-DES MOINES SUPPLY IN	MEMBERSHIP SUPPLIES	05/14/2024	390.54	WELLNESS CAMP
IOWA-DES MOINES SUPPLY IN	MAINTENANCE SUPPLIES	05/14/2024	739.37	WELLNESS CAMP
Total IOWA-DES MOINES SUPPLY INC.:			1,129.91	
JV TRUCKING LLC				
JV TRUCKING LLC	3/8" DIRTY CHIPS GRAVEL FOR PICKARD SO	05/20/2024	505.08	PARK & RECREATI
Total JV TRUCKING LLC:			505.08	
KARL EMERGENCY VEHICLES				
KARL EMERGENCY VEHICLES	70262 SPECIALIZED EQUIPMENT	04/19/2024	2,563.92	POLICE FUND
Total KARL EMERGENCY VEHICLES:			2,563.92	
KELLY, JACOB				
KELLY, JACOB	COED SB OFFICIAL	05/24/2024	128.00	PARK & RECREATI
Total KELLY, JACOB:			128.00	
KEYSTONE LABORATORIES INC				
KEYSTONE LABORATORIES IN	KEYSTONE	04/30/2024	2,370.00	SEWER FUND
Total KEYSTONE LABORATORIES INC:			2,370.00	
KIGER, MCKENZIE				
KIGER, MCKENZIE	LIFEGUARD INSTRUCTOR CLASS	05/20/2024	2,800.00	WELLNESS CAMP
Total KIGER, MCKENZIE:			2,800.00	
KIYA KODA HUMANE SOCIETY				
KIYA KODA HUMANE SOCIETY	MONTHLY CONTRACTED SERVICES	05/23/2024	4,500.00	POLICE FUND

Vendor Name	Description	Invoice Date	Net Invoice Amount	FUND
Total KIYA KODA HUMANE SOCIETY:			4,500.00	
LAWSON PRODUCTS				
LAWSON PRODUCTS	SHOP SUPPLIES	05/13/2024	34.60	ROAD USE TAX FU
LAWSON PRODUCTS	SHOP SUPPLIES	05/15/2024	136.10	ROAD USE TAX FU
Total LAWSON PRODUCTS:			170.70	
MACQUEEN EQUIPMENT LLC				
MACQUEEN EQUIPMENT LLC	SANDRY INLINE PRESSURE GAUGE NOZZL	05/27/2024	477.10	FIRE FUND
MACQUEEN EQUIPMENT LLC	SCBA REGULATOR REBUILD	05/27/2024	67.44	FIRE FUND
Total MACQUEEN EQUIPMENT LLC:			544.54	
MCCOY HARDWARE INC				
MCCOY HARDWARE INC	POOL CLEANING SUPPLIES	05/13/2024	31.98	POOL (MEMORIAL)
MCCOY HARDWARE INC	POOL CONCRETE	05/13/2024	5.84	POOL (MEMORIAL)
MCCOY HARDWARE INC	LIBRARY SINK REPAIR	05/14/2024	6.98	MAINTENANCE
MCCOY HARDWARE INC	POOL TOILET REPAIR	05/14/2024	31.75	POOL (MEMORIAL)
MCCOY HARDWARE INC	TOOLS	05/17/2024	21.59	MAINTENANCE
MCCOY HARDWARE INC	COUPLING	05/17/2024	6.74	SEWER FUND
MCCOY HARDWARE INC	VMAC - CONCESSION LIGHTS	05/28/2024	8.99	MAINTENANCE
Total MCCOY HARDWARE INC:			113.87	
MCINTYRE, CRAIG				
MCINTYRE, CRAIG	COED SB OFFICIAL	05/24/2024	128.00	PARK & RECREATI
Total MCINTYRE, CRAIG:			128.00	
MENARDS				
MENARDS	STORM WATER SUPPLIES	05/13/2024	947.80	STORMWATER UTI
MENARDS	STORM WATER SUPPLIES	05/13/2024	68.40	STORMWATER UTI
Total MENARDS:			1,016.20	
MERCY COLLEGE OF HEALTH SCIENCES				
MERCY COLLEGE OF HEALTH	N JOHNSTON PARAMEDIC CLASS	05/14/2024	5,014.00	AMBULANCE FUN
Total MERCY COLLEGE OF HEALTH SCIENCES:			5,014.00	
MESECHER, KELSEY				
MESECHER, KELSEY	COED SB OFFICIAL	05/21/2024	128.00	PARK & RECREATI
Total MESECHER, KELSEY:			128.00	
MID AMERICAN ENERGY CO.				
MID AMERICAN ENERGY CO.	WRRF ELECTRIC	05/13/2024	10,341.99	SEWER FUND
MID AMERICAN ENERGY CO.	SIGN LIGHTING	05/13/2024	11.43	GENERAL FUND
MID AMERICAN ENERGY CO.	STREET LIGHTS	05/13/2024	164.15	ROAD USE TAX FU
MID AMERICAN ENERGY CO.	65/69 ELECTRIC	05/16/2024	61.80	SEWER FUND
MID AMERICAN ENERGY CO.	WESLEY ELECTRIC	05/16/2024	42.38	SEWER FUND
MID AMERICAN ENERGY CO.	UTILITES 206 N 1ST STREET	05/17/2024	14.37	FIRE FUND
MID AMERICAN ENERGY CO.	ACTIVITY CENTER UTILITIES	05/17/2024	75.35	PARK & RECREATI
MID AMERICAN ENERGY CO.	STREET SHOP NATURAL GAS	05/17/2024	69.73	ROAD USE TAX FU
MID AMERICAN ENERGY CO.	QUAIL MEADOWS ELECTRIC	05/17/2024	65.75	SEWER FUND
MID AMERICAN ENERGY CO.	114 N HOWARD - GAS UTILITIES	05/17/2024	60.69	CH BUILDING PRO

Vendor Name	Description	Invoice Date	Net Invoice Amount	FUND
MID AMERICAN ENERGY CO.	CH UTILITIES	05/17/2024	166.71	GENERAL FUND
Total MID AMERICAN ENERGY CO.:			11,074.35	
MILLER ELECTRICAL SERVICES				
MILLER ELECTRICAL SERVICE	PUMP ELECTRICAL REPAIRS	05/17/2024	532.51	POOL (MEMORIAL)
Total MILLER ELECTRICAL SERVICES:			532.51	
MUNICIPAL SUPPLY INC				
MUNICIPAL SUPPLY INC	POOL PIPE COMPRESSION FITTING	05/20/2024	49.80	POOL (MEMORIAL)
Total MUNICIPAL SUPPLY INC:			49.80	
NAPA AUTO PARTS				
NAPA AUTO PARTS	VEHICLE SUPPLIES	05/14/2024	214.94	SEWER FUND
NAPA AUTO PARTS	SHOP SUPPLIES	05/17/2024	56.52	FIRE FUND
NAPA AUTO PARTS	CORE DEPOSIT	05/23/2024	18.00	SEWER FUND
Total NAPA AUTO PARTS:			253.46	
NATIONWIDE OFFICE CLEANERS LLC				
NATIONWIDE OFFICE CLEANER	MAY CLEANING	05/15/2024	5,554.43	WELLNESS CAMP
Total NATIONWIDE OFFICE CLEANERS LLC:			5,554.43	
NIXON, TREYTON				
NIXON, TREYTON	K9 TRAINING	05/19/2024	582.23	POLICE FUND
Total NIXON, TREYTON:			582.23	
NORWALK READY-MIXED CONCRETE				
NORWALK READY-MIXED CON	CONCRETE REPAIR @ 1311 W. CLINTON AV	05/14/2024	1,344.00	ROAD USE TAX FU
NORWALK READY-MIXED CON	INTAKE REPAIR @ N. 1ST & E. CLINTON	05/16/2024	415.00	STORMWATER UTI
NORWALK READY-MIXED CON	INTAKE REPAIR @ 1500 BLK. N. G ST.	05/16/2024	664.00	STORMWATER UTI
NORWALK READY-MIXED CON	CONCRETE REPAIR @ 810 N 14TH ST	05/22/2024	2,282.50	ROAD USE TAX FU
NORWALK READY-MIXED CON	STREET REPAIR N. I ST.	05/23/2024	210.00	ROAD USE TAX FU
Total NORWALK READY-MIXED CONCRETE:			4,915.50	
O'HALLORAN INTERNATIONAL				
O'HALLORAN INTERNATIONAL	REPAIR UNIT 12 DUMP TRUCK	09/09/2023	1,480.54	ROAD USE TAX FU
O'HALLORAN INTERNATIONAL	REPAIR UNIT 12 DUMP TRUCK	09/15/2023	2,120.38	ROAD USE TAX FU
O'HALLORAN INTERNATIONAL	TRUCK REPAIR - UNIT 23	09/29/2023	2,509.06	ROAD USE TAX FU
O'HALLORAN INTERNATIONAL	TRUCK REPAIR - UNIT 23	09/29/2023	2,988.57	ROAD USE TAX FU
O'HALLORAN INTERNATIONAL	UNIT 24 DUMPTRUCK REPAIR	01/18/2024	1,017.00	ROAD USE TAX FU
O'HALLORAN INTERNATIONAL	UNIT 23 PLOW TRUCK	01/25/2024	2,135.08	ROAD USE TAX FU
O'HALLORAN INTERNATIONAL	REPAIR UNIT 12 DUMP TRUCK	09/28/2023	307.93	ROAD USE TAX FU
O'HALLORAN INTERNATIONAL	UNIT 24 DUMPTRUCK REPAIR	09/29/2023	246.70	ROAD USE TAX FU
O'HALLORAN INTERNATIONAL	UNIT 23 PLOW TRUCK	01/30/2024	406.81	ROAD USE TAX FU
Total O'HALLORAN INTERNATIONAL:			13,212.07	
ONSITE MEDICAL SERVICE INC				
ONSITE MEDICAL SERVICE INC	HEARING TEST - STREETS	05/23/2024	202.50	ROAD USE TAX FU
ONSITE MEDICAL SERVICE INC	HEARING TEST - PARKS	05/23/2024	90.00	PARK & RECREATI
ONSITE MEDICAL SERVICE INC	HEARING TEST - SEWER	05/23/2024	157.50	SEWER FUND

Vendor Name	Description	Invoice Date	Net Invoice Amount	FUND
Total ONSITE MEDICAL SERVICE INC:			450.00	
O'REILLY AUTO PARTS				
O'REILLY AUTO PARTS	EQUIPMENT REPAIRS	05/13/2024	12.81	ROAD USE TAX FU
O'REILLY AUTO PARTS	DEGREASER	05/17/2024	19.99	PARK & RECREATI
O'REILLY AUTO PARTS	JACK OIL	05/20/2024	7.99	PARK & RECREATI
O'REILLY AUTO PARTS	EQUIPMENT REPAIRS	05/20/2024	10.57	ROAD USE TAX FU
O'REILLY AUTO PARTS	BRAKE CLEANER	05/21/2024	95.88	ROAD USE TAX FU
O'REILLY AUTO PARTS	WIPER BLADES	05/22/2024	65.98	POLICE FUND
Total O'REILLY AUTO PARTS:			213.22	
PARK, KRIS				
PARK, KRIS	COED SB OFFICIAL	05/21/2024	128.00	PARK & RECREATI
PARK, KRIS	COED CHURCH SB OFFICIAL	05/24/2024	96.00	PARK & RECREATI
Total PARK, KRIS:			224.00	
PEPSI BEVERAGES COMPANY				
PEPSI BEVERAGES COMPANY	PICKARD CONCESSIONS	05/22/2024	1,410.12	PARK & RECREATI
PEPSI BEVERAGES COMPANY	PICKARD CONCESSIONS	05/24/2024	1,706.64	PARK & RECREATI
PEPSI BEVERAGES COMPANY	POOL CONCESSIONS	05/28/2024	1,189.80	POOL (MEMORIAL)
Total PEPSI BEVERAGES COMPANY:			4,306.56	
PHILLIPS' FLOORS INC				
PHILLIPS' FLOORS INC	PAINT PICKLEBALL FLOOR, REPAIR POOL TI	04/08/2024	3,030.00	WELLNESS CAMP
Total PHILLIPS' FLOORS INC:			3,030.00	
PIERCE BROTHERS REPAIR				
PIERCE BROTHERS REPAIR	SIGN BRACKET	05/21/2024	48.00	ROAD USE TAX FU
Total PIERCE BROTHERS REPAIR:			48.00	
PROIMAGE SIGN & LIGHTING				
PROIMAGE SIGN & LIGHTING	PICKARD SPONSORSHIP SIGNS	05/28/2024	868.00	PARK & RECREATI
Total PROIMAGE SIGN & LIGHTING:			868.00	
PROSCREENING LLC				
PROSCREENING LLC	PRE EMPLOYMENT SCREENING - VMAC AQ	05/15/2024	96.00	POOL (MEMORIAL)
PROSCREENING LLC	PRE EMPLOYMENT SCREENING - COMM DE	05/15/2024	164.00	GENERAL FUND
Total PROSCREENING LLC:			260.00	
PURCHASE POWER				
PURCHASE POWER	POSTAGE OVERAGE FEE & LATE FEE	05/20/2024	62.87	GENERAL FUND
Total PURCHASE POWER:			62.87	
RAFFETY, JACKIE				
RAFFETY, JACKIE	IMFOA CONF MILEAGE	05/13/2024	39.93	GENERAL FUND
RAFFETY, JACKIE	MARCH 2024 CELL	03/20/2024	50.00	GENERAL FUND
Total RAFFETY, JACKIE:			89.93	

Vendor Name	Description	Invoice Date	Net Invoice Amount	FUND
RANGEMASTERS TRAINING CENTER				
RANGEMASTERS TRAINING CENTER	T BISHOP JOB SHIRT	05/20/2024	253.58	AMBULANCE FUN
Total RANGEMASTERS TRAINING CENTER:			253.58	
REEVES, BEN				
REEVES, BEN	MAY 2024 CELL	05/24/2024	75.00	GENERAL FUND
Total REEVES, BEN:			75.00	
RELIANT FIRE APPARATUS				
RELIANT FIRE APPARATUS	MEDIC 246 REPAIR A/C	05/24/2024	666.07	AMBULANCE FUN
Total RELIANT FIRE APPARATUS:			666.07	
RT'S LAWN & LANDSCAPE LLC				
RT'S LAWN & LANDSCAPE LLC	TREE TRIMMING/REMOVAL - 1220 S 4TH ST	05/16/2024	500.00	GENERAL FUND
RT'S LAWN & LANDSCAPE LLC	MOWING - 1310 N 6TH ST - ABATEMENT	05/23/2024	110.00	GENERAL FUND
RT'S LAWN & LANDSCAPE LLC	MOWING - 1007 N D ST - ABATEMENT	05/23/2024	165.00	GENERAL FUND
RT'S LAWN & LANDSCAPE LLC	MOWING - 1901 W 4TH AVE - ABATEMENT	05/23/2024	220.00	GENERAL FUND
RT'S LAWN & LANDSCAPE LLC	MOWING - 1001 CAROLINE TER - ABATEME	05/23/2024	110.00	GENERAL FUND
Total RT'S LAWN & LANDSCAPE LLC:			1,105.00	
SHULL, DOUG				
SHULL, DOUG	MONTHLY CONTRACTED SERVICE	05/24/2024	83.33	GENERAL FUND
Total SHULL, DOUG:			83.33	
SIMMERING-CORY				
SIMMERING-CORY	APRIL 2024 SUPPLEMENT	05/10/2024	641.00	GENERAL FUND
Total SIMMERING-CORY:			641.00	
SLAGG, MARVIN P				
SLAGG, MARVIN P	HOME BASE IOWA	05/29/2024	1,500.00	GENERAL FUND
Total SLAGG, MARVIN P:			1,500.00	
SNYDER & ASSOCIATES INC				
SNYDER & ASSOCIATES INC	WILLOWCREST AVE LOCATION/ALIGNMENT	04/25/2024	7,939.75	GENERAL FUND
SNYDER & ASSOCIATES INC	MISC ENGINEERING	04/30/2024	1,267.50	GENERAL FUND
SNYDER & ASSOCIATES INC	STREET ISSUES	04/30/2024	873.54	ROAD USE TAX FU
SNYDER & ASSOCIATES INC	DRAINAGE ISSUES	04/30/2024	536.25	STORMWATER UTI
SNYDER & ASSOCIATES INC	PARK & REC ENGINEERING	04/30/2024	752.50	CAPITAL PROJECT
SNYDER & ASSOCIATES INC	DRAINAGE ISSUES	04/30/2024	1,115.50	STORMWATER UTI
SNYDER & ASSOCIATES INC	PARK & REC ENGINEERING	04/30/2024	634.53	CAPITAL PROJECT
Total SNYDER & ASSOCIATES INC:			13,119.57	
T.R.M. DISPOSAL LLC				
T.R.M. DISPOSAL LLC	CITY HALL TRASH	05/24/2024	104.00	GENERAL FUND
T.R.M. DISPOSAL LLC	N HOWARD TRASH SERVICE	05/24/2024	92.00	CH BUILDING PRO
T.R.M. DISPOSAL LLC	GARBAGE BILL	05/24/2024	21.00	POLICE FUND
T.R.M. DISPOSAL LLC	TRASH REMOVAL	05/24/2024	117.00	WELLNESS CAMP
T.R.M. DISPOSAL LLC	TRASH REMOVAL	05/24/2024	194.00	SEWER FUND

Vendor Name	Description	Invoice Date	Net Invoice Amount	FUND
Total T.R.M. DISPOSAL LLC:			528.00	
TELEFLEX LLC				
TELEFLEX LLC	EMS SUPPLIES EZ-IO'S	05/20/2024	1,215.50	AMBULANCE FUN
Total TELEFLEX LLC:			1,215.50	
TESTERMAN, THOMAS L				
TESTERMAN, THOMAS L	DATA 911 SERVICE TECH	05/15/2024	400.00	POLICE FUND
Total TESTERMAN, THOMAS L:			400.00	
TG TECHNICAL SERVICES				
TG TECHNICAL SERVICES	O2 SENSOR FOR THE 4-GAS METER ON 333	05/16/2024	136.03	FIRE FUND
Total TG TECHNICAL SERVICES:			136.03	
THEISEN'S				
THEISEN'S	SUPPLIES	05/03/2024	100.87	SEWER FUND
THEISEN'S	VEHICLE CLEANING SUPPLIES	05/09/2024	12.47	SEWER FUND
THEISEN'S	VEHICLE CLEANING SUPPLIES	05/09/2024	21.86	SEWER FUND
THEISEN'S	TIRES FOR POWER WASHER,	05/20/2024	39.98	PARK & RECREATI
THEISEN'S	SPRAY PAINT, TIRE PLUG KIT, PLUGS	05/20/2024	14.11	PARK & RECREATI
THEISEN'S	RACHET STRAP	05/20/2024	12.99	SEWER FUND
THEISEN'S	BOLTS, LOCKNUTS	05/22/2024	19.94	SEWER FUND
THEISEN'S	SHOP SUPPLIES	05/22/2024	9.21	ROAD USE TAX FU
THEISEN'S	RATCHET STRAP	05/22/2024	24.99	SEWER FUND
THEISEN'S	SHOP SUPPLIES	05/23/2024	14.64	ROAD USE TAX FU
THEISEN'S	DRILL BIT	05/24/2024	50.50	SEWER FUND
Total THEISEN'S:			321.56	
TK ELEVATOR CORPORATION				
TK ELEVATOR CORPORATION	ELEVATOR MAINTENANCE AGREEMENT	06/01/2024	350.64	GENERAL FUND
Total TK ELEVATOR CORPORATION:			350.64	
TRUBANK				
TRUBANK	DOWNTOWN BIZ INTEREST - OUDERKIRK	05/21/2024	47.19	DOWNTOWN BIZ I
Total TRUBANK:			47.19	
U.S. CELLULAR				
U.S. CELLULAR	CELL PHONE -FACILITIES	05/10/2024	46.72	MAINTENANCE
U.S. CELLULAR	CELL PHONE - COMMUNICATIONS	05/10/2024	46.72	GENERAL FUND
U.S. CELLULAR	CELL PHONE STREET	05/10/2024	185.21	ROAD USE TAX FU
U.S. CELLULAR	CELL PHONE FIRE	05/10/2024	727.00	AMBULANCE FUN
U.S. CELLULAR	CELL PHONE SEWER	05/10/2024	138.51	SEWER FUND
U.S. CELLULAR	CELL PHONE COM DEV	05/10/2024	93.44	GENERAL FUND
Total U.S. CELLULAR:			1,237.60	
VANDERPOOL CONSTRUCTION				
VANDERPOOL CONSTRUCTION	PD BARN ROAD REPAIR	03/07/2024	950.00	POLICE FUND
Total VANDERPOOL CONSTRUCTION:			950.00	

Vendor Name	Description	Invoice Date	Net Invoice Amount	FUND
VERIZON WIRELESS				
VERIZON WIRELESS	VERIZON POLICE BILL	05/15/2024	1,778.66	POLICE FUND
Total VERIZON WIRELESS:			1,778.66	
WALDINGER CORPORATION, THE				
WALDINGER CORPORATION, T	CITY HALL - SEWER BACKUP	05/22/2024	986.38	MAINTENANCE
WALDINGER CORPORATION, T	AQUATIC CENTER BACKFLOW REPLACEME	05/21/2024	10,661.82	POOL (MEMORIAL)
Total WALDINGER CORPORATION, THE:			11,648.20	
WARREN COUNTY ENGINEER				
WARREN COUNTY ENGINEER	FUEL DISTRIBUTION - IT/MAINTENANCE	05/06/2024	38.66	MAINTENANCE
WARREN COUNTY ENGINEER	FUEL DISTRIBUTION - BLDG/ZONING	05/06/2024	89.81	GENERAL FUND
WARREN COUNTY ENGINEER	FUEL DISTRIBUTION - FIRE	05/06/2024	724.04	FIRE FUND
WARREN COUNTY ENGINEER	FUEL DISTRIBUTION - AMBULANCE	05/06/2024	1,527.43	AMBULANCE FUN
WARREN COUNTY ENGINEER	FUEL DISTRIBUTION - POLICE	05/06/2024	3,053.81	POLICE FUND
WARREN COUNTY ENGINEER	FUEL DISTRIBUTION - PARKS	05/06/2024	940.99	PARK & RECREATI
WARREN COUNTY ENGINEER	FUEL DISTRIBUTION - REC - VANS	05/06/2024	112.63	PARK & RECREATI
WARREN COUNTY ENGINEER	FUEL DISTRIBUTION - REC - GAS CANS	05/06/2024	148.48	PARK & RECREATI
WARREN COUNTY ENGINEER	FUEL DISTRIBUTION - STREET	05/06/2024	3,266.69	ROAD USE TAX FU
WARREN COUNTY ENGINEER	FUEL DISTRIBUTION - SEWER	05/06/2024	1,388.46	SEWER FUND
Total WARREN COUNTY ENGINEER:			11,291.00	
WARREN WATER DISTRICT				
WARREN WATER DISTRICT	WRRF WATER	05/21/2024	2,509.85	SEWER FUND
Total WARREN WATER DISTRICT:			2,509.85	
WASTE MANAGEMENT OF IOWA				
WASTE MANAGEMENT OF IOW	BRUSH FACILITY - LEAF/YARD WASTE DISP	05/16/2024	764.50	GENERAL FUND
Total WASTE MANAGEMENT OF IOWA:			764.50	
WASTE SOLUTIONS OF IA				
WASTE SOLUTIONS OF IA	DISC GOLF TOURNAMENT KYBOS	03/19/2024	2,194.50	PARK & RECREATI
Total WASTE SOLUTIONS OF IA:			2,194.50	
WELLS FARGO CCER				
WELLS FARGO CCER	misc suppliesQuill Corporation	04/30/2024	197.96	POLICE FUND
WELLS FARGO CCER	Tegels - uniformIowa Prison Industries	04/30/2024	230.00	POLICE FUND
WELLS FARGO CCER	Pats NotaryIa Secretary Of State	04/30/2024	30.00	POLICE FUND
WELLS FARGO CCER	Applicant adCna Classifieds	04/30/2024	300.00	POLICE FUND
WELLS FARGO CCER	monthly contractAdobe *adobe	04/30/2024	143.94	POLICE FUND
WELLS FARGO CCER	Enrich Iowa expenseWal-Mart #1491	04/30/2024	5.22	LIBRARY SPECIAL
WELLS FARGO CCER	Summer Friends expenseOtc Brands Inc	04/30/2024	112.70	LIBRARY SPECIAL
WELLS FARGO CCER	Marketing expenseDisplays2go	04/30/2024	52.93	LIBRARY FUND
WELLS FARGO CCER	Martin donationIkea 455302110	04/30/2024	116.59	LIBRARY SPECIAL
WELLS FARGO CCER	Summer Friends expenseWf Wayfair422917821	04/30/2024	58.63	LIBRARY SPECIAL
WELLS FARGO CCER	Marketing expenseFlodesk.Com	04/30/2024	38.00	LIBRARY FUND
WELLS FARGO CCER	Marketing expenseCanva* I04113-46231342	04/30/2024	102.00	LIBRARY FUND
WELLS FARGO CCER	Annual Employee Banquet Entertainment expen	04/30/2024	150.00	GENERAL FUND
WELLS FARGO CCER	Teen programming expenseSnackcrate.Com	04/30/2024	54.00	LIBRARY FUND
WELLS FARGO CCER	Monthly Adobe SubscriptionAdobe Inc.	04/30/2024	54.99	PARK & RECREATI
WELLS FARGO CCER	Activity Center ChairsLifetime.Com	04/30/2024	370.00	PARK & RECREATI
WELLS FARGO CCER	Business Cards - Jamie MichelsenGotprint.Com	04/30/2024	24.82	PARK & RECREATI

Vendor Name	Description	Invoice Date	Net Invoice Amount	FUND
WELLS FARGO CCER	Childrens Garden SignGotprint.Com	04/30/2024	82.70	PARK & RECREATI
WELLS FARGO CCER	Postcard and Forever StampsUsps Po 1843650	04/30/2024	295.00	PARK & RECREATI
WELLS FARGO CCER	Base Markers and Marking StringBeacon Athl	04/30/2024	146.32	PARK & RECREATI
WELLS FARGO CCER	Rescue Tubes and First Aid KitsThe Lifeguard S	04/30/2024	264.54	POOL (MEMORIAL)
WELLS FARGO CCER	Pool Concession Licensela Inspect And Appeal	04/30/2024	155.25	POOL (MEMORIAL)
WELLS FARGO CCER	Pickard Concessions (29.34) Glow Dance Suppl	04/30/2024	52.38	PARK & RECREATI
WELLS FARGO CCER	Egg Hunt and Glow Dance SuppliesWal-Mart #1	04/30/2024	29.80	PARK & RECREATI
WELLS FARGO CCER	Monthly Adobe Subscription - March 2024Adob	04/30/2024	54.99	PARK & RECREATI
WELLS FARGO CCER	International Fire Code Council feesIntl Code C	04/30/2024	69.00	FIRE FUND
WELLS FARGO CCER	Hanging basket for square, Fiberglass hanging	04/30/2024	1,342.00	PARK & RECREATI
WELLS FARGO CCER	WCPP activity wallDiscountsch 8006272829	04/30/2024	89.02	LIBRARY SPECIAL
WELLS FARGO CCER	WCPP activity wallDiscountsch 8006272829	04/30/2024	1,274.55	LIBRARY SPECIAL
WELLS FARGO CCER	StuffiesCaseys Pizza 1908	04/30/2024	44.92	LIBRARY SPECIAL
WELLS FARGO CCER	Fuel New 332 final inspection.Fleet Farm Fuel 5	04/30/2024	50.00	FIRE FUND
WELLS FARGO CCER	Fuel Final inspection for new 332.Phillips 66 - P	04/30/2024	51.52	FIRE FUND
WELLS FARGO CCER	Fuel picking up new bumper from Life Line for	04/30/2024	74.21	AMBULANCE FUN
WELLS FARGO CCER	CPR cards IMUSpencer Municipal Hosp	04/30/2024	300.00	AMBULANCE FUN
WELLS FARGO CCER	Return of a pump partThe Ups Store 6682	04/30/2024	13.47	SEWER FUND
WELLS FARGO CCER	Staff memberships to IAWEA for classes and tra	04/30/2024	140.00	SEWER FUND
WELLS FARGO CCER	Title IV Permit feela Dnr Fees And Payments	04/30/2024	1,539.04	SEWER FUND
WELLS FARGO CCER	Fuse for actuator valveWidespread Electrical	04/30/2024	54.10	SEWER FUND
WELLS FARGO CCER	Digital MaterialsOverdrive Dist	04/30/2024	4,000.00	LIBRARY FUND
WELLS FARGO CCER	Refund issued for ISU eventIsu Event Registrati	04/30/2024	220.00-	GENERAL FUND
WELLS FARGO CCER	Banquet GiftsAmzn Mktp Us	04/30/2024	28.88-	GENERAL FUND
WELLS FARGO CCER	Banquet GiftsDollartree	04/30/2024	2.68	GENERAL FUND
WELLS FARGO CCER	Banquet GiftsWinns Pizza & Steakhouse	04/30/2024	60.00	GENERAL FUND
WELLS FARGO CCER	Banquet GiftsTst* The Corner Sundry	04/30/2024	60.00	GENERAL FUND
WELLS FARGO CCER	Banquet GiftsWal-Mart #1491	04/30/2024	8.92	GENERAL FUND
WELLS FARGO CCER	Banquet GiftsDollartree	04/30/2024	20.00	GENERAL FUND
WELLS FARGO CCER	Banquet GiftsAmzn Mktp Us	04/30/2024	28.88	GENERAL FUND
WELLS FARGO CCER	Prizes for Employee BanquetDollartree	04/30/2024	55.79	GENERAL FUND
WELLS FARGO CCER	Carwash for ComDev vehicleExecutive Laser W	04/30/2024	25.00	GENERAL FUND
WELLS FARGO CCER	Registration for APA National ConferenceAmeric	04/30/2024	400.00	GENERAL FUND
WELLS FARGO CCER	Refund for ISU training event for Elected/Appoin	04/30/2024	65.00-	GENERAL FUND
WELLS FARGO CCER	Dissell Breakfast 4/16Hyatt Reg Mnneapolis F&	04/30/2024	13.20	GENERAL FUND
WELLS FARGO CCER	Dissell Hotel APA ConferenceHyatt Regency Mi	04/30/2024	1,007.60	GENERAL FUND
WELLS FARGO CCER	Dissell Lunch 4/16Shake Shack T1 Msp	04/30/2024	16.04	GENERAL FUND
WELLS FARGO CCER	Dissell APA Conference- Airport ParkingDsm Pa	04/30/2024	50.00	GENERAL FUND
WELLS FARGO CCER	Dissell Lunch- 4/15Tst* Hells Kitchen - Minn	04/30/2024	24.61	GENERAL FUND
WELLS FARGO CCER	Dissell Breakfast- 4/14Sq *dunn Brothers Coffee	04/30/2024	9.73	GENERAL FUND
WELLS FARGO CCER	Dissell Breakfast- 4/13Hyatt Reg Mnneapolis F	04/30/2024	10.40	GENERAL FUND
WELLS FARGO CCER	Dissell Lunch- 4/14Sq *kelber Catering Inc	04/30/2024	22.77	GENERAL FUND
WELLS FARGO CCER	Dissell Uber to Hotel- APA ConferenceUber Trip	04/30/2024	42.46	GENERAL FUND
WELLS FARGO CCER	Dissell Lunch- 4/13Tst* The Nicollet Diner A	04/30/2024	14.43	GENERAL FUND
WELLS FARGO CCER	Dissell Dinner- 4/12Hyatt Reg Mnneapolis F&b	04/30/2024	31.93	GENERAL FUND
WELLS FARGO CCER	Officer achievement pinsGs-Jj.Com	04/30/2024	256.50	POLICE FUND
WELLS FARGO CCER	Tactical trail camera subscription for detectives	04/30/2024	13.00	POLICE FUND
WELLS FARGO CCER	DARE SuppliesSp Darecatalog	04/30/2024	236.84	POLICE FUND
WELLS FARGO CCER	testing phone system replacementUbiquiti Inc.	04/30/2024	19.98	GENERAL FUND
WELLS FARGO CCER	refund because of being charged taxTrimble Inc	04/30/2024	373.43-	GENERAL FUND
WELLS FARGO CCER	testing new phones 02Ubiquiti Inc.	04/30/2024	1.07	GENERAL FUND
WELLS FARGO CCER	testing phone system replacement 01Ubiquiti In	04/30/2024	1.07	GENERAL FUND
WELLS FARGO CCER	CIP NetworkingWww.Ui.Com	04/30/2024	805.00	VEHICLE AND EQU
WELLS FARGO CCER	CIP NetworkingWww.Ui.Com	04/30/2024	895.00	VEHICLE AND EQU
WELLS FARGO CCER	Software - Will be refunded because of tax char	04/30/2024	373.43	GENERAL FUND
WELLS FARGO CCER	CIP NetworkingWww.Ui.Com	04/30/2024	739.00	VEHICLE AND EQU
WELLS FARGO CCER	hosting networkOfficial Unifi Hosting	04/30/2024	29.00	GENERAL FUND
WELLS FARGO CCER	IWC RECREATION AND COMPETITION POOL	04/30/2024	110.00	WELLNESS CAMP

Vendor Name	Description	Invoice Date	Net Invoice Amount	FUND
WELLS FARGO CCER	LESMILLS SUBSCRIPTION FOR GROUP EX	04/30/2024	647.00	WELLNESS CAMP
WELLS FARGO CCER	Building Rules signage for Aquatics AreaProima	04/30/2024	250.00	WELLNESS CAMP
WELLS FARGO CCER	Hotel Stay Sioux Falls, SD - Engine 332 Final In	04/30/2024	100.00	FIRE FUND
WELLS FARGO CCER	Hotel Stay Sioux Falls, SD - Engine 332 Final In	04/30/2024	100.00	FIRE FUND
WELLS FARGO CCER	Hotel Stay Sioux Falls, SD - Engine 332 Final In	04/30/2024	100.00	FIRE FUND
WELLS FARGO CCER	American Heart Publications ACLS & PALS for	04/30/2024	110.85	AMBULANCE FUN
WELLS FARGO CCER	Teen ProgrammingWm Supercenter #1491	04/30/2024	21.59	LIBRARY FUND
WELLS FARGO CCER	Iowa Library Association Youth Services Confer	04/30/2024	127.68	LIBRARY FUND
WELLS FARGO CCER	Teen ProgrammingWm Supercenter #1491	04/30/2024	15.96	LIBRARY FUND
WELLS FARGO CCER	Continuing Education for Akhilesh PalAmerican	04/30/2024	390.00	ROAD USE TAX FU
WELLS FARGO CCER	Programs - staff trainingCaseys Pizza 2097	04/30/2024	36.36	LIBRARY FUND
WELLS FARGO CCER	Programs - staff developmentCaseys Pizza 209	04/30/2024	29.94	LIBRARY FUND
WELLS FARGO CCER	Programs - Staff developmentHy-Vee Indianola	04/30/2024	19.99	LIBRARY FUND
WELLS FARGO CCER	Paint - LOT wallThe Home Depot #2104	04/30/2024	46.49	LIBRARY FUND
WELLS FARGO CCER	Adventure Pass - Des Moines Childrens Museu	04/30/2024	200.00	LIBRARY SPECIAL
WELLS FARGO CCER	fentanyl, zofran, mag sulfateMercyone Clive Ph	04/30/2024	43.12	AMBULANCE FUN
WELLS FARGO CCER	epi 1:10,000Mercyone Clive Pharmacy	04/30/2024	275.96	AMBULANCE FUN
WELLS FARGO CCER	Refund for conference not attended on day 2 -	04/30/2024	30.00	GENERAL FUND
WELLS FARGO CCER	2024 Employee Awards Banquet Meal - ICCIndi	04/30/2024	1,984.39	GENERAL FUND
WELLS FARGO CCER	Stotler Membership to IMFOAImfoa	04/30/2024	50.00	GENERAL FUND
WELLS FARGO CCER	Raffety Spring IMFOA Conferencelmfoa	04/30/2024	150.00	GENERAL FUND
WELLS FARGO CCER	Stotler IMFOA Spring RegistrationImfoa	04/30/2024	150.00	GENERAL FUND
WELLS FARGO CCER	Membership dues to IMFOAImfoa	04/30/2024	50.00	GENERAL FUND
WELLS FARGO CCER	Attendance at the Iowa League Nuisance Abate	04/30/2024	80.00	GENERAL FUND
WELLS FARGO CCER	Sanitizing wipesWalmart.Com 8009666546	04/30/2024	29.91	LIBRARY FUND
WELLS FARGO CCER	Magazine subscriptionMdc*smithsonian	04/30/2024	34.24	LIBRARY FUND
WELLS FARGO CCER	ILA membership duesIowalibraryassociation	04/30/2024	110.00	LIBRARY FUND
WELLS FARGO CCER	Magazine subscriptionMdc*zoodinos	04/30/2024	32.05	LIBRARY FUND
WELLS FARGO CCER	laPELRA Spring Conference - Education & Trai	04/30/2024	50.00	GENERAL FUND
WELLS FARGO CCER	EPA 608 certification prep materialsEsco Institut	04/30/2024	32.95	MAINTENANCE
WELLS FARGO CCER	IWC-860-9300-63168 Freemotion Lat pull down	04/30/2024	156.19	MAINTENANCE
WELLS FARGO CCER	SIP StationSangoma US Inc	04/30/2024	61.77	GENERAL FUND
WELLS FARGO CCER	bulk mailing subscriptionMailchimp	04/30/2024	135.00	GENERAL FUND
WELLS FARGO CCER	Adult ProgramWal-Mart #1491	04/30/2024	15.75	LIBRARY FUND
WELLS FARGO CCER	Adult Summer Reading (Friends)Discountmugs.	04/30/2024	708.00	LIBRARY SPECIAL
WELLS FARGO CCER	LOT Fund (Seed Library)High Mowing Organic	04/30/2024	330.00	LIBRARY FUND
Total WELLS FARGO CCER:			23,506.80	
WIEGERT DISPOSAL CO.				
WIEGERT DISPOSAL CO.	KYBO AT BRUSH FACILITY	06/01/2024	65.00	GENERAL FUND
Total WIEGERT DISPOSAL CO.:			65.00	
WOOSLEY LANDSCAPING & MOWING LLC				
WOOSLEY LANDSCAPING & M	MOWING - PARKS	05/28/2024	13,190.00	PARK & RECREATI
WOOSLEY LANDSCAPING & M	MOWING - MAC	05/28/2024	925.00	POOL (MEMORIAL)
WOOSLEY LANDSCAPING & M	MOWING - LIBRARY	05/28/2024	450.00	LIBRARY FUND
Total WOOSLEY LANDSCAPING & MOWING LLC:			14,565.00	
Grand Totals:			264,814.89	

Vendor Name	Description	Invoice Date	Net Invoice Amount	FUND
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City Council: _____



MEMORANDUM

To: Mayor and City Council
From:
Date: June 3, 2024
Subject: Approval of Minutes of the prior meetings on May 20, 2024.

Recommendation: Simple motion is in order.

Attachments:

1. 20240520 CC-C Joint Meeting Minutes
2. 20240520 CC Minutes



CITY OF INDIANOLA COUNCIL MEETING

May 20, 2024

6:00 PM

City Council Chambers

110 N 1st Street, Indianola, IA

Minutes

Call to Order

The Indianola City Council met in special joint session at 6:00 PM on May 20, 2024, with the Warren County Board of Supervisors in the City Hall Council Chambers. Mayor Stephanie Erickson called the Council meeting to order and on roll call the following members were present: Mellisa Sones, Josh Rabe, Ron Dalby, Steve Armstrong, Christina Beach, Steve Richardson. Absent: None. Warren County Supervisor Snell called the meeting to order and those Supervisors present were Crystal McIntyre, Darren Heater and Mark Snell.

Public Consideration

Indianola City Manager Ben Reeves presented the proposed land exchange deal between the City of Indianola and Warren County.

Council Member Richardson moved to approve Resolution 2024-104 authorizing the execution of a contract by and between the City of Indianola and Warren County, Iowa and Rabe seconded it. On roll call, the vote was AYES: Sones, Rabe, Dalby, Armstrong, Beach, Richardson. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Supervisor McIntyre stated she would like to wait to vote for the public to share their input, although she does support the agreement. Reeves stated he had shared the proposed agreement with many stakeholder groups. Supervisor Snell moved to approve the resolution authorizing the execution of a contract by and between Warren County, Iowa and the City of Indianola and Heater seconded it. On roll call, the vote was AYES: Snell, Heater. ABSTAIN: McIntyre. Whereas Supervisor Snell declared the motion passed. Snell moved to adjourn the Supervisor meeting and Heater seconded it.

Adjourn

The Council meeting was adjourned at 6:17 PM on a motion by Beach and seconded by Sones. Question was called for and on voice vote the Mayor declared the motion carried unanimously.

Stephanie Erickson, Mayor

ATTEST:

Jackie Raffety, City Clerk



CITY OF INDIANOLA COUNCIL MEETING

May 20, 2024

7:00 PM

City Council Chambers
110 N 1st Street, Indianola, IA

Minutes

Call to Order

The Indianola City Council met in regular session at 7:00 PM on May 20, 2024, in the City Hall Council Chambers. Mayor Stephanie Erickson called the meeting to order and on roll call the following members were present: Mellisa Sones, Josh Rabe, Ron Dalby, Steve Armstrong, Christina Beach, Steve Richardson. Absent: None.

Oath of Office

Mayor Erickson administered the Oath of Office to Police Officers Robert Hurley, Nico Pelkey, Michael Babcock, Nyan Baker, and Joseph Tegels.

Public Comment

No public comments were offered.

Consent Agenda

Council Member Richardson requested that approval of claims and the resolution regarding Hillcrest Avenue be pulled from the consent agenda and Council Member Armstrong requested the resolution regarding a health insurance premium holiday be pulled from the consent agenda.

Council Member Rabe moved to approve the Consent Agenda and Dalby seconded it. On roll call, the vote was AYES: Sones, Rabe, Dalby, Armstrong, Beach, Richardson. NAYS: None. Whereas the Mayor declared the motion carried unanimously. The consent agenda was as follows:

- Approval of Agenda
- Approval of Minutes of the May 6, 2024 meeting.
- Approval of Applications
- Consideration of the approval of a renewal liquor license for Deer Run Partners.
- Consideration of the approval of a renewal liquor license for Dolgencorp, LLC.
- Consideration of the approval of a renewal liquor license for Walgreens.
- Consideration of the approval of an amended liquor license for The Sports Page.
- Consideration of the approval a new liquor license for Ladd Concession Group, LLC.
- Consideration of the approval of a Home Base Iowa Initiative Application from Josiah Segebart and authorization of a handwritten warrant in the amount of \$1500.00.
- Resolution 2024-105 approving monthly transfers.
- Resolution 2024-106 approving a Record of Lot Tie Agreement for Lots 1 and 2 of Quail Meadows Plat 4, an official plat now included in and forming a part of the City of Indianola, Warren County, Iowa.
- Resolution 2024-107 approving the fee schedule.
- Resolution 2024-109 authorizing disposal of surplus materials.
- Resolution 2024-110 revoking Resolution 2024-092, authorizing a contract with Central Iowa Fencing, adopted on May 6, 2024, for the Pickard Park Fencing Replacement Project.

- Resolution 2024-111 authorizing a contract with Des Moines Steel Fence for the Pickard Park Fencing Replacement Project.
- Resolution 2024-113 setting a regular meeting date and time for the Indianola City Council.
- Approval of Urban Revitalization Designations
- Resolution 2024-114 approving salaries.

Council Member Beach moved to approve Claims and Rabe seconded it. On roll call, the vote was AYES: Sones, Rabe, Dalby, Armstrong, Beach. NAYS: None. ABSTAIN: Richardson, due to a conflict of interest.

City Manager Reeves provided insurance premium holiday options to the City Council for their approval. Council Member Rabe moved to approve Resolution 2024-108 approving a health insurance premium holiday that includes a one-time premium holiday for employees in June 2024, and Beach seconded it. On roll call, the vote was AYES: Sones, Rabe, Dalby, Armstrong, Beach, Richardson. NAYS: None. Whereas the Mayor declared the motion carried unanimously. The council directed staff and IMU to propose premium holidays for employee and employer and only employer at the next joint meeting.

Council Member Beach moved to approve Resolution 2024-112 approving Change Order Number 6 in the amount of \$19,744.36 and Payment Application Number 7 in the amount of \$388,567.70 for the Hillcrest Avenue Reconstruction Project and Armstrong seconded it. On roll call, the vote was AYES: Sones, Rabe, Dalby, Armstrong, Beach. NAYS: Richardson. Whereas the Mayor declared the motion passed.

Council Reports

Council Member Armstrong moved to receive and file the April 2024 Treasurer's Report and Dalby seconded it. In discussion, Senior Budget Analyst Roxanne Stotler reported on the funds expended to this point in the fiscal year in the Treasurer's Report. Question was called for and on voice vote the Mayor declared the motion carried unanimously.

Council Member Beach moved to receive and file the April 2024 EMS Billing Activity Report and Dalby seconded it. Question was called for and on voice vote the Mayor declared the motion carried unanimously.

Council Members Rabe and Richardson reported on meetings in Washington D.C.

Council Member Richardson gave a legislative and CIRTPA update.

Mayor's Report

Mayor Erickson extended thanks to staff members Caleb Adams-Brown, Officers Hacket and Stever and CSO Michels and gave an update on bike fest.

Council Member Richardson moved to approve the reappointment of Dawn Goodale to the Library Board of Trustees for a term beginning July 1, 2024, and ending July 1, 2030, and Armstrong seconded it. On roll call, the vote was AYES: Sones, Rabe, Dalby, Armstrong, Beach, Richardson. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Public Consideration

Council Member Rabe moved to open the public hearing regarding a second amendment to the Fiscal Year 24 Budget and Richardson seconded it. On roll call, the vote was AYES: Sones, Rabe, Dalby, Armstrong, Beach, Richardson. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Senior Budget Analyst Stotler reported on the revenue and expense changes in the second budget amendment. There were no other comments offered.

It was moved by Rabe and seconded by Sones to close the public hearing. On roll call, the vote was AYES: Sones, Rabe, Dalby, Armstrong, Beach, Richardson. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Council Member Beach moved to approve Resolution 2024-115 approving the second amendment to the Fiscal Year 24 Budget, and Richardson seconded it. On roll call, the vote was AYES: Sones, Rabe, Dalby, Armstrong, Beach, Richardson. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Council Member Armstrong moved to approve the second reading of the Ordinance Establishment of Street Grades for South K Street Paving Project and Richardson seconded it. In discussion, City Manager Ben Reeves explained why the established grades in the ordinance cannot be changed to add more asphalt. Public Works Director Akhilesh Pal explained the council must establish street grades based because of the assessment process. Dave Moeller, Snyder & Assoc provided more history on the requirement. The council discussed the need for a street capital improvement plan that includes maintenance of current roads. On roll call, the vote was AYES: Sones, Rabe, Dalby, Armstrong, Beach, Richardson. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Council Member Dalby moved to waive the third reading of an ordinance establishing street grades for the South K Street Paving Project and Beach seconded it. On roll call, the vote was AYES: Sones, Rabe, Dalby, Armstrong, Beach, Richardson. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Council Member Dalby moved to open the hearing in accordance with Chapter 56, Section 56.05 of the City Code concerning seizure, impoundment and disposition of vicious animals and Rabe seconded it. On roll call, the vote was AYES: Sones, Rabe, Dalby, Armstrong, Beach, Richardson. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Officer Baker and Community Service Officer Kevin Michels provided information on the incident on May 2, 2024, at 1402 South G Street and submitted photographs of the bite wounds into the record.

Dylan Wilson, 603 W Boston Ave, co-owner of the dog, spoke in opposition to the disposal of the animal and requested that the dog be required to be muzzled instead.

Emily O'Heideain, caretaker of animals, spoke in opposition to the disposition of the animal.

It was moved by Sones and seconded by Rabe to close the public hearing. On roll call, the vote was AYES: Sones, Rabe, Dalby, Armstrong, Beach and Richardson. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Council Member Richardson moved to determine the dog as a vicious animal and Dalby seconded it. On roll call the vote was AYES: Dalby, Richardson. NAYS: Sones, Rabe, Armstrong, Beach. Whereas the Mayor declared the motion failed.

Upon clarification from legal counsel, it was moved by Rabe and seconded by Sones to reconsider the vote. On roll call, the vote was AYES: Sones, Rabe, Dalby, Armstrong, Richardson. NAYS: Beach. Whereas the Mayor declared the motion passed.

It was moved by Rabe and seconded by Sones to determine the dog as a vicious animal and require the owners to transfer the dog to a facility allowed under city code within thirty days and approved by the City of Indianola or to dispose of the animal in a humane manner. On roll call, the vote was AYES: Sones, Rabe, Dalby, Armstrong, Richardson. NAYS: Beach. Whereas the Mayor declared the motion passed.

Other Business

City Manager Ben Reeves stated that the Main Street Iowa Grant will be submitted Friday; WRRD is accepting a prominent engineering award on Wednesday; and the Regions Bank building has many leaks, and the bank is now operating out of a trailer while staff considers cost-effective options to repair the roof.

Adjourn

The meeting was adjourned at 8:38 PM on a motion by Rabe and seconded by Sones. Question was called for and on voice vote the Mayor declared the motion carried unanimously.

Stephanie Erickson, Mayor

ATTEST:

Jackie Raffety, City Clerk



MEMORANDUM

To: Mayor and City Council
From: Roxanne Stotler, Senior Budget Analyst
Date: June 3, 2024
Subject: Resolution setting a public hearing for June 17, 2024, at 6:00 p.m. regarding a third amendment to the Fiscal Year 24 budget.

Introduction: Proposed Public Hearing - Budget Amendment #3

Background: Budget Amendment #2 was passed on May 20, 2024; however, it contained a scrivener's error.

Discussion: Upon review of budget amendment #2 after passage, it was noted that the business type/enterprise expenditure category on the Department of Management Form had a formula error. To avoid a finding, accounts could be adjusted lower; however, that could lead to overspending in that category. After discussion with administration and the Department of Management, it was determined that amending the budget would be best and allow for the roof replacement of the Howard Street City Building.

Budget Impact: To correct the error in Amendment #2 and allow for the roof replacement

Recommendation: Roll call is in order.

Attachments:

1. Res 2024- set PH for third FY24 budget amendment
2. PH Notice 3rd Amendment

City of Indianola
RESOLUTION NO. 2024-

**RESOLUTION SETTING TIME AND PLACE FOR A PUBLIC HEARING
TO AMEND THE FISCAL YEAR 24 BUDGET**

WHEREAS, the City is required to hold a public hearing concerning the third amendment of the City's budget for Fiscal Year 24.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF INDIANOLA, IOWA, that a public hearing will be held June 17, 2024, beginning at 6:00 p.m. in the City Hall Council Chambers, 110 N. 1st Street, concerning amending the City's budget for Fiscal Year 2024, and the City Clerk is directed to publish notice of said meeting in the Indianola Record Herald and Tribune.

PASSED AND APPROVED this 3rd day of June 2024.

Stephanie Erickson, Mayor

ATTEST:

Jackie Raffety, City Clerk

NOTICE OF PUBLIC HEARING - AMENDMENT OF CURRENT BUDGET				
City of INDIANOLA				
Fiscal Year July 1, 2023 - June 30, 2024				
The City of INDIANOLA will conduct a public hearing for the purpose of amending the current budget for fiscal year ending June 30, 2024				
Meeting Date/Time: 6/17/2024 06:00 PM		Contact: Roxanne Stotler		Phone: (515) 962-5246
Meeting Location: 110 N 1st City Council Chambers Indianola, IA 50125				
There will be no increase in taxes. Any residents or taxpayers will be heard for or against the proposed amendment at the time and place specified above. A detailed statement of: additional receipts, cash balances on hand at the close of the preceding fiscal year, and proposed disbursements, both past and anticipated, will be available at the hearing. Budget amendments are subject to protest. If protest petition requirements are met, the State Appeal Board will hold a local hearing. For more information, consult https://dom.iowa.gov/local-gov-appeals .				
REVENUES & OTHER FINANCING SOURCES		Total Budget as Certified or Last Amended	Current Amendment	Total Budget After Current Amendment
Taxes Levied on Property	1	8,857,026	0	8,857,026
Less: Uncollected Delinquent Taxes - Levy Year	2	0	0	0
Net Current Property Tax	3	8,857,026	0	8,857,026
Delinquent Property Tax Revenue	4	0	0	0
TIF Revenues	5	1,500,000	0	1,500,000
Other City Taxes	6	3,019,798	0	3,019,798
Licenses & Permits	7	356,865	0	356,865
Use of Money & Property	8	1,264,874	0	1,264,874
Intergovernmental	9	6,043,692	0	6,043,692
Charges for Service	10	36,109,804	0	36,109,804
Special Assessments	11	13,951	0	13,951
Miscellaneous	12	1,749,006	0	1,749,006
Other Financing Sources	13	268,445	0	268,445
Transfers In	14	9,100,487	0	9,100,487
Total Revenues & Other Sources	15	68,283,948	0	68,283,948
EXPENDITURES & OTHER FINANCING USES				
Public Safety	16	9,484,417	0	9,484,417
Public Works	17	2,334,960	0	2,334,960
Health and Social Services	18	0	0	0
Culture and Recreation	19	3,015,094	0	3,015,094
Community and Economic Development	20	508,500	0	508,500
General Government	21	2,226,397	0	2,226,397
Debt Service	22	3,661,721	0	3,661,721
Capital Projects	23	9,383,354	340,000	9,723,354
Total Government Activities Expenditures	24	30,614,443	340,000	30,954,443
Business Type/Enterprise	25	41,309,124	1,088,563	42,397,687
Total Gov Activities & Business Expenditures	26	71,923,567	1,428,563	73,352,130
Transfers Out	27	9,100,487	0	9,100,487
Total Expenditures/Transfers Out	28	81,024,054	1,428,563	82,452,617
Excess Revenues & Other Sources Over (Under) Expenditures/Transfers Out	29	-12,740,106	-1,428,563	-14,168,669
Beginning Fund Balance July 1, 2023	30	47,236,517	0	47,236,517
Ending Fund Balance June 30, 2024	31	34,496,411	-1,428,563	33,067,848
Explanation of Changes: To correct a scrivener's error in the FY24 2nd Amendment in business type/enterprise expenditures (the reasons for adjustments were explained in the amendment #2) and to account for needed maintenance expense of the Howard Street City Building				



MEMORANDUM

To: Mayor and City Council

From: Charlie Dissell, Deputy City Manager Development and Operations

Date: June 3, 2024

Subject: Resolution setting a hearing for June 17, 2024, at 6:00 p.m. regarding the determination of a nuisance at 911 North C Street.

Introduction:

Background: On May 24, 2024, the Community Development Department received a request for a hearing in writing, in accordance with Section 50.08 of the Code of Ordinances of Indianola, Iowa, regarding an alleged violation at 911 North C Street. Section 50.08 states, “Any person ordered to abate a nuisance may have a hearing with the Council as to whether a nuisance exists. A request for a hearing must be made in writing and delivered to the Clerk within the time stated in the notice, or it will be conclusively presumed that a nuisance exists, and it must be abated as ordered. The hearing will be before the Council at a time and place fixed by the Council. The findings of the Council shall be conclusive and, if a nuisance is found to exist, it shall be ordered abated within a reasonable time under the circumstances.”

Discussion: On April 22, the Community Development Department received an anonymous complaint regarding junk, junk vehicles, and brush. Upon inspection on May 16, the code enforcement officer noted there was tall grass and weeds, junk appliances, a dumpster, junk truck and brush piles on the property located at 911 North C Street. On May 16, a letter was sent by certified mail to the property owner.

Budget Impact:

Recommendation: Staff recommends that a hearing be set for the June 17, 2024, Council Meeting.

Attachments: 1. Nuisance Hearing RESOLUTION

City of Indianola
RESOLUTION NO. 2024-_____

**RESOLUTION SETTING A HEARING FOR JUNE 17, 2024, AT 6:00 P.M. REGARDING THE
DETERMINATION OF A NUISANCE AT 911 NORTH C STREET**

WHEREAS, the Code Enforcement Officer has alleged a nuisance violation at 911 North C Street; and

WHEREAS, the property owner has requested a hearing alleged a nuisance violation at 911 North C Street; and

WHEREAS, the City Council of the City of Indianola, Iowa desires to hold a hearing regarding the alleged nuisance violation at 911 North C Street; and

WHEREAS, a hearing upon the alleged nuisance violation at 911 North C Street should be held and a time and place for hearing thereon should be fixed.

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

1. That a hearing be held by the Indianola City Council on the alleged a nuisance violation at 911 North C Street, at the Indianola City Hall, 110 N 1st Street, Indianola, Iowa, at 6:00 p.m. on June 17, 2024, at which time the City Council will consider if a nuisance exists.

2. That the Mayor and Clerk be and hereby are authorized and instructed to give Notice of said public hearing, as required by law.

APPROVED this 3rd day of June 2024.

Stephanie Erickson, Mayor

ATTEST:

Jackie Raffety, City Clerk



MEMORANDUM

To: Mayor and City Council

From: Charlie Dissell, Deputy City Manager Development and Operations

Date: June 3, 2024

Subject: Resolution setting a public hearing for July 1, 2024, at 6:00 p.m. regarding an amendment to Section 165.06, Zoning Regulations: Site Plan Regulations and Procedures of the Code of Ordinances of Indianola, Iowa.

Introduction:

Background: At its meeting on June 3, the City Council will be asked to set a public hearing for an amendment to Chapter 165 (Zoning Regulations), which would amend the Site Plan Regulations and Procedures. If the public hearing is set by the Council, staff will present all application materials and recommendations at that meeting.

Discussion:

Budget Impact:

Recommendation: Staff recommends the public hearing be set for the July 1, 2024, City Council meeting.

Attachments:

1. Ch 165.06 PH RESOLUTION
2. Ch 165.06 Public Hearing Notice

City of Indianola
RESOLUTION NO. 2024-_____

**RESOLUTION SETTING A PUBLIC HEARING FOR JULY 1, 2024, AT 6:00 P.M.
REGARDING AN AMENDMENT TO SECTION 165.06, ZONING REGULATIONS: SITE PLAN
REGULATIONS AND PROCEDURES, OF THE CODE OF ORDINANCES
OF INDIANOLA, IOWA**

WHEREAS, the City Council of the City of Indianola, Iowa desires to consider amendments to Chapter 165 (Zoning Regulations), which would amend the Site Plan Regulations and Procedures; and

WHEREAS, a public hearing upon the proposed amendments to the Zoning Regulations should be held and a time and place for hearing thereon should be fixed.

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

1. That a public hearing be held by the Indianola City Council on the proposed amendments to the Zoning Regulations, at the Indianola City Hall, 110 N 1st Street, Indianola, Iowa, at 6:00 p.m. on July 1, 2024, at which time the City Council will consider any objections to the proposed amendment and will hear all interested persons.

2. That the Mayor and Clerk be and hereby are authorized and instructed to give Notice of said public hearing, as required by law.

APPROVED this 3rd day of June 2024.

Stephanie Erickson, Mayor

ATTEST:

Jackie Raffety, City Clerk

**NOTICE OF PUBLIC HEARING ON JULY 1, 2024, AT 6:00 P.M. REGARDING AN
AMENDMENT TO SECTION 165.06, ZONING REGULATIONS: SITE PLAN
REGULATIONS AND PROCEDURES, OF THE CODE OF ORDINANCES OF
INDIANOLA, IOWA.**

Notice is Hereby Given that at 6:00 P.M., at the Council Chambers, City Hall, 110 N. 1st Street, Indianola, IA 50125 on July 1, 2024, the City Council of the City of Indianola, Iowa will hold a public hearing to consider zoning regulation amendments to Chapter 165 (Zoning Regulations) which would amend the Site Plan Regulations and Procedures.

A copy of the proposed ordinance is on file for public inspection in the office of the City Clerk.

At said hearing any interested person may file written objections or present oral comments with respect to the subject matter of the hearing.

\s\Jackie Raffety
City Clerk



MEMORANDUM

To: Mayor and City Council

From: Charlie Dissell, Deputy City Manager Development and Operations

Date: June 3, 2024

Subject: Resolution setting a public hearing for July 1, 2024, at 6:00 p.m. regarding an amendment to Section 165.09, Zoning Regulations: Building Design Standards of the Code of Ordinances of Indianola, Iowa.

Introduction:

Background: At its meeting on June 3, the City Council will be asked to set a public hearing for an amendment to Chapter 165 (Zoning Regulations), which would amend the Building Design Standards. If the public hearing is set by the Council, staff will present all application materials and recommendations at that meeting.

Discussion:

Budget Impact:

Recommendation: Staff recommends the public hearing be set for the July 1, 2024 City Council meeting.

Attachments:

1. Ch 165.09 PH RESOLUTION
2. Ch 165.09 Public Hearing Notice

City of Indianola
RESOLUTION NO. 2024-_____

**RESOLUTION SETTING A PUBLIC HEARING FOR JULY 1, 2024, AT 6:00 P.M.
REGARDING AN AMENDMENT TO SECTION 165.09, ZONING REGULATIONS: BUILDING
DESIGN STANDARDS OF THE CODE OF ORDINANCES OF INDIANOLA, IOWA.**

WHEREAS, the City Council of the City of Indianola, Iowa desires to consider amendments to Chapter 165 (Zoning Regulations), which would amend the Building Design Standards; and

WHEREAS, a public hearing upon the proposed amendments to the Zoning Regulations should be held and a time and place for hearing thereon should be fixed.

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

1. That a public hearing be held by the Indianola City Council on the proposed amendments to the Zoning Regulations, at the Indianola City Hall, 110 N 1st Street, Indianola, Iowa, at 6:00 p.m. on July 1, 2024, at which time the City Council will consider any objections to the proposed amendment and will hear all interested persons.

2. That the Mayor and Clerk be and hereby are authorized and instructed to give Notice of said public hearing, as required by law.

APPROVED this 3rd day of June 2024.

Stephanie Erickson, Mayor

ATTEST:

Jackie Raffety, City Clerk

**NOTICE OF PUBLIC HEARING ON JULY 1, 2024, AT 6:00 P.M. REGARDING AN
AMENDMENT TO SECTION 165.09, ZONING REGULATIONS: BUILDING DESIGN
STANDARDS OF THE CODE OF ORDINANCES OF INDIANOLA, IOWA.**

Notice is Hereby Given that at 6:00 P.M., at the Council Chambers, City Hall, 110 N. 1st Street, Indianola, IA 50125 on July 1, 2024, the City Council of the City of Indianola, Iowa will hold a public hearing to consider zoning regulation amendments to Chapter 165 (Zoning Regulations) which would amend the Building Design Standards.

A copy of the proposed ordinance is on file for public inspection in the office of the City Clerk.

At said hearing any interested person may file written objections or present oral comments with respect to the subject matter of the hearing.

\s\Jackie Raffety
City Clerk



MEMORANDUM

To: Mayor and City Council

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

Date: June 3, 2024

Subject: Consideration of the approval of a Home Base Iowa Incentive Application from Marvin Slagg and authorization of a handwritten warrant in the amount of \$1500.00.

Introduction: Council will need to consider the approval of the Home Base Iowa Incentive Application and a handwritten warrant in an amount of \$1,500.00. A Veteran who was discharged under honorable conditions according to Chapter 35.1 Code of Iowa and had Title 10 active service duty for 90 days is eligible for this benefit. The applicant must complete the application, provide proof of DD Form 214 or Certificate of Release or Discharge from Active Duty and proof of previous residency outside of Indianola.

Background: City Guidelines:

1. Veteran shall make an application in person. Vouchers will only be issued to a qualified Veteran in person.
2. Purchase a home in Indianola in the past six months at the time of application. Only new residents shall receive the \$1500 incentive.
3. Ownership title/deed must be transferred, or in the process of being transferred, to the individual requesting payment of incentive.
4. Complete the certification form (City application) and have it signed by the Warren County Auditor and Veteran's Affairs.
5. Allow two weeks for Auditor to process, sign, and return the form to the applicant.
6. Bring the completed form to City Hall, 110 N 1st St, Indianola, IA 50125.
7. The program will be administered through the City of Indianola and will be provided on a first come, first served basis, with up to ten incentives per fiscal year.
8. Payment must be used for closing costs or other similar expenses related to the purchase of a home.

Discussion: Marvin Slagg purchased their home on March 15, 2024, and the application was received on May 15, 2024.

Budget Impact: This is the second application submitted this fiscal year.

Recommendation: All paperwork is in order for approval.

Attachments: None



MEMORANDUM

To: Mayor and City Council
From: Jackie Raffety, City Clerk/Asst. to City Manager/Asst. Finance Director
Date: June 3, 2024
Subject: Consideration of the approval of a new liquor license for the Des Moines Metro Opera.

Introduction: The Des Moines Metro Opera holds a short-term Special Class C retail alcohol license with outdoor privileges each year at 513 North D Street.

Background:

Discussion: The Des Moines Metro Opera is a nonprofit entity which has a principal office in the State of Iowa. The individual owner listed on the application is Michael Egel and the company listed Des Moines Metro Opera. Staff has inspected the premises and reviewed the paperwork.

Budget Impact:

Recommendation: Approval.

Attachments: None



MEMORANDUM

To: Mayor and City Council

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

Date: June 3, 2024

Subject: Consideration of the approval of a renewal liquor license for Casey's General Store #1908.

Introduction: This is a renewal of their Class E retail alcohol license.

Background: Their current license expires on June 14, 2024.

Discussion: Casey's General Store #1908 is located at 507 South Jefferson Way. They are a corporation with the following individual owners listed on the application: Scott Faber, Eric Larsen, Samuel James, Brian Johnson, Douglas Beech, 42-0935283 Casey's General Stores, Inc, Casey's General Stores, and Carla Heckman. Staff inspected the premises and reviewed the application.

Budget Impact:

Recommendation: Approval.

Attachments: None



MEMORANDUM

To: Mayor and City Council

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

Date: June 3, 2024

Subject: Consideration of the approval of a renewal liquor license for Casey's General Store #1623.

Introduction: This is a renewal of their Class E retail alcohol license.

Background: Their current license expires on June 14, 2024.

Discussion: Casey's General Store #1623 is located at 607 North Jefferson Way. They are a corporation with the following individual owners listed on the application: Scott Faber, Eric Larsen, Samuel James, Brian Johnson, Douglas Beech, 42-0935283 Casey's General Stores, Inc, Casey's General Stores, and Carla Heckman. Staff has inspected the premises and reviewed the application.

Budget Impact:

Recommendation: Approval.

Attachments: None



MEMORANDUM

To: Mayor and City Council

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

Date: June 3, 2024

Subject: Consideration of the approval of a renewal liquor license for Sodexo Management, Inc., pending final approval by the Fire Department.

Introduction: This is a renewal of their Class C retail alcohol license with catering privileges.

Background: Sodexo Management, Inc, dba Simpson College, is located at 701 North C Street Kent Campus Center-Hubell Hall. Their current license expires June 19, 2024.

Discussion: Sodexo Management is a corporation with the following listed as individual owners on the application: Joan Rector McGlockton, Sarosh Mistry, Thomas Morse, and Deborah Rowles. All paperwork is in order. The Fire Department will inspect the premises within the next week.

Budget Impact:

Recommendation: Approval pending final approval by the Fire Department.

Attachments: None



MEMORANDUM

To: Mayor and City Council

From: Charlie Dissell, Deputy City Manager Development and Operations

Date: June 3, 2024

Subject: Resolution approving the sale of a portion of the north/south alley located east of the 100 block of South 1st Street and west of the 100 block of South Jefferson Way.

Introduction:

Background: Third consideration of the vacation of a portion of the north/south alley located east of the 100 block of South 1st Street and west of the 100 block of South Jefferson Way was approved on April 15, 2024.

Discussion: The attached resolution and deed will effectuate the transfer of right-of-way to the adjoining property owner.

Budget Impact:

Recommendation: Staff recommends approval of the resolution.

Attachments:

1. New Heights Deed
2. Resolution Right of Way vacation

When Recorded Return to:

City of Indianola, Iowa
Attn: City Clerk
110 North 1st Street
Indianola, IA 50125

Preparer Information: Charlie E. Dissell, City of Indianola, Iowa, 110 N 1st St, Indianola, Iowa 50125
Taxpayer Information: New Heights Church, 200 E 1st Ave, Indianola IA 50125

Phone: 515-962-5276

QUIT CLAIM DEED

For the consideration of One Dollar and other valuable consideration, the City of Indianola, Iowa does hereby Quit Claim to New Heights Church, all its right, title, interest, estate, claim and demand in the following described real estate in Warren County, Iowa:

The 12 foot wide alley, lying adjacent and between Lots 16 and 17 in Block 19 in the Original Town Plat of Indianola, Warren County Iowa, containing 1800 sq.ft, more or less.

Subject to all easements, covenants, and restrictions of record.

This deed is exempt according to Iowa Code section 428A.2(6).

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

Dated: _____

City of Indianola, Iowa

By: _____
Stephanie Erickson, Mayor

By: _____
Jackie Raffety, City Clerk

STATE OF IOWA, WARREN COUNTY

On the ____ day of _____, 2024, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Stephanie Erickson and Jackie Raffety, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk of the City of Indianola, Iowa, a municipal corporation; that the seal affixed to the above and foregoing instrument is the corporate seal of said municipal corporation, and that said instrument was signed and contained in the Resolution adopted by the City Council of Indianola on the ____ day of _____, 2024, and the said Stephanie Erickson and Jackie Raffety acknowledged the execution of said instrument to be their voluntary act and deed and the voluntary act and deed of said municipal corporation, by its and by them voluntarily executed.

Notary Public in and for the State of Iowa

City of Indianola
RESOLUTION NO. 2024-_____

**RESOLUTION APPROVING THE SALE OF A PORTION OF THE NORTH/SOUTH ALLEY
LOCATED EAST OF THE 100 BLOCK OF SOUTH 1ST STREET
AND WEST OF THE 100 BLOCK OF SOUTH JEFFERSON WAY**

WHEREAS, the City of Indianola, Iowa has by Ordinance vacated the portion of right-of-way located east of the 100 block of South 1st Street and west of the 100 block of South Jefferson Way, and legally described as the 12 foot wide alley, lying adjacent and between Lots 16 and 17 in Block 19 in the Original Town Plat of Indianola, Warren County Iowa, containing 1800 sq.ft, more or less; and

WHEREAS, the City of Indianola, Iowa, received a request from New Heights Church, the property owner of 200 East 1st Avenue, in accordance with law and city policy; and

WHEREAS, the required application was been made, notice and consent of adjacent property owners secured, and Planning and Zoning recommended Council approval of the proposal; and

WHEREAS, in accordance with the Code of Iowa Section 364.7, notice and hearing as provided by law was held on March 18, 2024; and

WHEREAS, the City Council now deems it in the best interest of the City of Indianola, Iowa, to sell the vacated right of way to New Heights Church.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Indianola, Iowa, that the sale of the portion of right-of-way located east of the 100 block of South 1st Street and west of the 100 block of South Jefferson Way, and legally described as the 12 foot wide alley, lying adjacent and between Lots 16 and 17 in Block 19 in the Original Town Plat of Indianola, Warren County Iowa, containing 1800 sq.ft, more or less, to New Heights Church is hereby approved.

NOW THEREOFRE BE IT FURTHER RESOLVED that the Mayor and City staff are authorized to do all things necessary to effectuate the sale.

APPROVED this 3rd day of June 2024.

Stephanie Erickson, Mayor

ATTEST:

Jackie Raffety, City Clerk



MEMORANDUM

To: Mayor and City Council

From: Charlie Dissell, Deputy City Manager Development and Operations

Date: June 3, 2024

Subject: Resolution approving the granting of various easements on a portion of the north/south alley located east of the 100 block of South 1st Street and west of the 100 block of South Jefferson Way.

Introduction:

Background: Third consideration of the vacation of a portion of the north/south alley located east of the 100 block of South 1st Street and west of the 100 block of South Jefferson Way was approved on April 15, 2024.

Discussion: Prior to recordation and transfer of the vacated right-of-way, the City shall place easements on the right-of-way to assure current utility functions can be maintained.

Budget Impact:

Recommendation: Staff recommends approval of the easements.

Attachments:

1. Easement RESOLUTION
2. Public Utility Easement
3. Sanitary Sewer Easement

City of Indianola
RESOLUTION NO. 2024-_____

**RESOLUTION APPROVING THE GRANTING OF VARIOUS EASEMENTS ON A PORTION
OF THE NORTH/SOUTH ALLEY LOCATED EAST OF THE 100 BLOCK OF SOUTH 1ST
STREET AND WEST OF THE 100 BLOCK OF SOUTH JEFFERSON WAY**

WHEREAS, the City of Indianola is in need of certain easements in order for the vacation and sale of the right-of-way described as a portion of the north/south alley located east of the 100 block of South 1st Street and west of the 100 block of South Jefferson Way.; and

WHEREAS, the easements include the following:

1. Sanitary Sewer Easement
2. Public Utility Easement

WHEREAS, the City Council believes it to be in the best interest of the City to approve and accept all easement agreements.

BE IT, THEREFORE, RESOLVED by the City of Indianola, Iowa, that the easements in the form attached hereto is hereby approved and accepted.

BE IT FURTHER RESOLVED that the Mayor and the City Clerk are hereby authorized to execute said Agreement on behalf of the City of Indianola, Iowa.

APPROVED this 3rd day of June 2024.

Stephanie Erickson, Mayor

ATTEST:

Jackie Raffety, City Clerk

When Recorded Return to:

City of Indianola, Iowa
Attn: City Clerk
110 North 1st Street
Indianola, IA 50125

Preparer Information: Charlie E. Dissell, City of Indianola, Iowa, 110 N 1st St, Indianola, Iowa 50125 Phone: 515-962-5276

PUBLIC UTILITY EASEMENT

The undersigned, City of Indianola, Iowa, hereinafter referred to as "Grantor", in consideration of the sum of one dollar (\$1.00), and other valuable consideration, does hereby sell, grant and convey unto the City of Indianola, Iowa, a municipal corporation, in the County of Warren, State of Iowa, hereinafter referred to as "Grantee" or "City", a permanent easement under, through, and across the following described real estate:

The 12 foot wide alley, lying adjacent and between Lots 16 and 17 in Block 19 in the Original Town Plat of Indianola, Warren County Iowa, containing 1800 sq.ft, more or less.

PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

The above-described easement is granted unto the City of Indianola, Iowa, for the purpose of constructing, reconstructing, repairing, replacing, enlarging, inspecting, and maintaining the following public improvements:

Public Utilities

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

1. **ERECTION AND PLACEMENT OF STRUCTURES, OBSTRUCTIONS, PLANTINGS OR MATERIALS PROHIBITED.** Grantor and its grantees, assigns and transferees shall not erect any fence or other structure under, over, on, through, across or within the Easement Area without obtaining the prior written consent of the City, nor shall Grantor cause or permit any obstruction, planting or material to be placed under, over, on, through, across or within the Easement Area without obtaining the prior written consent of the City.
2. **CHANGE OF GRADE PROHIBITED.** Grantor and its grantees, assigns and transferees shall not change the grade, elevation, or contour of any part of the Easement Area without obtaining the prior written consent of the City. The City shall have the right to restore any changes in grade, elevation, or contour without prior written consent of the Grantor, its grantees, assigns or transferees.

3. **RIGHT OF ACCESS.** The City shall have the right of access to the Easement Area and have all rights of ingress and egress reasonably necessary for the use and enjoyment of the Easement Area from property adjacent thereto as herein described, including but not limited to, the right to remove any unauthorized fences, structures, obstruction, planting or material placed or erected under, over, on, through, across or within the Easement Area.
4. **PROPERTY TO BE RESTORED.** The City shall restore the Easement Area after exercising its rights hereunder, provided, however, that the City's duty of restoration shall be limited to grading and replacing grass, sod, or any other ground cover (but not including any structures, trees or shrubs). The City shall not be responsible for any construction, reconstruction, replacement, repair or maintenance of any improvements located within the Easement Area.
5. **LIABILITY.** Except as may be caused by the negligent acts or omissions of the City, its employees, agents or its representatives, the City shall not be liable for injury or property damage occurring in or to the Easement Area, the property abutting said Easement Area, nor for property damage or any improvements or obstructions thereon resulting from the City's exercise of this Easement.
6. **EASEMENT BENEFIT.** This Easement shall be for the benefit of the City, its successors and assigns, and its permittees and licensees.
7. **EASEMENT RUNS WITH LAND.** This Easement shall be deemed perpetual and to run with the land and shall be binding on Grantor and on Grantor's heirs, successors, and assigns.

Grantor does HEREBY COVENANT with the City that (i) Grantor holds said real estate described in this Easement by title in fee simple; (ii) that Grantor has good and lawful authority to convey the same; and (iii) said Grantor covenants to WARRANT AND DEFEND the Easement Area against the claims of all persons whomsoever.

Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share, if any, in and to the interests conveyed by this Easement.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

IN WITNESS WHEREOF, we have hereunto affixed our hands this ____ day of _____ 2024.

CITY OF INDIANOLA, IOWA

By: _____
Stephanie Erickson, Mayor

Attest:

By: _____
Jackie Raffety, City Clerk

STATE OF IOWA, COUNTY OF WARREN, ss:

On the ____ day of _____ 2024, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Stephanie Erickson and Jackie Raffety, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk of the City of Indianola, Iowa, a municipal corporation; that the seal affixed to the above and foregoing instrument is the corporate seal of said municipal corporation and the said Stephanie Erickson and Jackie Raffety 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

WHEN RECORDED RETURN TO:

City of Indianola
110 N 1st St
Indianola, IA 50125

Preparer Information: Charlie E. Dissell, City of Indianola, Iowa, 110 N 1st St, Indianola, Iowa 50125 Phone: 515-962-5276

SANITARY SEWER EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, City of Indianola, Iowa, hereinafter referred to as "Grantor", in consideration of the sum of Ten Dollars and other good and valuable consideration, does hereby sell, grant and convey unto the City of Indianola, Iowa, a municipal corporation, in the County of Warren, State of Iowa, hereinafter referred to as "Grantee" or "City", a permanent easement under, through, and across the following described real estate:

The 12 foot wide alley, lying adjacent and between Lots 16 and 17 in Block 19 in the Original Town Plat of Indianola, Warren County Iowa, containing 1800 sq.ft, more or less.

That the above-described easement is granted unto the City of Indianola, Iowa, for the purpose of constructing, reconstructing, repairing, replacing, enlarging, inspecting and maintaining the following public improvements:

Sanitary Sewer Utilities

1. Erection and Placement of Structures, Obstructions, Plantings or Materials Prohibited. Grantor and its grantees, assigns and transferees shall not erect any fence or other structure under, over, on, through, across or within the Easement Area without obtaining the prior written consent of the City, nor shall Grantor cause or permit any obstruction, planting or material to be placed under, over, on, through, across or within the Easement Area without obtaining the prior written consent of the City.

2. Change of Grade Prohibited. Grantor and its grantees, assigns and transferees shall not change the grade, elevation or contour of any part of the Easement Area without obtaining the prior written consent of the City. The City shall have the right to restore any changes in grade, elevation or contour without prior written consent of the Grantor, its grantees, assigns or transferees.

3. Right of Access. The City shall have the right of access to the Easement Area and have all rights of ingress and egress reasonably necessary for the use and enjoyment of the Easement Area from property adjacent thereto as herein described, including but not limited to, the right to remove any unauthorized fences, structures, obstruction, planting or material placed or erected under, over, on, through, across or within the Easement Area.

4. Property to be Restored. The City shall restore the Easement Area after exercising its rights hereunder, provided, however, that the City's duty of restoration shall be limited to grading and replacing grass, sod or any other ground cover (but not including any structures, trees or shrubs). The City shall not be responsible for any construction, reconstruction, replacement, repair or maintenance of any improvements located within the Easement Area. Grantor shall be responsible for removal and restoration of the reinforced concrete pad, noted in Section 1, that is associated with any construction, reconstruction, replacement, repair or maintenance of any improvements located within the Easement Area.

5. Liability. Except as may be caused by the negligent acts or omissions of the City, its employees, agents or its representatives, the City shall not be liable for injury or property damage occurring in or to the Easement Area, the property abutting said Easement Area, nor for property damage or any improvements or obstructions thereon resulting from the City's exercise of this Easement. Grantor agrees to indemnify and hold City, its employees, agents and representatives harmless against any loss, damage, injury or any claim or lawsuit for loss, damage or injury arising out of or resulting from the negligent or intentional acts or omissions of Grantor or its employees, agents or representatives.

6. Easement Benefit. This Easement shall be for the benefit of the City, its successors and assigns, and its permittees and licensees.

7. Easement Runs with Land. This Easement shall be deemed perpetual and to run with the land and shall be binding on Grantor and on Grantor's heirs, successors and assigns.

8. Consent and Subordination of Mortgage Holder(s). By signing this Agreement, the undersigned lender, its successors and assigns consents to the terms of this easement agreement and hereby subordinates its interest in the Easement Area to the interest of the City and its successors and assigns.

9. Approval by City Council. This Easement shall not be binding until it has received the final approval and acceptance by the City Council by Resolution which approval and acceptance shall be noted on this Easement by the City Clerk.

That the Grantor does hereby covenant with the said Grantee, and successor-in-interest, that said Grantor holds said real estate by title and fee simple; that it has good and lawful authority to sell and convey the same; that said premises are free and clear of all liens and encumbrances whatsoever, except as may be herein stated; that said Grantor covenants to warrant and defend the said premises against the lawful claims of all persons whomsoever, except as may be herein stated.

Grantor does HEREBY COVENANT with the City that (i) Grantor holds said real estate described in this Easement by title in fee simple; (ii) that Grantor has good and lawful authority to convey the same; and (iii) said Grantor covenants to WARRANT AND DEFEND the Easement Area against the claims of all persons whomsoever.

Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share, if any, in and to the interests conveyed by this Easement.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

IN WITNESS WHEREOF, we have hereunto affixed our hands this ____ day of _____ 2024.

CITY OF INDIANOLA, IOWA

By: _____
Stephanie Erickson, Mayor

Attest:

By: _____
Jackie Raffety, City Clerk

STATE OF IOWA, COUNTY OF WARREN, ss:

On the ____ day of _____ 2024, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Stephanie Erickson and Jackie Raffety, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk of the City of Indianola, Iowa, a municipal corporation; that the seal affixed to the above and foregoing instrument is the corporate seal of said municipal corporation and the said Stephanie Erickson and Jackie Raffety 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



MEMORANDUM

To: Mayor and City Council
From:
Date: June 3, 2024
Subject: Resolution approving annual salaries.

Recommendation: Roll call is in order.

Attachments:

1. Res 2024- FY25 Salary Resolution
2. FY25 Salaries

City of Indianola
RESOLUTION NO 2024-

RESOLUTION SETTING FISCAL YEAR 25 SALARIES

WHEREAS, the City of Indianola's compensation plan covers city positions not represented by a bargaining group, with a compensation range that shall be at the fiftieth percentile based on data from comparable communities, with a defined ten-step increment plan based on the level pay grade structure, as approved by the Indianola City Council on February 6, 2023, with Resolution 2023-025 approving the recommendations in the compensation study; and

WHEREAS, pay ranges for employees not represented by a bargaining unit will be established annually for approval by the City Council; and

WHEREAS, the pay ranges for employees not represented by a bargaining unit need a market adjustment of five percent to remain at the fiftieth percentile, as directed by the Indianola City Council with the adoption of the Fiscal Year 25 budget; and

WHEREAS, employees represented by a bargaining group shall also be granted a five percent cost-of-living adjustment as defined in their respective bargaining contracts; and

WHEREAS, the updated pay rates for individuals, effective July 1, 2024, is on the attached page.

NOW, THEREFORE, BE IT RESOLVED this resolution sets salaries in accordance with the personnel management guide and union contracts.

BE IT FURTHER RESOLVED that the city staff is hereby authorized to:

1. Update the pay ranges in the compensation plan.
2. Issue payroll checks and make all required supporting payroll payments as required per the personnel manual or required by law.

Passed and approved this 3rd day of June 2024.

Stephanie Erickson, Mayor

ATTEST:

Jackie Raffety, City Clerk

Name	Position	Longevity	Salary / Hourly
Caleb Adams-Brown	7-B.5		\$ 87,922.42
Deb Alexander	2-C		\$ 25.79
Christopher Allen	5-A		\$ 67,252.50
Pat Allsup	6-C	\$ 400.00	\$ 80,572.31
Matt Anders	R23-4	\$ 400.00	\$ 75,793.94
Michael Babcock	PO Hire		\$ 69,224.65
Nyan Baker	PO Hire		\$ 69,224.65
Bryce Becker	R21-2		\$ 61,572.70
Nathaniel Belvo	5-A		\$ 67,252.50
Roger Berry	3-B		\$ 27.43
Tanner Bishop	5-C		\$ 71,903.41
Tara Bosteder	2-A		\$ 50,163.75
Afton Bradley	4-D		\$ 67,102.23
Alison Brown	4-D	\$ 250.00	\$ 67,352.23
Nicole Brown	PO4		\$ 84,988.22
Tammy Bruce	R14-5	\$ 350.00	\$ 50,833.44
Angie Buchanan	6-C	\$ 300.00	\$ 80,472.31
Michele Burkhart-Patrick	9-E		\$ 129,806.96
Jill Burrell	3-B		\$ 57,056.25
Mark Butcher	5-E		\$ 76,875.97
Doug Bylund	10-D		\$ 131,815.58
Katelyn Byrd	R14-4		\$ 48,079.43
Greg Chia	11-H		\$ 158,211.55
Michael Chia	PO5	\$ 250.00	\$ 89,712.18
Marty Chittenden	6-C	\$ 400.00	\$ 80,572.31
Joe Colby	5-C		\$ 71,903.41
Robert Collier	3-B		\$ 27.43
Janis Comer	4-D	\$ 250.00	\$ 67,352.23
Nicole Cormeny	R14-1.5		\$ 42,571.50
Candace Cronbaugh	1-D		\$ 19.04
Charles Cross	8-C	\$ 400.00	\$ 100,072.22
Garry Cunningham	R22+-1	\$ 350.00	\$ 64,470.34
Brandon De Cook	4-D		\$ 67,102.23
Rachelle Denning	R14-5	\$ 250.00	\$ 50,733.44
Charlie Dissell	12-E		\$ 150,267.78
Paul Dominguez	3-B		\$ 27.43
Benjamin Dressler	R21-3		\$ 64,650.67
Mitchell Duver	3-B		\$ 27.43
Erik Elwell	R21-4		\$ 67,883.67
Kevin Fallis	3-B		\$ 27.43
Gerrit Foreman	5-A		\$ 67,252.50

Name	Position	Longevity	Salary / Hourly
Caleb Fullerton	PO1		\$ 72,867.43
Dwayne Graham	3-B		\$ 27.43
Kameron Graves	2-B		\$ 24.94
Robert Greener	2-B		\$ 24.94
Jay R Hackett	PO5	\$ 250.00	\$ 89,712.18
Anthony Hair	R21-2		\$ 61,572.70
Mike Hamner	R21-4		\$ 67,883.67
Anna Harms	1-B		\$ 17.81
Norman Hart	R24+-4	\$ 400.00	\$ 81,867.94
Rob Hawkins	9-F		\$ 134,220.40
Kelly Heinkel	R19-4	\$ 300.00	\$ 61,800.97
Blake Henry	R19+-4	\$ 250.00	\$ 63,002.83
Tyrel Herrick	R25+-4	\$ 350.00	\$ 85,825.36
Jason Holder	10-E		\$ 136,297.31
Jubilee Hou	3-B		\$ 27.43
Robbie Hurley	PO1		\$ 72,867.43
Aaron Hurt	8-F	\$ 300.00	\$ 110,488.37
China Johnson	1-A.5		\$ 17.52
Nick Johnston	5-A		\$ 67,252.50
Allyson Karsjens	3-B		\$ 27.43
Jared Keenan	9-A		\$ 113,557.50
Justin Keller	8-H	\$ 350.00	\$ 118,158.55
Kathy Kester	5-D	\$ 350.00	\$ 74,698.13
Jacob Kotlarski	1-A.5		\$ 17.52
Rick Largesse	8-H	\$ 400.00	\$ 118,208.55
Rose Ligas	1-B		\$ 17.81
Tim Little	7-D		\$ 92,431.46
Sean Lunde	3-B		\$ 27.43
Chris Marsh	PO5	\$ 400.00	\$ 89,862.18
Ross Marshall	PO4		\$ 84,988.22
David McCurdy	3-B		\$ 27.43
Zach McEntee	2-B		\$ 24.94
Kelsey McFarland	2-B	\$ 0.10	\$ 25.04
Chris McIntyre	3-B		\$ 27.43
Brad Metcalf	7-F	\$ 400.00	\$ 99,223.65
Kevin Michels	4-C		\$ 64,895.78
Cassandra Mosher	3-C	\$ 250.00	\$ 59,246.16
Stefanie Mueller	1-B		\$ 17.81
Timothy Myers	R25+-1.5		\$ 75,826.93
Theodore Neller	8-A		\$ 93,225.14
Treyton Nixon	PO3		\$ 80,739.39

Name	Position	Longevity	Salary / Hourly
Tanner Ortlund	PO4		\$ 84,988.22
Akhilesh Pal	11-E		\$ 143,112.18
Samuel Patterson	3-B		\$ 27.43
Aaron Payette	8-A		\$ 93,225.14
Nico Pelkey	PO Hire		\$ 69,224.65
Jackie Raffety	7-D	\$ 250.00	\$ 92,681.46
Emily Rizvic	5-C		\$ 71,903.41
Jody Ross	2-D		\$ 55,456.39
Kayla Schark	3-B		\$ 27.43
John Schumacher	PO2		\$ 76,650.25
Chris Settles	3-B		\$ 57,056.25
Brian Sher	11-G		\$ 153,009.23
Courtney Silliman	9-B		\$ 117,418.46
Connor Skultety	R19-4		\$ 61,500.97
Michelle Snyder	R14-5		\$ 50,483.44
Tye Sparks	7-F		\$ 98,823.65
Jamie Steffen	R18-2		\$ 53,032.58
Drew Stever	PO4		\$ 84,988.22
Roxanne Stotler	6-A		\$ 74,986.54
Joseph Tegels	PO Hire		\$ 69,224.65
Josh Temple	PO5	\$ 250.00	\$ 89,712.18
Devin Thomas	7-E	\$ 250.00	\$ 95,824.12
Jason Thompson	5-C.5		\$ 73,125.77
MyLisa Thompson	4-C	\$ 300.00	\$ 65,195.78
Austin Van Wyk	5-A		\$ 67,252.50
Tracy Van Zante	5-C		\$ 71,903.41
Stacey Vannoni	5-C.5		\$ 73,125.77
Michael Visser	4-B		\$ 62,761.87
Sandra Wadle	R1-5		\$ 19.72
Ryan Waldkirch	3-B		\$ 27.43
Robert A Walker	3-B		\$ 27.43
Eric Wallace	8-C		\$ 99,672.22
Rebekah Ward	1-C		\$ 18.42
Vanessa Warren	3-B		\$ 27.43
Wyatt Watkins	R21-2.5		\$ 63,111.69
Jacy West	4-C		\$ 64,895.78
Thad White	8-C		\$ 99,672.22
Lisa Wilson	3-H		\$ 69,731.09
Trinton Wirth	R23-2		\$ 68,385.42
Tiegen Wood	R21+-3		\$ 65,902.53
Aaron Young	6-D.5		\$ 84,307.43

Name	Position	Hourly Rate
Susann Alvarez	MEMBER SERVICES	\$ 12.60
Laura Anthofer	WC LIFEGUARD	\$ 12.08
Jana Barnard	GROUP EXERCISE INSTRUCTOR	\$ 12.60
	MEMBER SERVICES	\$ 14.18
	WATER EXERCISE INSTRUCTOR	\$ 12.60
Annette Bierkamp	WATER EXERCISE INSTRUCTOR	\$ 11.37
Alannah Bird	WC LIFEGUARD	\$ 11.55
	WC SWIM INSTRUCTOR-NON CERTIFIED	\$ 11.55
Alaria Bode	WC LIFEGUARD	\$ 12.08
Gage G Boersma	WC LIFEGUARD	\$ 12.08
Cassidy Booher	MEMBER SERVICES	\$ 12.34
Kari Borlaug	LEARN & PLAY CENTER STAFF	\$ 12.60
Madison Borlaug	LEARN & PLAY CENTER STAFF	\$ 11.81
Donna Bura	GROUP EXERCISE INSTRUCTOR	\$ 26.51
Forrest H Burgin	PERSONAL TRAINER	\$ 21.00
Andrea Carlson	ADMINISTRATIVE SUPPORT	\$ 16.28
Jay Ceperley	ASSISTANT SWIM COACH	\$ 12.60
Tramelle Chandler - Height	GROUP EXERCISE INSTRUCTOR	\$ 13.69
Kally Chilton	GROUP EXERCISE INSTRUCTOR	\$ 13.60
Jennifer Coffey	LEARN & PLAY CENTER STAFF	\$ 12.60
Kate E Coffey	WC LIFEGUARD	\$ 11.55
	WC SWIM INSTRUCTOR CERTIFIED	\$ 13.13
Sydney Coffman	MEMBER SERVICES	\$ 11.55
Sebastian C Cooper	WC LIFEGUARD	\$ 11.81
Selena R Cooper	WC LIFEGUARD	\$ 12.08
Amanda Cowan	LEARN & PLAY CENTER STAFF	\$ 12.60
LeAnna Cunningham	WC LIFEGUARD	\$ 11.55
	WC SWIM INSTRUCTOR CERTIFIED	\$ 13.13
Gracie Cutts	LEARN & PLAY CENTER STAFF	\$ 12.60
Shelby Dale	LEARN & PLAY CENTER STAFF	\$ 12.60
Misty Darling	GROUP EXERCISE INSTRUCTOR	\$ 13.65
Arlene Davis	WATER EXERCISE INSTRUCTOR	\$ 11.12
Bailey Dostal	MEMBER SERVICES	\$ 11.55
Laura Dostal	Learn and Play Coordinator	\$ 17.85
Samantha Douds	WC LIFEGUARD	\$ 11.81
	WC SWIM INSTRUCTOR-NON CERTIFIED	\$ 12.08
Aubrey Edgington	WC LIFEGUARD	\$ 12.60
	WC SWIM INSTRUCTOR CERTIFIED	\$ 13.13
Addyson Eginoire	LEARN & PLAY CENTER STAFF	\$ 11.55
Jacklyn Eginoire	WC LIFEGUARD	\$ 12.08
	WC SWIM INSTRUCTOR CERTIFIED	\$ 13.65

Name	Position	Hourly Rate
Kimberly Erickson	GROUP EXERCISE INSTRUCTOR	\$ 13.95
Brian Estes	MEMBER SERVICES	\$ 11.81
Bob Fox	PERSONAL TRAINER	\$ 19.95
Kimberly Friest	GROUP EXERCISE INSTRUCTOR	\$ 23.03
	PERSONAL TRAINER	\$ 23.58
Cassandra Garcia	AQUATICS DIRECTOR	\$ 25.54
Tricia Goode	MEMBER SERVICES	\$ 12.08
Angela Gorsh	LEARN & PLAY CENTER STAFF	\$ 12.60
Chloey Hart	WC LIFEGUARD	\$ 11.55
Emma Haynes	WC LIFEGUARD	\$ 12.34
Mallory Heggen	GROUP EXERCISE INSTRUCTOR	\$ 13.13
Sid Hudson	MEMBER SERVICES	\$ 13.39
Heather A. Hulen	EXECUTIVE DIRECTOR	\$ 36.74
Julie Ilnitsky	WC LIFEGUARD	\$ 22.05
Evan Immel	WC LIFEGUARD	\$ 11.55
Justin Jenkins	GROUP EXERCISE INSTRUCTOR	\$ 15.23
Debra Johnson	GROUP EXERCISE INSTRUCTOR	\$ 21.79
	MEMBER SERVICE SPECIALIST	\$ 13.39
Isaac Johnson	WC LIFEGUARD	\$ 11.55
Melissa Johnston	LEARN & PLAY CENTER STAFF	\$ 12.60
Beth Jordan	GROUP EXERCISE INSTRUCTOR	\$ 23.10
Lindsay Kappelman	LEARN & PLAY CENTER STAFF	\$ 12.60
	MEMBER SERVICES	\$ 12.60
Boston King	MEMBER SERVICES	\$ 11.55
Lyssa Kuhl	GROUP EXERCISE INSTRUCTOR	\$ 13.13
	MEMBER SERVICES	\$ 12.34
Larissa Kurtz	GROUP EXERCISE INSTRUCTOR	\$ 13.60
Steven Lawyer	GROUP EXERCISE INSTRUCTOR	\$ 13.04
Traci Lee	GROUP EXERCISE INSTRUCTOR	\$ 24.90
Jenny Manser	MEMBER SERVICES	\$ 13.65
Denise Marean	LEARN & PLAY CENTER STAFF	\$ 12.34
Sawyer Massey	WC LIFEGUARD	\$ 11.55
Conner McCoy	WC LIFEGUARD	\$ 12.08
Katie McIntyre	GROUP EXERCISE INSTRUCTOR	\$ 13.13
Erica McKasson	GROUP EXERCISE INSTRUCTOR	\$ 12.60
Korey McKasson	MEMBER SERVICE SPECIALIST	\$ 13.65
Elaina Merfeld	LEARN & PLAY CENTER STAFF	\$ 11.55
	WC LIFEGUARD	\$ 11.55
	WC SWIM INSTRUCTOR-NON CERTIFIED	\$ 12.08
Kyle Merfeld	WC LIFEGUARD	\$ 12.86
Christina Miller	LEARN & PLAY CENTER STAFF	\$ 13.65

Name	Position	Hourly Rate
Leora Moen	WATER EXERCISE INSTRUCTOR	\$ 11.55
Emmalynne Mozak	WC LIFEGUARD	\$ 12.08
	WC SWIM INSTRUCTOR-NON CERTIFIED	\$ 12.08
Joyce Nehring	GROUP EXERCISE INSTRUCTOR	\$ 22.05
Michael Nunez	MEMBER SERVICES	\$ 11.55
Christopher Olds	ASSISTANT SWIM COACH	\$ 11.55
	WC LIFEGUARD	\$ 13.13
Aiden Ostrander	WC LIFEGUARD	\$ 11.55
Samantha Ostrander	MEMBER SERVICE SPECIALIST	\$ 13.39
Tristan Ostrander	WC LIFEGUARD	\$ 11.55
DyAnn Oxford	MEMBER SERVICES	\$ 15.48
Brooks Paugh	WC LIFEGUARD	\$ 11.55
Holly Pfeifer	GROUP EXERCISE INSTRUCTOR	\$ 12.60
Mackenzie Reynolds	WC SWIM INSTRUCTOR CERTIFIED	\$ 13.65
Jacob Riedmann	WC LIFEGUARD	\$ 11.55
Martha Rowe	LEARN & PLAY CENTER STAFF	\$ 12.60
Sharon Sallee	GROUP EXERCISE INSTRUCTOR	\$ 25.65
Tracee Saltz	GROUP EXERCISE INSTRUCTOR	\$ 14.50
	MEMBER SERVICES	\$ 14.96
	WATER EXERCISE INSTRUCTOR	\$ 14.50
Jan Sarlat-Aldridge	WATER EXERCISE INSTRUCTOR	\$ 12.60
Gloria Schettler	MEMBER SERVICES	\$ 11.55
Pamela Seuferer	MEMBER SERVICES	\$ 12.34
Adriane Sinclair	WC LIFEGUARD	\$ 11.55
Gabriel Sinclair	WC LIFEGUARD	\$ 11.55
Katelyn Smith	HEAD SWIM TEAM COACH	\$ 18.38
	SWIM TEAM OFFICE MANAGER	\$ 12.60
Lester Smith	GROUP EXERCISE INSTRUCTOR	\$ 21.79
Stacy Soethout	GROUP EXERCISE INSTRUCTOR	\$ 13.80
Lindsay Sokol	LEARN & PLAY CENTER STAFF	\$ 12.60
Dru Spurgeon	WC LIFEGUARD	\$ 11.55
Magdalena Steinbeck	ASSISTANT SWIM COACH	\$ 11.81
	WC LIFEGUARD	\$ 11.81
Kelsey Stewart	LEARN & PLAY CENTER STAFF	\$ 12.34
Kaisen Storm	WC LIFEGUARD	\$ 12.08
Therrill Stufflebeem	WC LIFEGUARD	\$ 13.65
	WC SWIM INSTRUCTOR-NON CERTIFIED	\$ 12.60
Bree Tenges	LEARN & PLAY CENTER STAFF	\$ 12.60
Diane M Thomas	MEMBERSHIP DIRECTOR	\$ 25.54
Jamie Thomas	LEARN & PLAY CENTER STAFF	\$ 12.60
Taylor Thomas	MEMBER SERVICE SPECIALIST	\$ 13.39

Name	Position	Hourly Rate
Katherine Thompson	WC LIFEGUARD	\$ 12.08
	WC SWIM INSTRUCTOR CERTIFIED	\$ 13.13
Melissa Thompson	LEARN & PLAY CENTER STAFF	\$ 12.60
Ryan Torrence	WC LIFEGUARD	\$ 11.55
Kimberly Ubben	GROUP EXERCISE COORDINATOR	\$ 23.10
Max Walljasper	WC LIFEGUARD	\$ 11.55
Kristy Warren	GROUP EXERCISE INSTRUCTOR	\$ 20.75
Ashley Weiland	MEMBER SERVICES	\$ 12.34
Hayden Werling	GROUP EXERCISE INSTRUCTOR	\$ 13.13
Jaclyn Wetzler	MEMBER SERVICES	\$ 11.55
Delanie Williams	WC LIFEGUARD	\$ 12.08
Justus Woell	WC LIFEGUARD	\$ 11.81
	WC SWIM INSTRUCTOR CERTIFIED	\$ 13.13
Trudie Wood	MEMBER SERVICES	\$ 11.55



MEMORANDUM

To: Mayor and City Council
From: Jason Holder, Chief of Innovation and Internal Services
Date: June 3, 2024
Subject: Resolution authorizing an agreement with OPG-3.

Introduction: The City of Indianola has a growing need for an efficient and robust document management solution. Our current system is outdated and lacks the capabilities required to manage the increasing volume and complexity of our documents. Efficient document management is critical for ensuring that our records are easily accessible, securely stored, and effectively utilized. The proposed Laserfiche document management solution will address these needs by providing advanced searching, process automation, and analytics, which will streamline our operations and improve our ability to manage information digitally.

Background: Laserfiche provides a highly flexible and secure document repository and framework for building process automation and information management solutions. The City's current instance of Laserfiche is out of date and requires an update. As a currently on-premise solution, we need to transition to a more modern and scalable cloud-based platform to enhance our operational efficiency and information management capabilities.

Discussion:

Upgrading to the Laserfiche Cloud Municipal Site License offers several benefits:

- **Enhanced Document Management:** The new solution will provide advanced document management functionalities, including document imaging, management, and records management, integrated across web, mobile, and desktop interfaces.
- **Process Automation:** Automation of routine processes will reduce manual workloads, increase efficiency, and minimize errors. This includes workflows for document capture, indexing, and retrieval.
- **Improved Security and Compliance:** The cloud-based solution offers robust security features such as data encryption at rest, intrusion detection, and automated backups, ensuring our data is secure and compliant with regulatory requirements.
- **Scalability and Accessibility:** The cloud solution will provide scalable resources and remote access capabilities, allowing our staff to access and manage documents from anywhere.
- **Cost-Effectiveness:** The transition to a cloud-based solution will reduce the need for on-premises infrastructure and associated maintenance costs.

Item	Unit and Price	Price
Laserfiche Cloud Municipal Site License (Population Under 25K)	1 @ \$25,750	\$25,750/year
Installation and Configuration	3 @ \$205	\$615
Implementation Total		\$26,365

Budget Impact: There is no budget impact for the current fiscal year. The costs associated with the Laserfiche Site License purchase and implementation will be covered by funds reallocated from a recently terminated contract. This reallocation ensures that we can proceed with the upgrade without requiring additional budget allocations or affecting other planned expenditures.

Recommendation: Staff recommend moving forward with the purchase of the Laserfiche Site License. The upgrade will significantly enhance our document management capabilities, streamline processes, and improve overall operational efficiency. Attached to this memorandum are the detailed quote and Statement of Work (SOW) for your review.

Attachments:

1. City of Indianola, IA_Scope of Work_Cloud Migration
2. City of Indianola - Laserfiche Site License Proposal
3. Res 2024- Approve OPG-3 Proposal

OPG-3 Streamlined SOW

Project Description: The City of Indianola would like OPG-3's assistance in migrating its existing on-premises Laserfiche system to a Laserfiche Cloud system. The City will be purchasing a Laserfiche Cloud Municipal Site License for cities under 25k population. They currently do not use any workflows or forms so they will not need anything migrated to the cloud system. Their existing system is comprised of about 450 GB.

In order to minimize the overhead required for this type of engagement, OPG-3 has developed a streamlined approach for projects of less than 25 hours.

Minimizing overhead requires a reciprocal partnership between the City of Indianola, IA and OPG-3 to complete the project in a time and cost-effective manner. This includes:

- ☐ Allocating a subject matter expert on the "business" side that attends the alignment call and demos and can make timely decisions related to requirements and design
- ☐ Making a technical resource available that can remove technical impediments in a timely matter
 - Providing remote access to the City of Indianola, IA Laserfiche environment
 - Configuring ODBC connections to data sources
- ☐ Allocating and scheduling resources to test the solution in a timely matter

Once we receive email approval to proceed based on the description and activities below, the project will be added to the backlog, and eligible for onboarding during backlog grooming/resource allocation (Thursday morning). Once your project has been onboarded, our ScrumMaster or the assigned engineer will reach out to you to schedule an initial alignment call.

During the alignment call, it's critical to plan out the activities for the project – especially demos and any User Acceptance Testing that will be completed by your organization. It's also important that we receive advance notice if someone is not going to be able to make a scheduled appointment because we allocate resources weekly. If a meeting, working session or demo is cancelled (or attendees simply don't show up) without 24 hours' notice, OPG-3 will bill 2 hours to the project for time lost.

Customer Name:	City of Indianola, IA
Stakeholder:	Jason Holder
Project Name:	Cloud Migration
Prerequisites:	☐ Confirm Remote Access (VPN Preferred)
Activities:	☐ Initial alignment call to review scope and discuss design ☐ System development ☐ Solution demo and remediation as needed ☐ User Acceptance Testing and remediation as needed ☐ Project closeout
Hours Estimate:	Fixed bid project quoted at \$3,075.00
Payment Method:	Project will be invoiced upon acceptance and due upon receipt. This SOW is valid for 90 days and will expire on 8/17/2024.

Discovery Summary – City of Indianola

Customer Process	City of Indianola	
	Cloud Migration	
Users/Roles	<i>User/Role</i>	<i>Description</i>
	1. Jason Holder	1. IT Director
Systems/Applications	<i>System/Application</i>	<i>Description</i>
	1. Laserfiche Avante	1. Existing Laserfiche System
	2. Laserfiche Cloud Site license	2. New system

Summary

The City of Indianola would like OPG-3's assistance in migrating its existing on-premises Laserfiche system to a Laserfiche Cloud system. The city will be purchasing a Laserfiche Cloud Municipal Site License for cities under 25k population. They currently do not use any workflows or forms so they will not need anything migrated to the cloud system. Their existing system is comprised of about 450 GB.



Laserfiche Site License Proposal

For: **City of Indianola**

May 14, 2024



Document Management | Business Process Management | Enterprise Content



8030 Old Cedar Ave. Suite #205
Bloomington, MN 55425
651.233.5075
www.opg-3.com

May 14, 2024

Jason Holder
City of Indianola
110 N 1st St
Indianola, Iowa 50125

Dear Jason,

Thank you for your interest in a Laserfiche solution from OPG-3. We're pleased to provide the attached Business Proposal that includes high-level information regarding Laserfiche licensing, functionality, and pricing.

OPG-3 has been implementing Laserfiche solutions for organizations with content management needs similar to the City of Indianola for over 20 years. Through the combination of our experience, subject matter expertise, and commitment to customer service we have developed a community of highly satisfied customers who are eager to share what they have done.

I would be happy to discuss any component of the proposal or provide additional information as you complete your planning and budgeting process.

Sincerely,

A handwritten signature in black ink, appearing to read "John Voorhees". The signature is fluid and cursive, with a long horizontal stroke at the end.

John Voorhees
Solutions Manager | OPG-3, Inc.
jvoorhees@opg-3.com
651-233-5077

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Corporate Background and Experience

Executive Summary

The City of Indianola has expressed interest in implementing a Laserfiche document management solution that will help the organization utilize document management to its fullest ability.

The proposed Laserfiche solution bundles world-class document management functionality with advanced searching, process automation, and analytics that lay a foundation for any organization to go digital with its content. OPG-3 has helped other organizations with digital transformation by identifying pilot projects – like the digitization of clerk files or property records – to show the value of a Laserfiche solution and continuously improve the way information is captured, shared, and managed throughout the organization.

About OPG-3

OPG-3 is the premier Laserfiche reseller and implementation partner for Laserfiche in the upper Midwest region. We have been helping organizations transform their relationship with content for more than 20 years. With over 650 customers we have an enviable track record of successful implementations and a reputation for providing world-class customer service.

OPG-3 treats every sales opportunity as the beginning of a long-term partnership and the way we interact with our customers is evident in the consultative approach we take to the sales process. We look for the most efficient (cost and time) ways to provide the most value in everything we do. We offer to teach and train, so our customers can leverage our experience while providing their unique perspectives on their business problems.

OPG-3 has found a great deal of success partnering with organizations that operate in highly regulated environments. Our commitment to Agile Development and Continuous Improvement is a natural fit for organizations focused on operational and process improvements within the constraints of standardized procedures, accurate accounting of information and records, and the ability to quickly respond to audit requests.

About Laserfiche

Laserfiche provides a highly flexible and secure document repository and framework for building process automation and information management solutions. With more than 30 years of development focused on ease of use and the overall user experience, Laserfiche solutions can be tailored to meet the specific needs of an individual while automating complex business processes. The combination of flexibility, usability, and security allows organizations to focus on improving the way they do business and regulatory compliance, simplified audits, and straightforward records retentions are simply an outcome of doing things the right way.

Laserfiche Licensing

Licensing Structure

Laserfiche employs a named-user licensing model tied to an annual subscription. Laserfiche offers two potential types of users:

- Named Full Users
- Named Participant Users

A Named Full User has full access to all Laserfiche applications and can be granted the rights and privileges needed to:

- Configure and administer the overall system
- Build forms, business processes, and workflows
- Capture and update documents directly into the repository
- Start and participate in business processes
- Build and access reports and dashboards

A Named Participant has access to the Laserfiche Web, Windows, and Mobile applications and can be granted rights to perform limited actions including:

- Start and participate in business processes
- Access documents from the repository in read-only mode

Laserfiche Site License Components

All Laserfiche solutions include document-related services (document imaging, document management, records management), choice of interface (Windows, Web, and Mobile), advanced capture, and process automation. The specific Laserfiche components include:

Laserfiche Cloud Subscription Features	
Municipal Site License 25K	
Included Full Users	150
Document Management	✓
Import Agent with Email Archiving	✓
Audit Trail	Advanced
Direct Share	✓
Data Encryption at Rest	✓
Autoscaling of Computing and Storage Resources	✓
Automated and Encrypted Backups	✓
Intrusion Detection	✓
Automated Feature and Security Updates	✓
Automated Text Generation on Imported Electronic Documents	✓
Process Automation	✓
Connector	✓
Surveys	✓
Records Management	✓

Cloud Add-Ons	
Laserfiche APIs	100,000 calls / month (+)
SDK	✓
Quick Fields Complete with Agent	10 (+)
Workflow Bots for Process Automation	1 (+)
Public Portal	Unlimited
Forms Portal	Unlimited
Participant Users	+
Community Users	+
Smart Invoice Capture	+
Vault (requires Records Management)	+
Additional Storage	+
ScanConnect	+

Cloud Integrations	
Microsoft 365 Integration with Simultaneous Editing	✓
Integration with Microsoft Teams	✓
Integration with SharePoint	✓
Integration with Microsoft Dynamics 365 CRM	✓
Integration with Redtail CRM	✓
Integration with DocuSign	✓
Integration with Salesforce	+
Integration with Laser App	+
Integration with Ellucian Ethos	+
Laserfiche for Ricoh MFD	+
Certified Integration with SAP ArchiveLink	+

Additional Laserfiche Integrations

Laserfiche is constantly developing new official integrations to its platform. They also provide several flexible tools to enable solution providers to develop custom unofficial integrations.

Link to Laserfiche Official Integration List: <https://www.laserfiche.com/marketplace/>

Component Descriptions

Laserfiche solutions include document-related services (document imaging, document management, records management), choice of interface (Windows, Web, and Mobile), advanced capture, and process automation. Listed below are brief descriptions of some of the Laserfiche software components.

Laserfiche Component	Description
Laserfiche Web Client	Enables user access to repository content through a web browser.
Laserfiche Mobile	Enables user access to repository content through Android, iOS, or Windows Phone applications.
Laserfiche Workflow	Automates content processing and business processes using the drag-and-drop Workflow Designer configuration.
Laserfiche Snapshot	Virtually prints content into Laserfiche as a TIFF image, generates associated text for full-text searching, and allows for indexing upon import.
Laserfiche Advanced Audit Trail with Watermark Feature	Tracks attempted and successful events in the repository, including login, document deletion, and audit configuration modification.
Laserfiche Microsoft Office Integration	Enables direct content import and indexing capabilities from a Laserfiche ribbon in Microsoft Office products. In Outlook, allows one-click import of emails and attachments to the repository with auto-indexing (sender, subject, time received, etc.).
Laserfiche SharePoint Integration	Enables users to browse and search Laserfiche contents from SharePoint and transfer content from SharePoint to Laserfiche.
Laserfiche Records Management	Provides integrated, DoD 5015.2 certified records management functionality to track documents through their complete records lifecycle.
Laserfiche Forms	Enables organizations to collect, route, and process information captured through electronic forms.
Laserfiche Connector	Offers a non-programmatic means for integrating Laserfiche with line-of-business applications.
Laserfiche Quick Fields Complete	Provides batch processing capabilities for automated data capture and storage through document classification, real-time lookups, zone OCR, auto-redaction, etc.
Laserfiche Import Agent with Email Archiving	Monitors network folders and imports files into the Laserfiche system. Upon import, performs OCR, indexing, and document routing based on the Windows file path or file name.
Laserfiche SDK	Includes access to the Web Services, APIs, and libraries used to develop Laserfiche client applications.
Laserfiche DocuSign Integration	Enables organizations to initiate a signing process with DocuSign from Laserfiche Web Client by selecting a document, DocuSign template, and signatory, while saving signed documents as a new version of the original.
Laserfiche Public Portal	Allows organizations to have a portal where external users can view documents in read-only mode with a specified number of concurrent connections.
Laserfiche Forms Portal	Enables anonymous submission of Laserfiche Forms by external users for internal approval processes.

Licensing Cost Summary

Laserfiche Municipal Site License Pricing

The license pricing below includes the total recurring *yearly* cost of the software as well as the *one-time* cost of Labor Installation and Configuration.

The Laserfiche Cloud Site License introduces a straightforward annual fee including software licenses, hosted storage, technical support, and software updates. This licensing option provides 150 Named Full Users and 10 TB of storage in a Software as a Service (SaaS) solution hosted on Amazon Web Services.

Cloud Configuration			
Product Name	Quantity	Unit Price	Extended
Software			
Laserfiche Cloud Municipal Site License (Under 25K)	1	\$25,750	\$25,750/year
Software Total			\$25,750/year
Services			
Labor: Installation and Configuration	3	\$205	\$615
Initial Implementation Total			\$26,365

Annual Recurring Cost: \$25,750/year

OPG-3 Professional Services

Service Costs

OPG-3 provides comprehensive professional services that include consultation and design, system configuration, integration, migration, and custom software development. The costing estimates for the Document and Workflow Digitization implementation are inclusive of Requirements, Design, System Development, User Acceptance Testing, Push to Production, and Knowledge Transfer and Transition to Support.

Service Costs are dependent on the project(s) that will be implemented. Document capture and filing projects are usually between 15 and 40 hours (\$3,075 - \$8,200) depending on what they include. Typical filing projects include:

- Dynamic metadata fields with lookups to other data sources to automate indexing and provide real-time data validation
- Document filing workflows that build and manage the folder structure, standardize document naming, apply metadata, and assign document retention properties
- Web forms allow users to manage the file plan components themselves to add document types, update retention rules, etc.
- Business processes that update the file plan based on changes in other systems (name change, employment status, etc.).

Professional services for projects are governed by a Statement of Work (SOW) that clearly outlines the scope and deliverables for a project and are priced at **\$205/hour**.

Optional Add-Ons

OPG-3 Concierge Care Package (“CCP”)

Concierge Care Packages are professional services subscriptions that supplement the support provided through your Laserfiche LSAP subscription. Concierge Care Packages include a bank of professional services hours offered at a discounted rate that can be used for:

- Updates to your current Laserfiche solution including:
 - Updates to your file plan
 - Updates to or review of your security system
 - Updates to Forms, Forms Processes, and Workflows
 - System audits and upgrade planning
 - Training and documentation
- Business continuity planning and testing
- Development and implementation of maintenance plans to ensure system performance
- Professional services engagements of less than 25 hours

Clerk/Admin Infrastructure Project

A streamlined capture process for Clerk/Admin documents that utilizes dynamic fields to simplify indexing. This solution ensures a well-organized file plan and makes it easy to find specific documents. This also enables public records to be made publicly available (Public Portal) or simply shared via email.

AP Checks Project

Bulk scanning capture process for checks and supporting documentation. This solution uses a Laserfiche tool called Quick Fields for barcode or text extraction to pull check or transaction numbers from the check or ACH summary. It then names and files these checks with your repository.

HR Infrastructure Project

A streamlined capture process for HR documents that utilizes dynamic fields to simplify indexing. This solution includes the following components: auto-filing and management of file plan, employee name change process, employee termination process, employee re-hire process, and a data management form.

Property Files Infrastructure

A streamlined capture process for Address based documents that utilizes dynamic fields to simplify indexing. This centralized address-based file plan integrates documents from multiple departments. The solution includes integration with GIS application and uses PID to perform looks and return relevant data.

OPG-3 Scanner Recommendations

OPG-3 recommends a line of robust Canon scanners that, when purchased through OPG-3, will be configured to scan directly to Laserfiche by our engineers. **The below scanners are not included in this proposal but can be added by request.**

OPG-3 Recommended Scanners		Price
Canon DR-M260 - Desktop Scanner  Feeder Capacity: Up to 80 Sheets Suggested Daily Volume: 7,500 Scans Scanning Modes: Color, Grayscale, Black and White Other Features: Image Rotation, Deskew, Skip Blank Page, Text Enhancement, Color Detection Maximum Scan Size: 8.5" x 14"	\$895	
Canon DR-6030C – Workgroup Scanner  Feeder Capacity: Up to 100 sheets Suggested Daily Volume: 10,000 Scans Scanning Modes: Color, Grayscale, Black & White Other Features: Image Rotation, Deskew, Pre-Scan, Skip Blank Page, Text Enhancement, Color Detection Maximum Scan Size: 11" x 17"	\$2,995	
Canon DR-G2110 - Production Scanner  Feeder Capacity: Up to 500 sheets Suggested Daily Volume: 50,000 Scans Scanning Modes: Color, Grayscale, Black & White Other Features: Image Rotation, Deskew, Pre-Scan, Skip Blank Page, Text Enhancement, Color Detection Maximum Scan Size: 11" x 17"	\$4,495	

Proposal Acceptance

Please authorize your OPG-3, Inc. proposal and e-mail the paperwork back to jvoorhees@opg-3.com. Upon Acceptance, an OPG-3 Project Manager will send you an introductory letter, which outlines the next steps in your successful Laserfiche launch.

Note: If tax-exempt please provide OPG-3 with your Tax-Exempt Certificate

Signature	
Name	
Title	
Date	

City of Indianola

City of Indianola
RESOLUTION 2024-

RESOLUTION AUTHORIZING AN AGREEMENT WITH OPG-3

WHEREAS, the City of Indianola is in need of engaging a company to migrate its existing on-premises Laserfiche system to a Laserfiche Cloud System with a Municipal Site License; and

WHEREAS, a document management system will increase efficiencies in document management, automate processes and improve document security; and

WHEREAS, OPG-3 has developed a streamlined approach for this project; and

WHEREAS, the attached proposal and scope of service sets forth obligations for OPG-3 and the City; and

WHEREAS, the Information Technology Department has funds in the Fiscal Year 24 budget to purchase the license and funds in Fiscal Year 25 to maintain the license.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Indianola, Iowa that the attached proposal between the City and OPG-3 is hereby approved and the Mayor is authorized to sign the agreement on behalf of the City of Indianola.

Passed and approved this 3rd day of June 2024.

Stephanie Erickson, Mayor

ATTEST:

Jackie Raffety, City Clerk



MEMORANDUM

To: Mayor and City Council

From:

Date: June 3, 2024

Subject: Resolution approving sculpture locations, wind banner locations and sidewalk inlay locations for the Wonder on Buxton Project.

Recommendation: Roll call is in order.

Attachments:

1. Wonder_on_Buxton-composite
2. Resolution Approving Wonder on Buxton Locations

Wonder on Buxton

A public art activation connecting the Warren County Justice Center to Simpson College, telling the story of Indianola while encouraging circulation between the campus and town square.

Installations include:

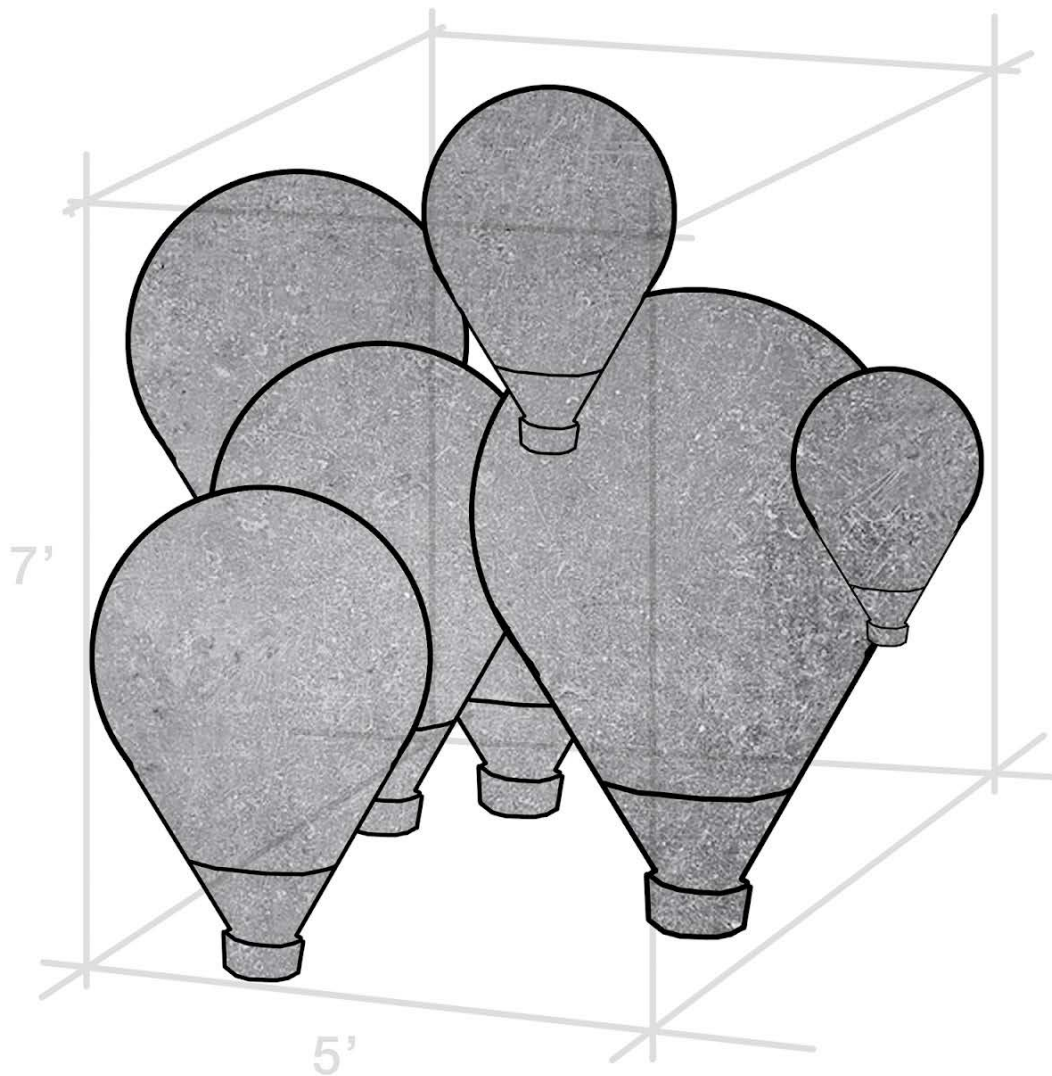
- 6 concrete sculptures on public property in the corridor
- 30 sidewalk inlays along Buxton
- 6 kinetic wind sculptures on Buxton street lamps
- QR codes on the concrete sculptures, linking to stories of local history

Most work will be completed by July 2024.

Group Creative Services facilitated the installations for Indianola Hometown Pride.

Ryan Hanser
515.229.3737
ryan@groupcreatives.com

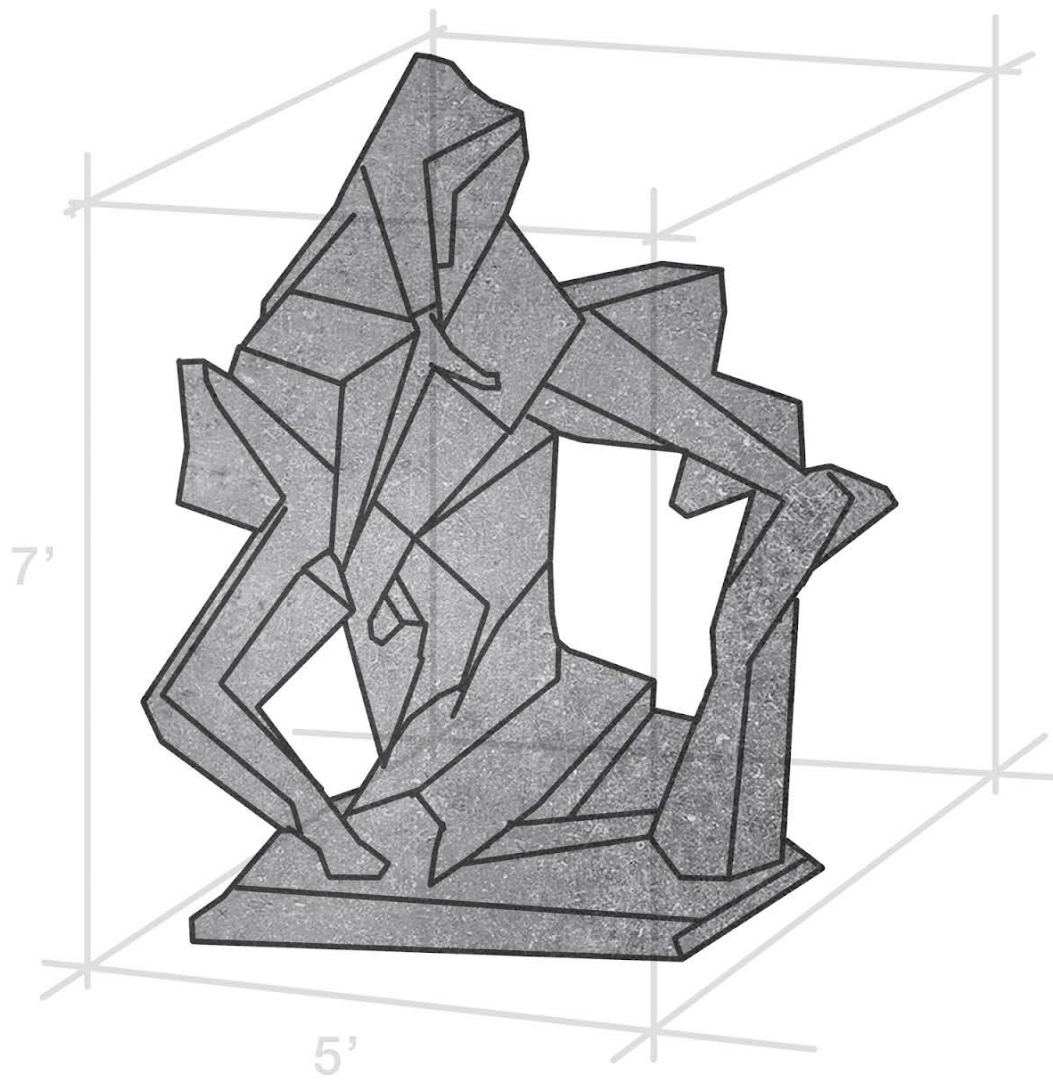
6 Sculptures:



#1: Title: A Bundle of Balloons

A whimsical interpretation of hot air balloons taking flight. A reference to a cherished event of Indianola and one of the traditions the town is best known for.

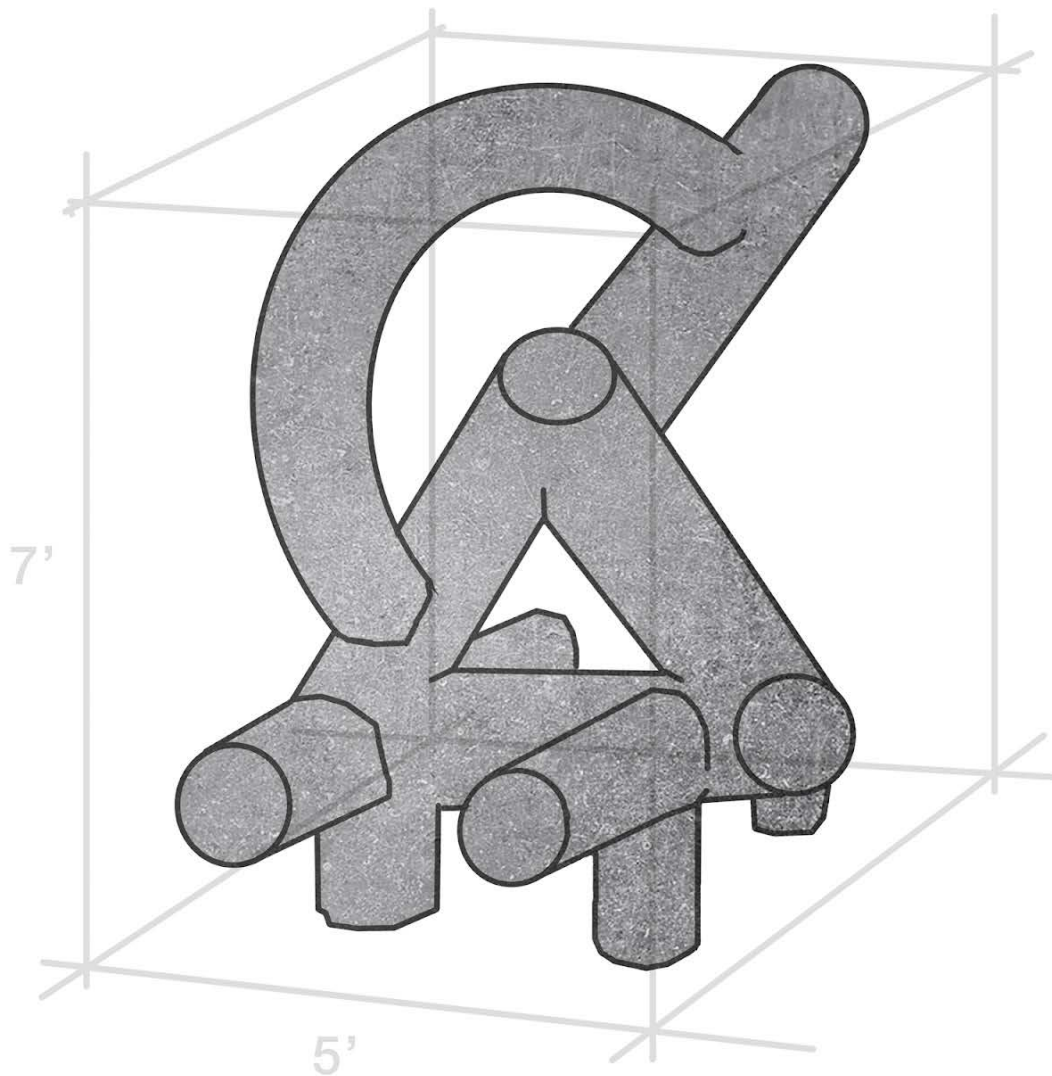
***size and appearance variable**



#2: Title: Sing Out

Reference/link to The Des Moines Opera

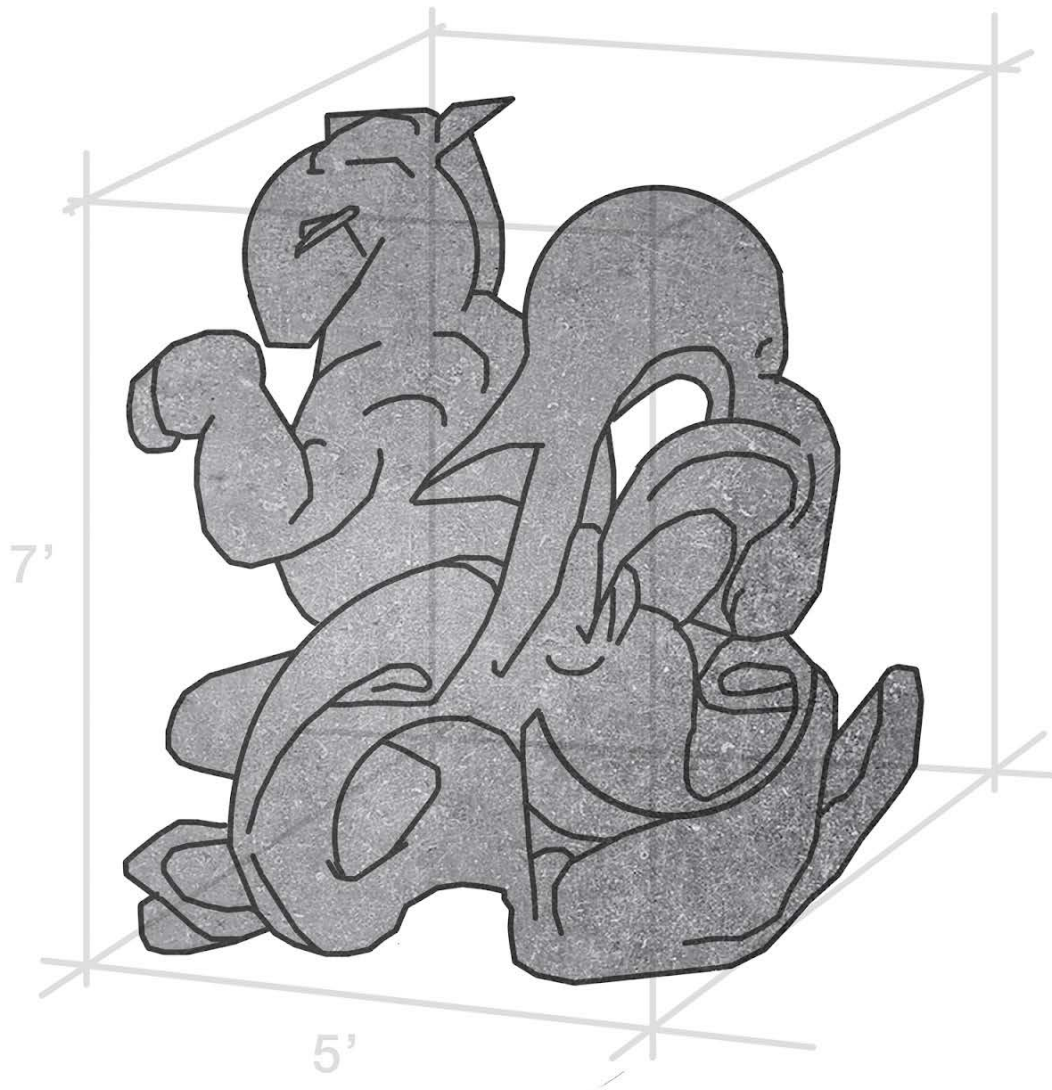
***size and appearance variable**



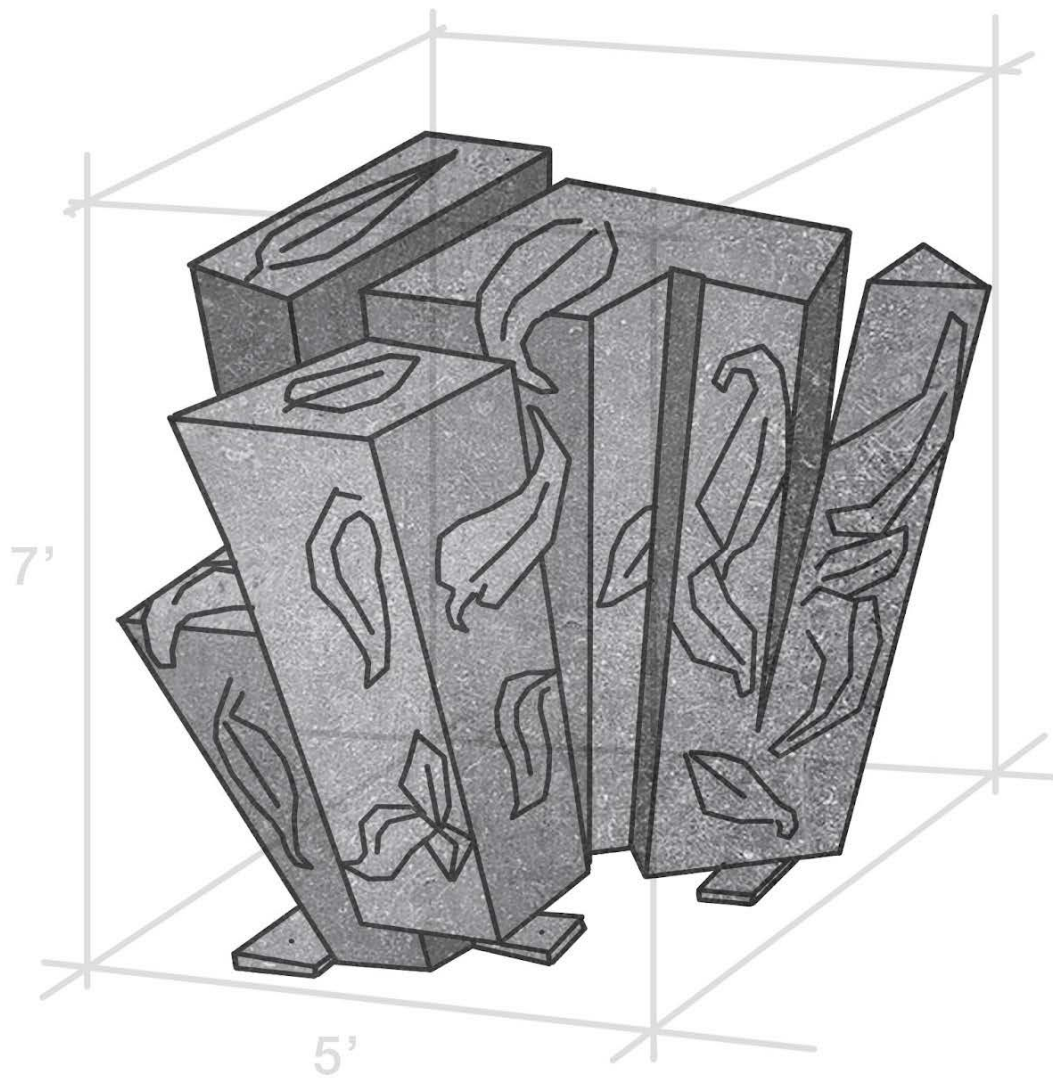
#3: Title: Intersections

Reference/link to Simpson College, Reference/link to The Warren County Fair.

***size and appearance variable**

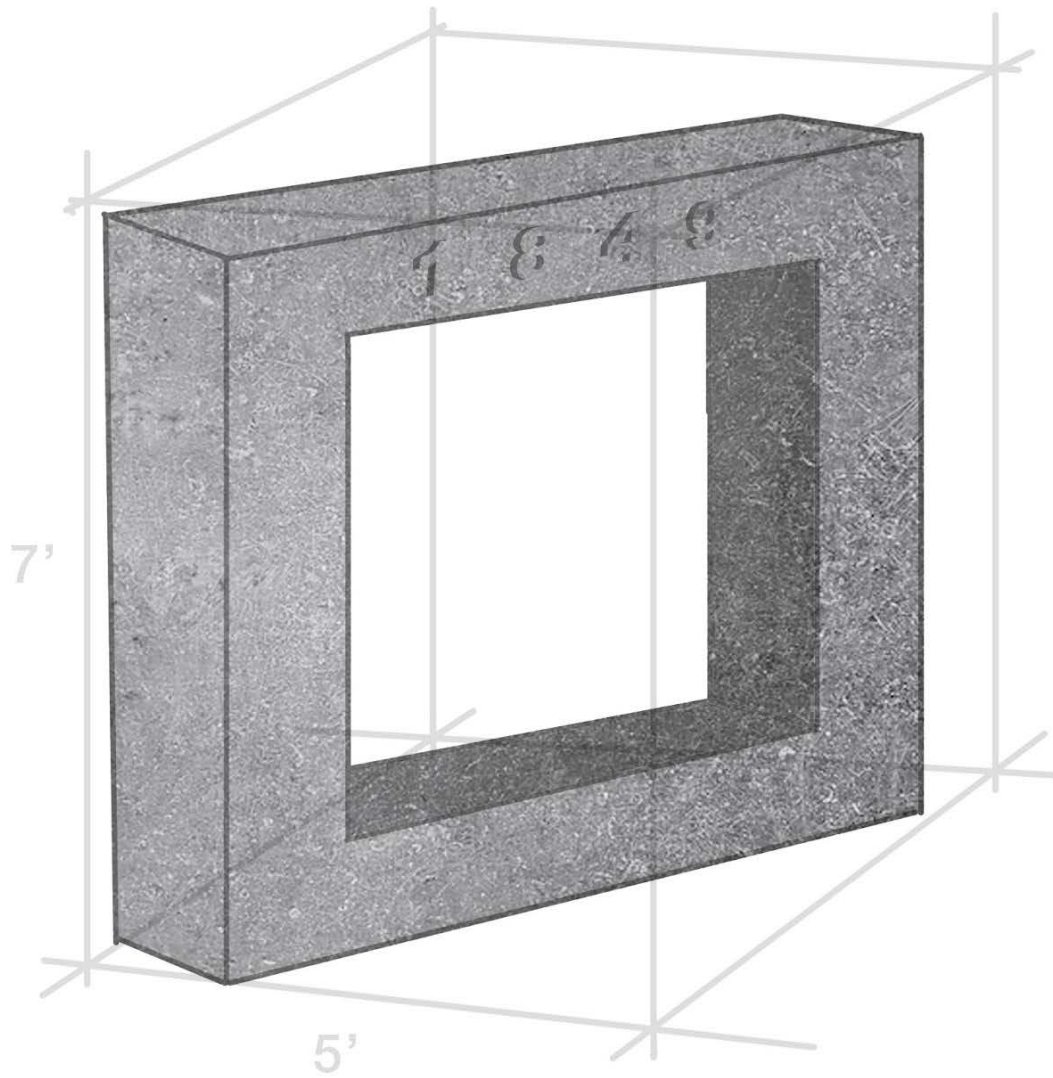


#4: Title: All the Animals at the Fair
Reference/link to The Warren County Fair.
***size and appearance variable**



#5: Title: Leafy Abstracted W

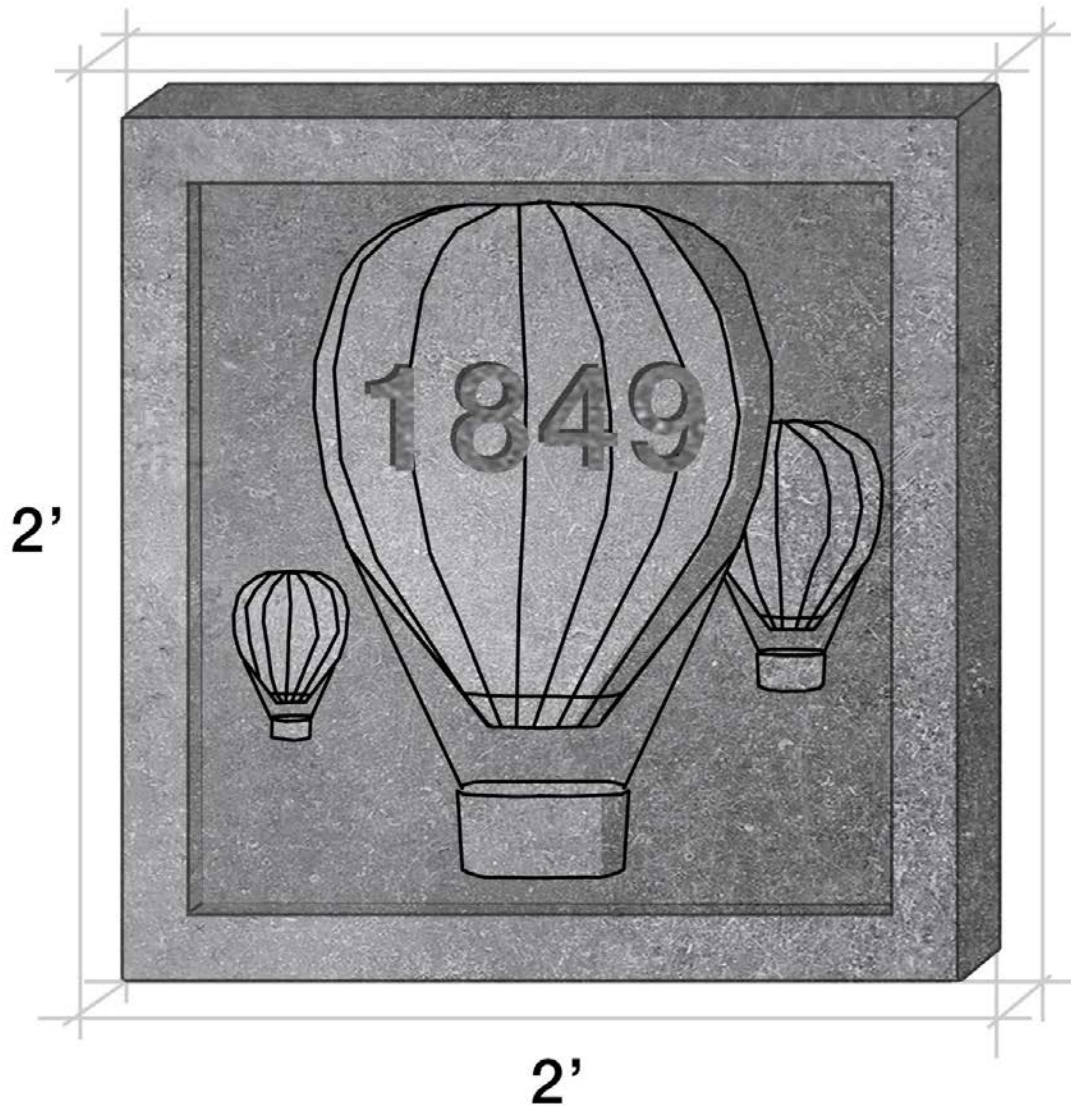
Reference/link to Buxton Park Arboretum and Indianola's founding as the Warren County Seat.



#6: Title: Founding Frame

Reference/link to the founding of Indianola and The Square, a view or framing of place or scene.

Sidewalk Inlays



Flying Balloons, with Founding Date: 1849

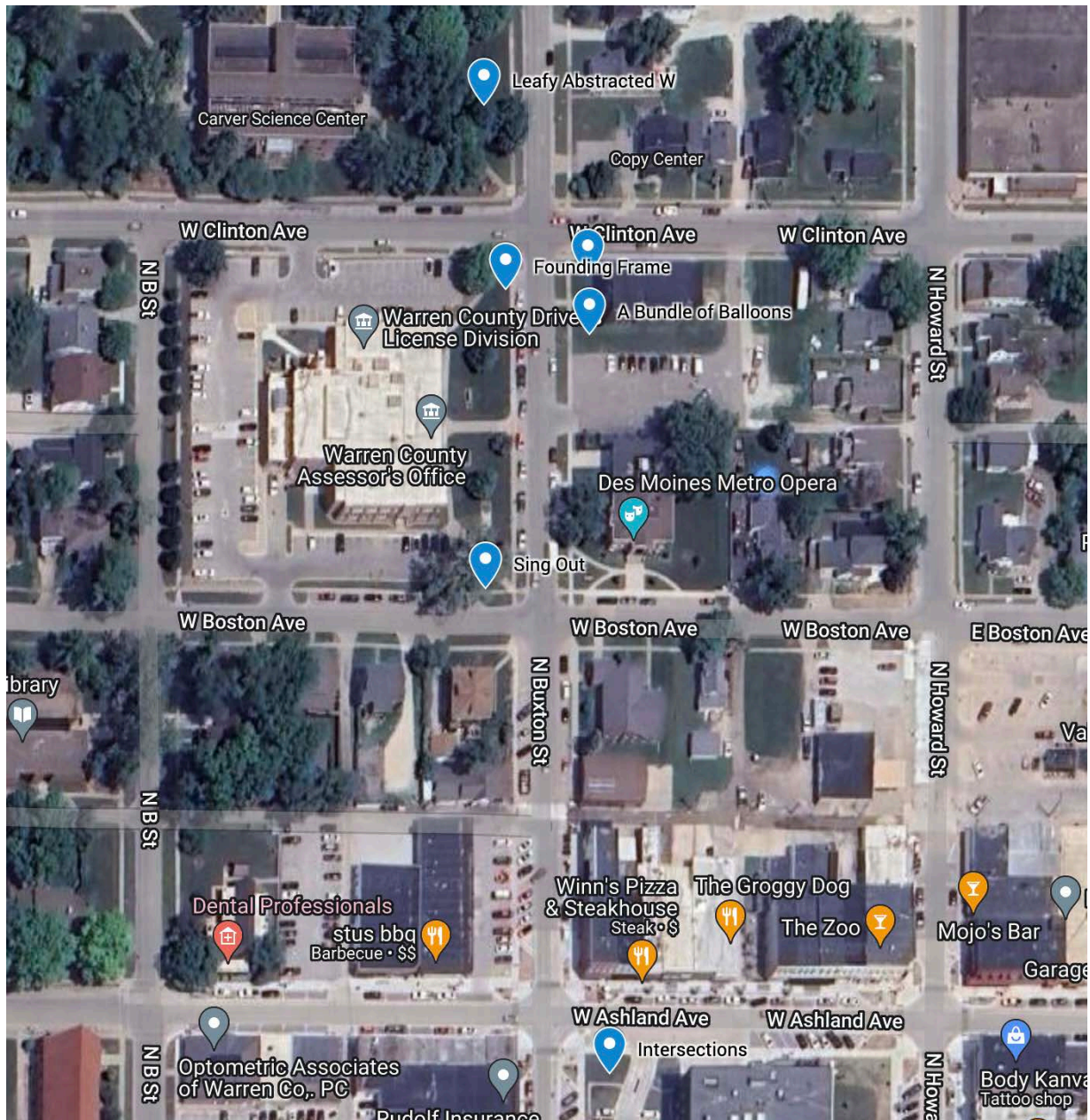
Reinforced custom concrete slab/brick, 24" x 24" x 2"(thick)

INLAY DISTRIBUTION



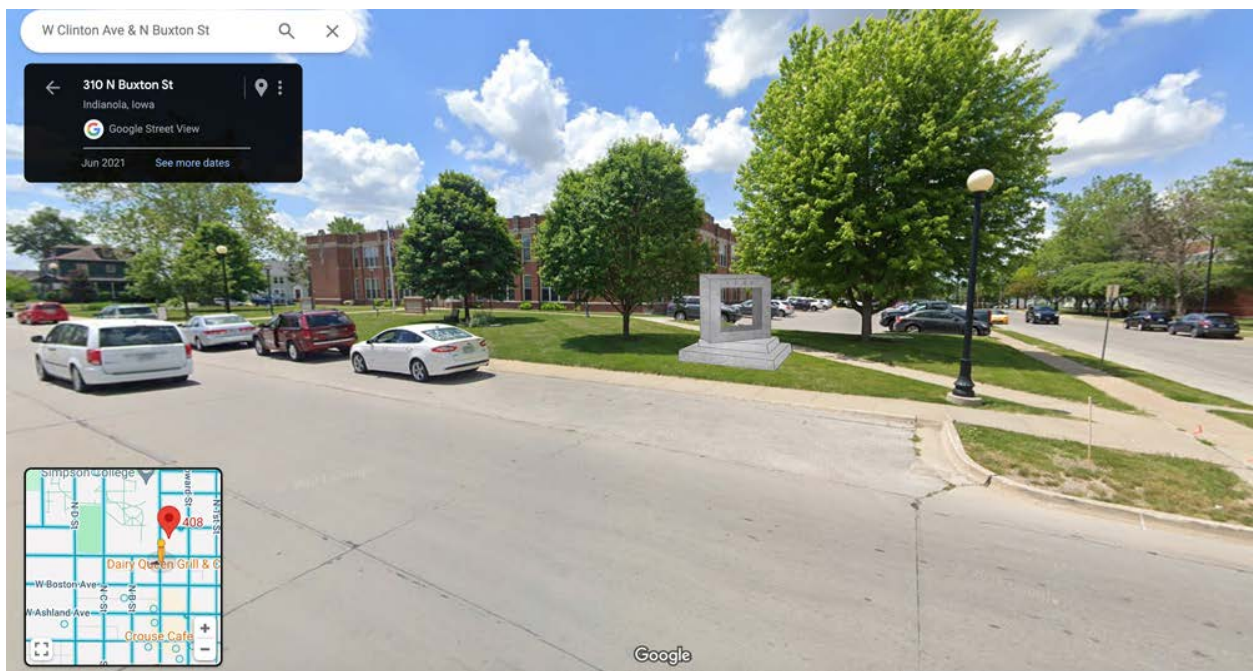
30 segments replaced with inlay centered

SCULPTURE LOCATIONS





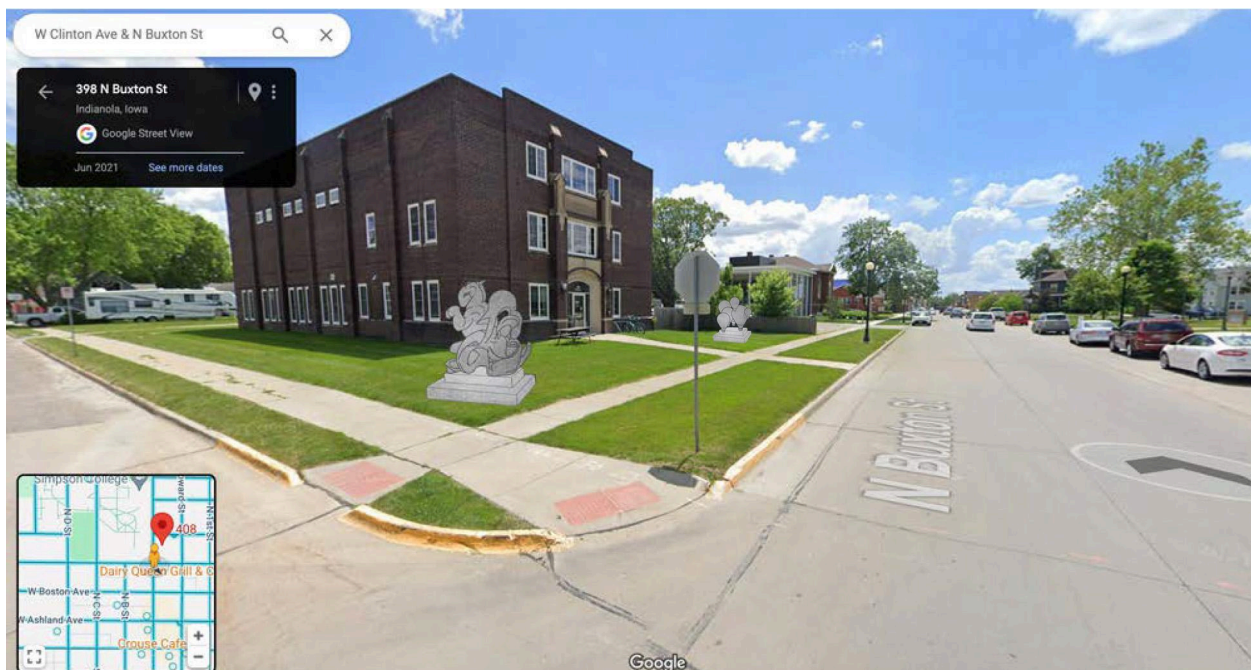
Site 1, Abstract W: Leafy Abstracted W beside Carver Science Center, Simpson Campus



Site 2, Square:
Founding Frame beside Warren County Assessor Office, corner of Clinton St. and Buxton St.



Site 3: Sing Out at the corner of Boston and Buxton



Site 4 & 5: All the Animals at the Fair and A Bundle of Balloons on the southeast side of Buxton at Clinton St.



Site 6: Intersections inside the SE corner of Ashland and Buxton St.

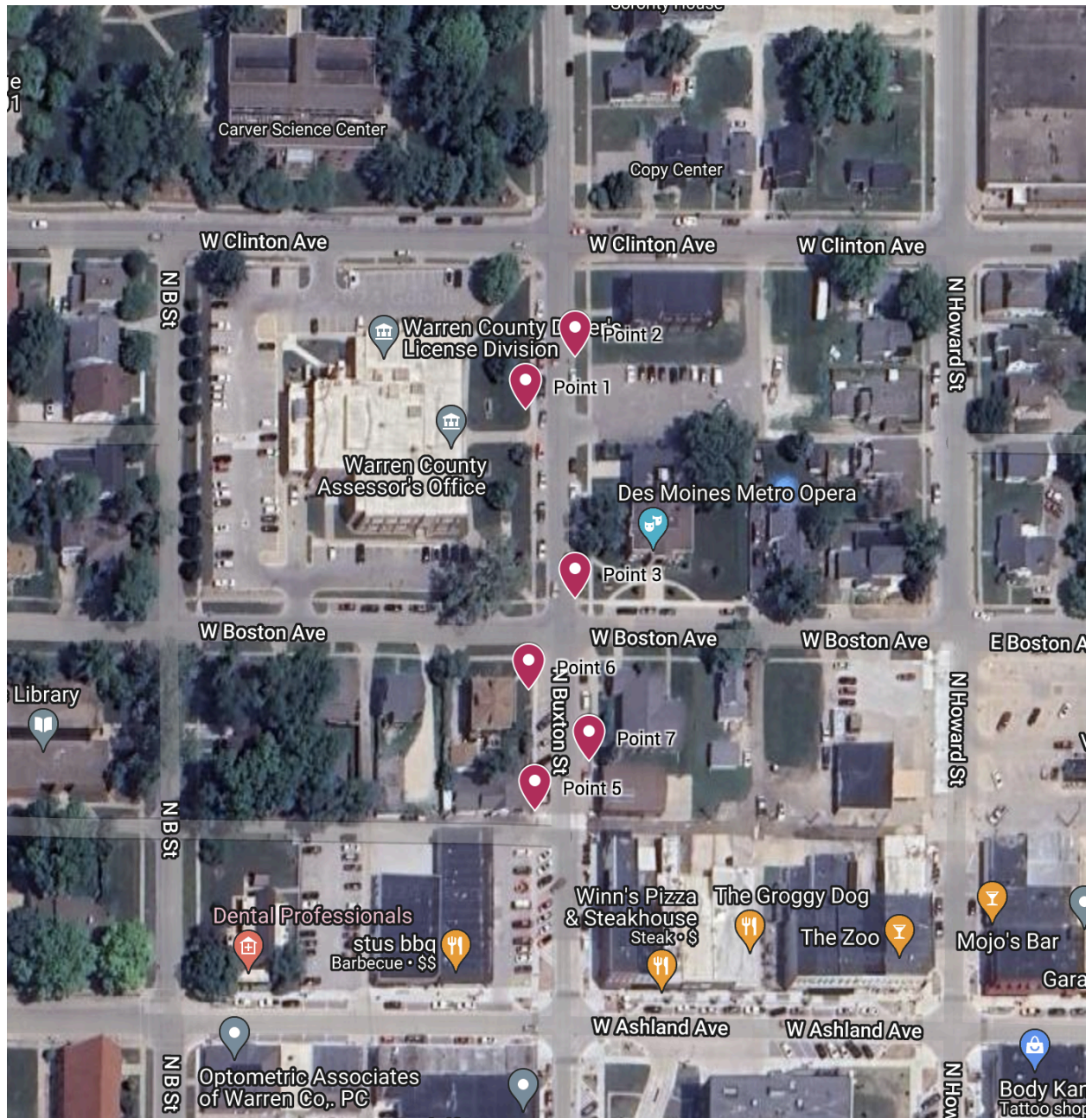
*Works and sites may be subject to change.

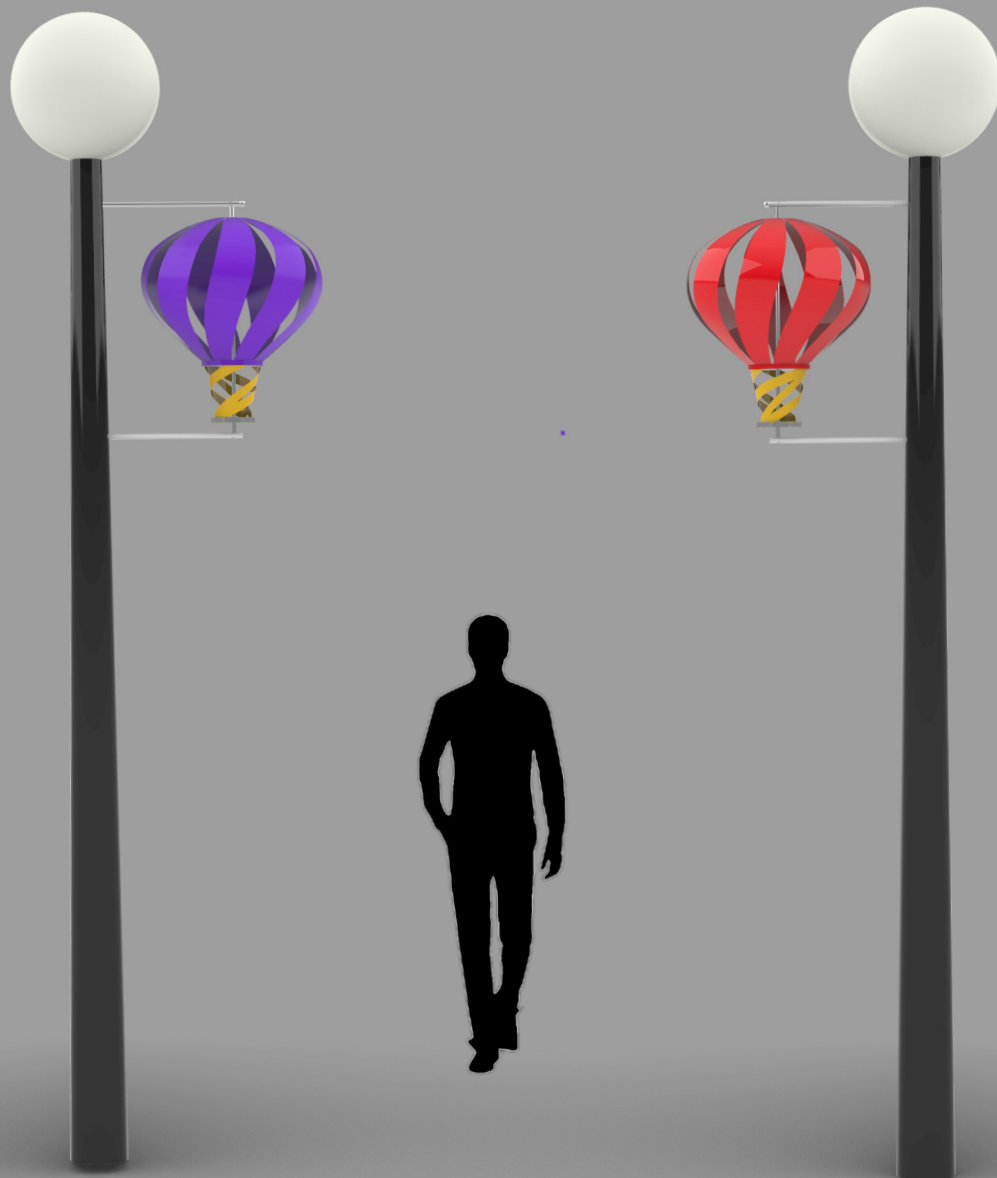
Joe Tuggle Lacina
JTL Workshop Inc.

3633 Hwy 146, Grinnell, Iowa 50112

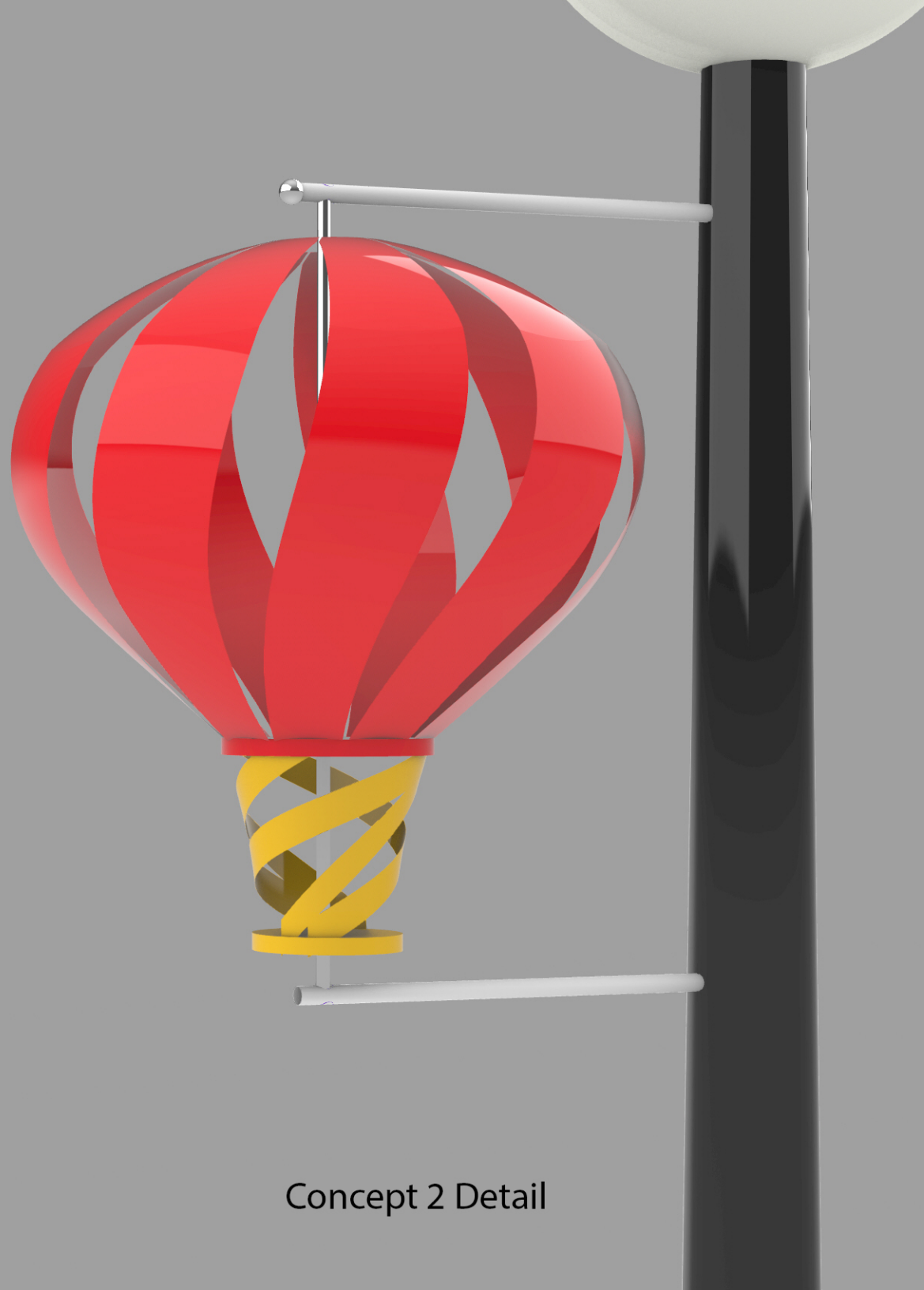
www.joetugglelacina.com | (515)229-6626 | joelacina@gmail.com

WIND SCULPTURE DISTRIBUTION

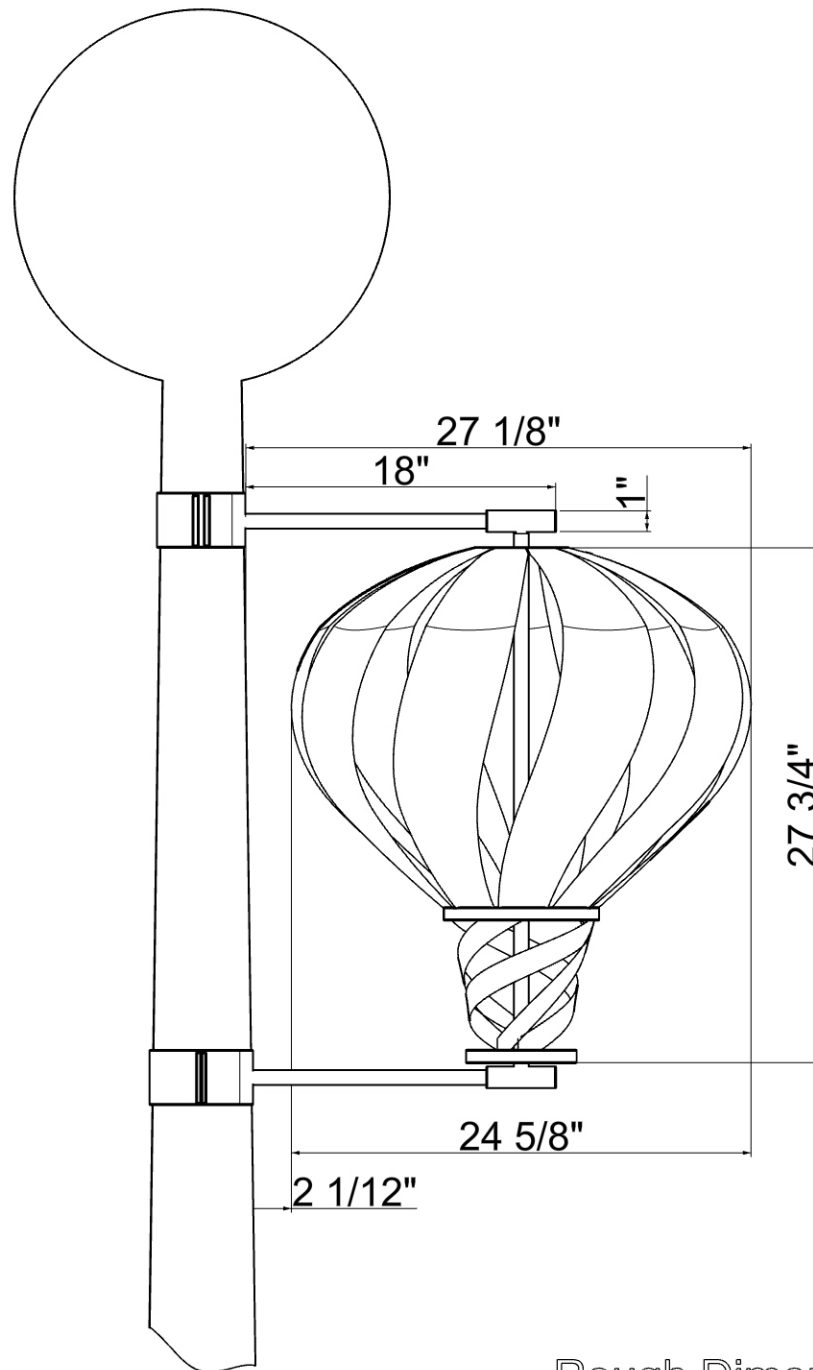
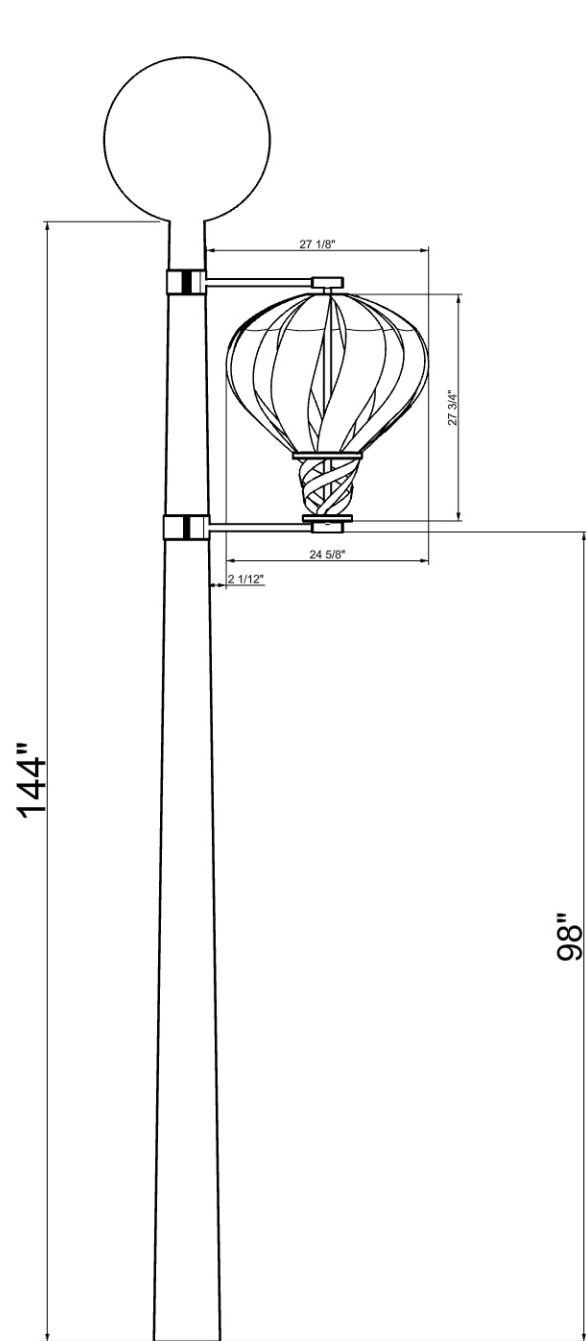




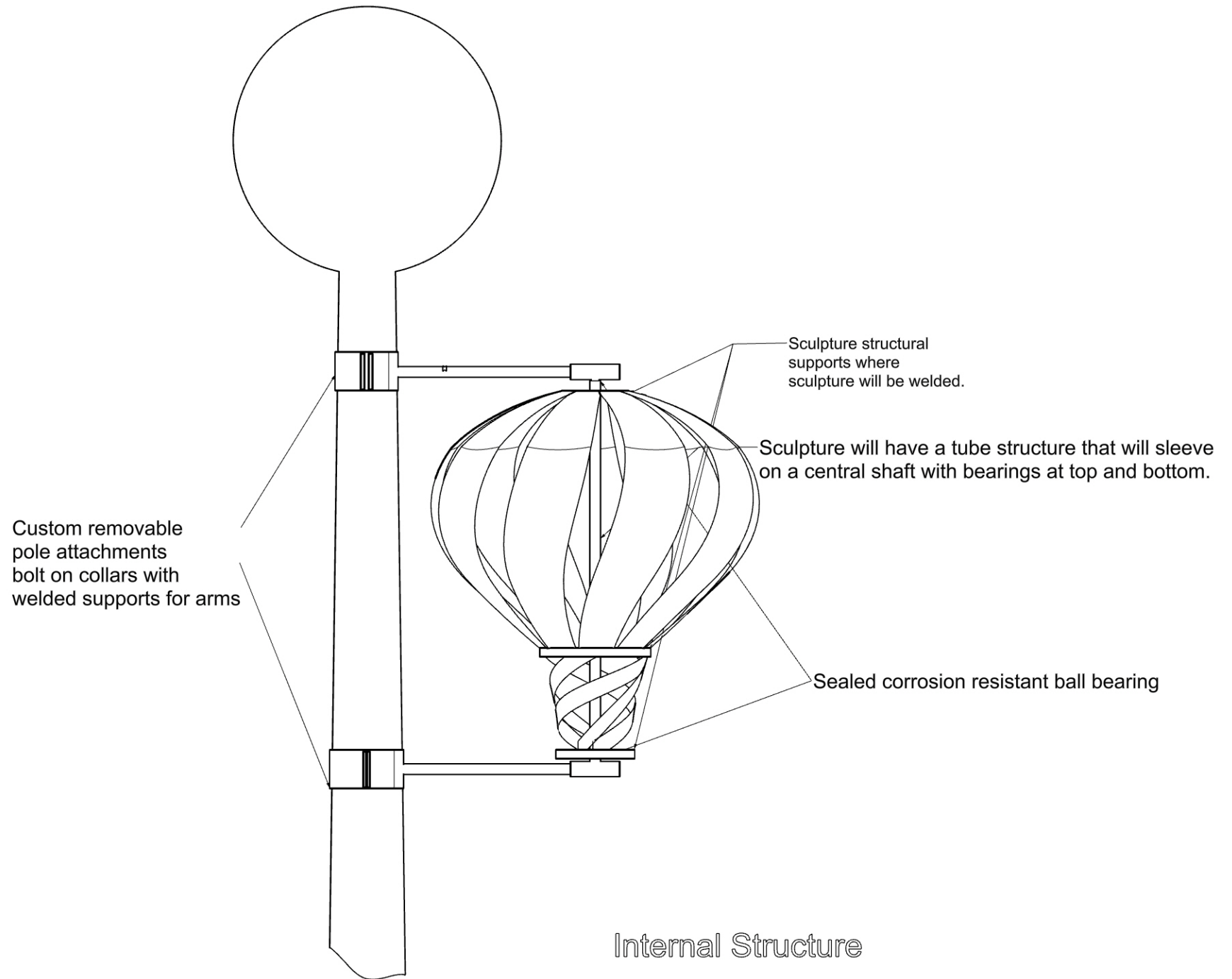
Concept 2

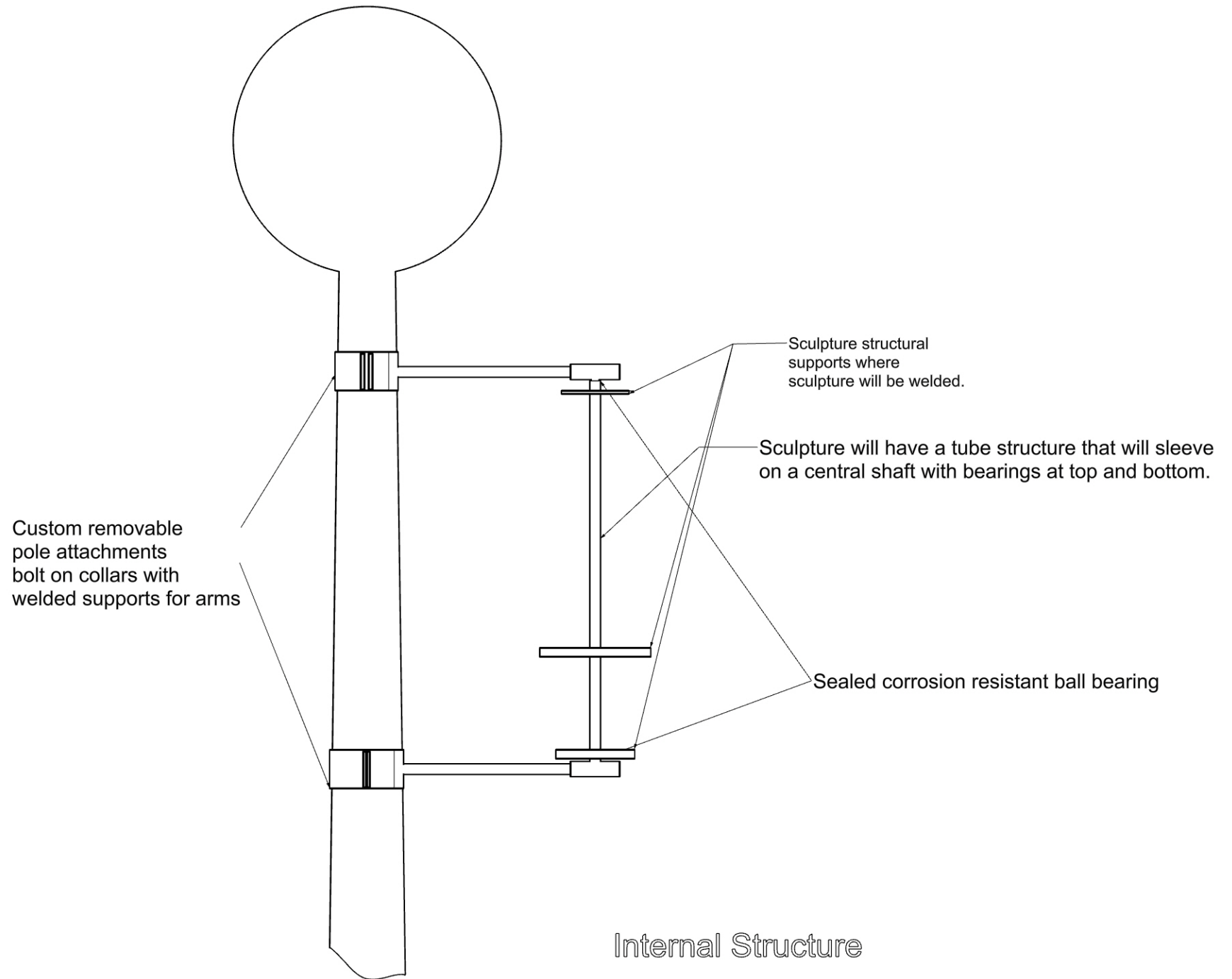


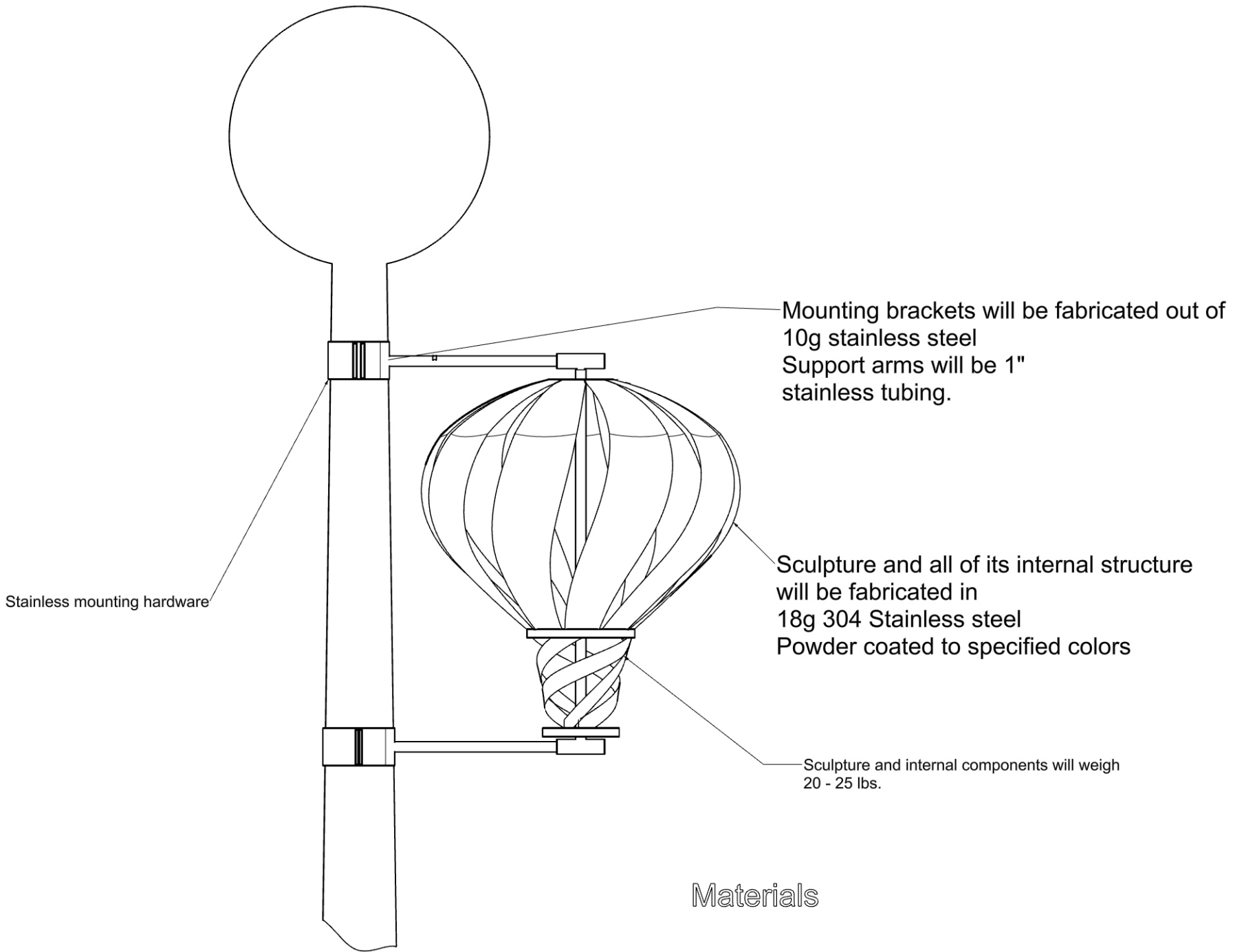
Concept 2 Detail



Rough Dimensions









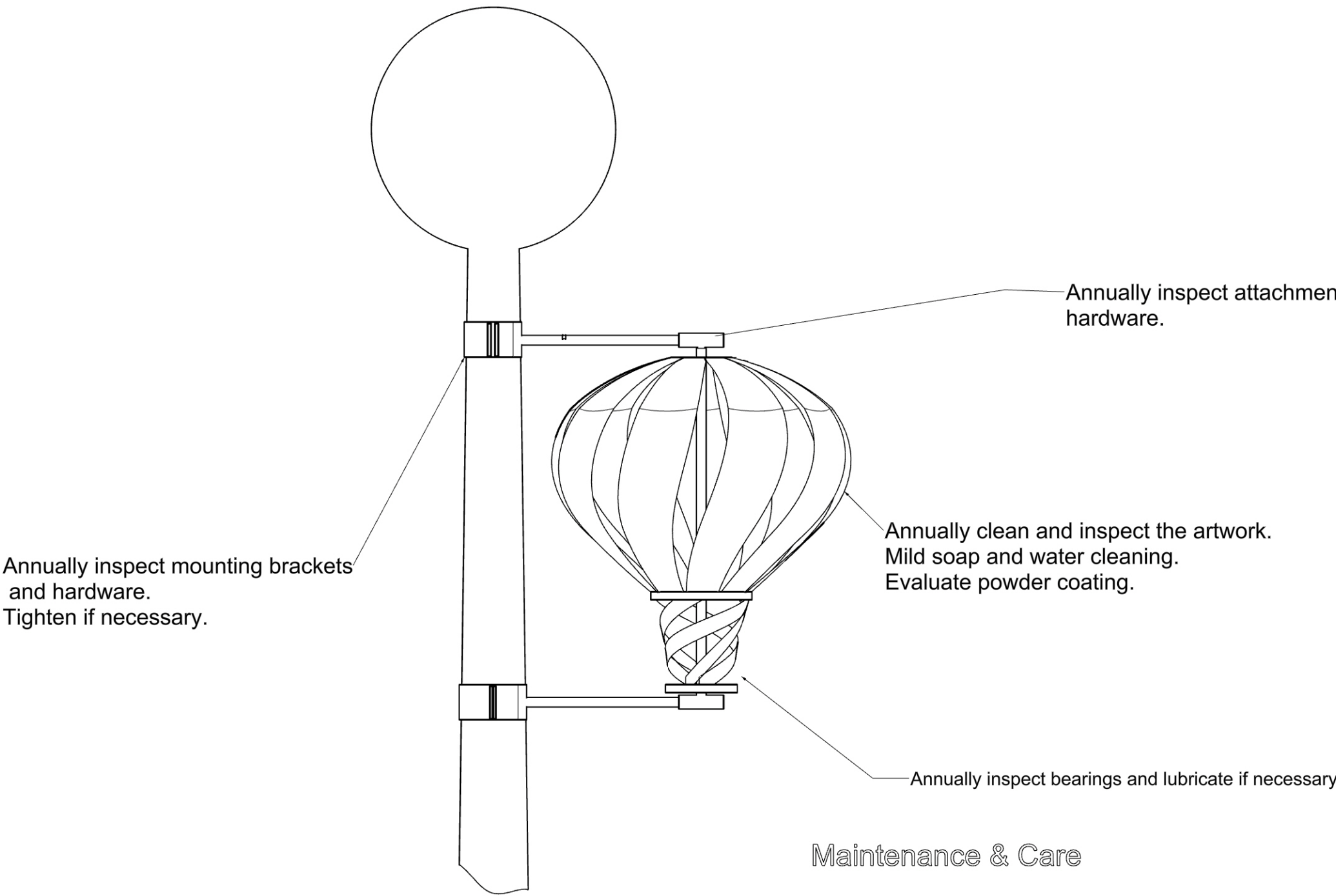
Eastwood HotCoat® Bright
Signal Red Powder Coat



Eastwood HotCoat® Powder
Coat 3D Shimmering Metallic
Halcyon Gold



Eastwood HotCoat®
Translucent Grape



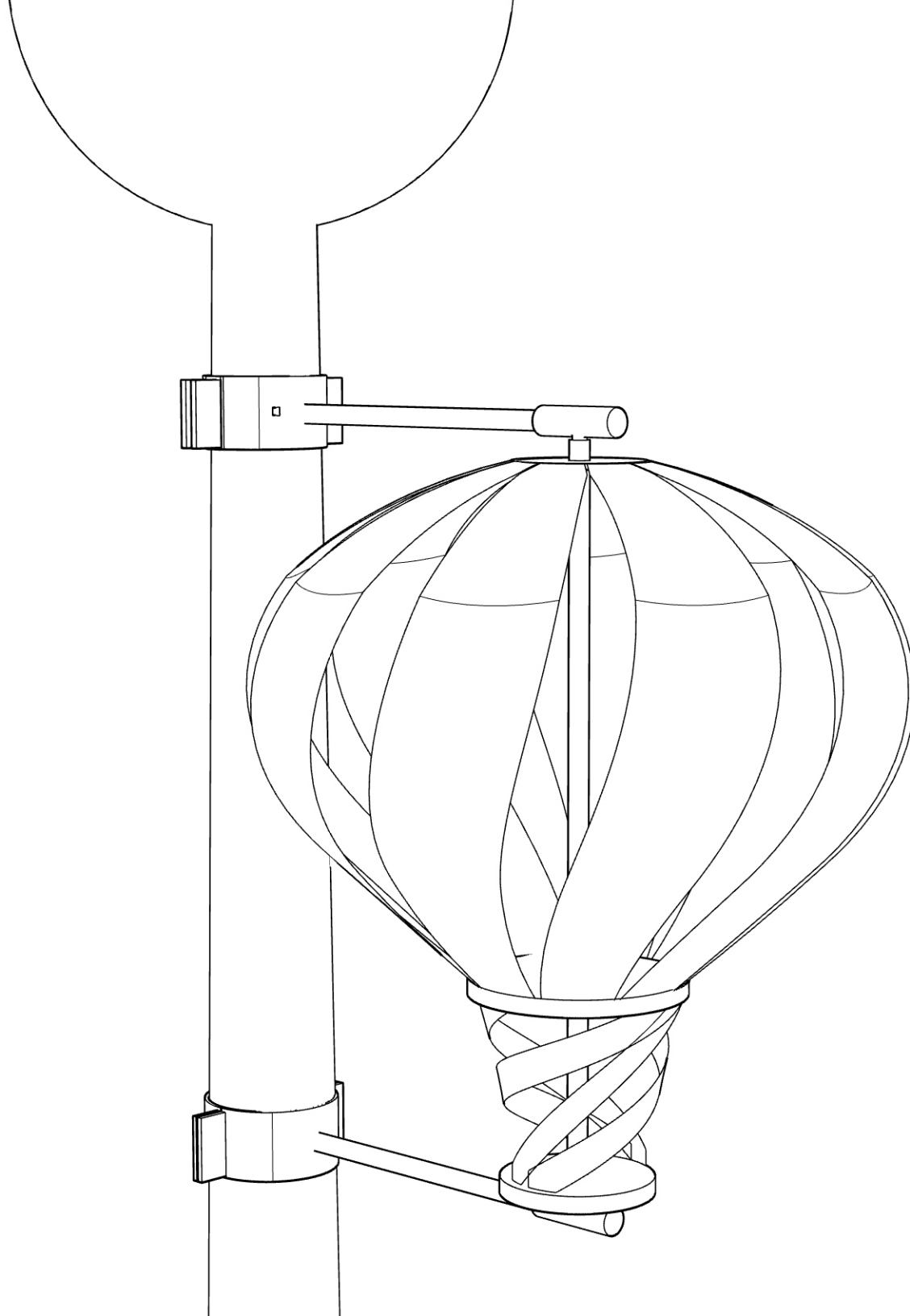
Annually inspect mounting brackets and hardware. Tighten if necessary.

Annually inspect attachment hardware.

Annually clean and inspect the artwork. Mild soap and water cleaning. Evaluate powder coating.

Annually inspect bearings and lubricate if necessary

Maintenance & Care



City of Indianola
RESOLUTION NO. 2024-_____

**RESOLUTION APPROVING SCULPTURE LOCATIONS, WIND BANNER LOCATIONS
AND SIDEWALK INLAY LOCATIONS FOR THE WONDER ON BUXTON PROJECT**

WHEREAS, Indianola was awarded the Iowa Great Places Designation in 2020; and

WHEREAS, Indianola Hometown Pride submitted and received an Iowa Great Places Grant in 2023; and

WHEREAS, the Indianola Hometown Pride Committee has worked with Group Creatives to design an RFP for the project; and

WHEREAS, the locations for the six sculptures, six wind sculpture banners and thirty sidewalk inlays have been presented to the City Council.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Indianola, Iowa, approves the locations for the six sculptures, six wind sculpture banners and thirty sidewalk inlays subject to the approval of the Warren County Board of Supervisors.

Passed and adopted this 3rd day of June 2024.

Stephanie Erickson, Mayor

ATTEST:

Jackie Raffety, City Clerk



MEMORANDUM

To: Mayor and City Council

From:

Date: June 3, 2024

Subject: Resolution declaring emergency conditions on city property and authorizing emergency repairs.

Recommendation: Roll call is in order.

Attachments: 1. Res 2024- Authorize Emergency Repairs_114 N Howard

City of Indianola
RESOLUTION NO 2024-

**RESOLUTION DECLARING EMERGENCY CONDITIONS ON CITY PROPERTY AND
AUTHORIZING EMERGENCY REPAIRS**

WHEREAS, the City owns property at 114 North Howard Street; and

WHEREAS, recent heavy rainfall has created emergency conditions upon the property as defined in the City of Indianola's Purchasing Policy; and

WHEREAS, Iowa Code 384.103 allows the bidding requirements of Iowa Code Chapter 26 to be waived upon resolution of the City Council to institute emergency proceedings and the procurement of a certificate from a competent licensed professional engineer or architect certifying that emergency repairs are necessary; and

WHEREAS, the City of Indianola's Purchasing Policy allows exceptions to competitive bidding for emergency repair work when declared by Council and certified by an external, registered, professional engineer; and

WHEREAS, the Indianola City Council believes it to be in the best interest of the community to suspend the city's internal policy in order to use our own city engineer, or another engineer or architect, to certify that emergency repairs are necessary, as allowed by state statutes.

NOW, THEREFORE, BE IT RESOLVED, that the Indianola City Council hereby institutes emergency proceedings, suspends the internal policy to use an external engineer and directs and authorizes the City Manager, or his designee, to procure a certificate from a competent licensed professional engineer or architect certifying that emergency repairs are necessary.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to enter into any necessary contract and commit funds without proceeding with the bidding requirements and obtaining Council approval for the emergency repairs at 114 North Howard Street.

Approved this 3rd day of June 2024.

Stephanie Erickson, Mayor

ATTEST:

Jackie Raffety, City Clerk



MEMORANDUM

To: Mayor and City Council

From: Charlie Dissell, Deputy City Manager Development and Operations

Date: June 3, 2024

Subject: Resolution referring a zoning code amendment request regarding allowable uses in the C-3, Downtown Commercial Zoning District to the Planning And Zoning Commission.

Introduction:

Background: On May 29, 2024, a request was received by the Community Development Department regarding a request to amend the allowable uses in the C-3, Downtown Commercial Zoning District.

Discussion: Currently, the C-3, Downtown Commercial Zoning District does not allow construction sales and service, contractor office, office for plumber, electrician, HVAC service or similar use, with no outdoor storage. The request is to allow construction sales and service, contractor office, office for plumber, electrician, HVAC service or similar use, with no outdoor storage to the C-3, Downtown Commercial Zoning District.

Budget Impact:

Recommendation: Staff recommends the zoning code amendment request be referred to the Planning and Zoning Commission for consideration, and the Commission's findings and recommendations are forwarded to the City Council for consideration and action.

Attachments:

1. 215 N Buxton
2. Zoning Amendment Referral Resolution

Charlie Dissell

From: Ben Carpenter <ben@integraelectrical.co>
Sent: Wednesday, May 29, 2024 10:00 AM
To: Charlie Dissell
Cc: Jaime Carpenter
Subject: Re: 215 N Buxton Street

Charlie, thank you for your kind reply.

I would like to formally request the City Council consider amending the zoning for C-3 Downtown Commercial Zoning District to include businesses like ours. Our business Integra Electrical has been located on the Indianola Town Square since 2016. In 2001 my wife and I opened a store called Jaime's Hometown Health Foods. We believe that you go to Mainstreet America to grow a business and for us that is the Indianola Town Square.

My wife and I are so passionate about the town square, we even bought and renovated our home located across from the library which is right at the back door of the square. We love our downtown, and could not imagine growing our home service business and electrical apprenticeship anywhere else.

I respectfully request the city council change the current zoning which would allow home service companies like ours to grow their business and continue to thrive on the Indianola Town Square. Please allow construction sales and service, contractor offices, offices for plumber, electrician, HVAC service or similar use, with no outdoor storage in the C-3 Downtown Commercial zoning district.

Thank you again and I look very much to hearing from you.

Kind regards,

515-689-8900
www.integraelectrical.com



YOUR 5 STAR ELECTRICIANS!

Here's what our customers have to say.....

[Google Reviews](#)

City of Indianola
RESOLUTION NO. 2024-_____

**RESOLUTION REFERRING A ZONING CODE AMENDMENT REQUEST
REGARDING ALLOWABLE USES IN THE C-3, DOWNTOWN COMMERCIAL
ZONING DISTRICT TO THE PLANNING AND ZONING COMMISSION**

WHEREAS, on May 29, 2024, a request was received by the Community Development Department regarding a request to amend the allowable uses in the C-3, Downtown Commercial Zoning District; and

WHEREAS, currently, the C-3, Downtown Commercial Zoning District does not allow construction sales and service, contractor office, office for plumber, electrician, HVAC service or similar use, with no outdoor storage; and

WHEREAS, the request is to allow construction sales and service, contractor office, office for plumber, electrician, HVAC service or similar use, with no outdoor storage to the C-3, Downtown Commercial Zoning District; and

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

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

PASSED AND APPROVED this 3rd day of June 2024.

Stephanie Erickson, Mayor

ATTEST:

Jackie Raffety, City Clerk



MEMORANDUM

To: Mayor and City Council

From: Charlie Dissell, Deputy City Manager Development and Operations

Date: June 3, 2024

Subject: Resolution authorizing the Mayor to execute the Iowa Economic Development Authority Community Development Block Grant (CDBG) Program Contract and the associated required acknowledgment of environmental review requirements.

Introduction: The Iowa Economic Development Authority (IEDA) has awarded the City of Indianola a Community Development Block Grant (CDBG) in an amount not to exceed \$650,000.

Background: On March 4, 2024, the Indianola City Council approved Resolution 2024-044 approving the grant application for the Iowa Economic Development Authority’s Downtown Revitalization Fund, funded through a Community Development Block Grant, which would be used for exterior renovations of downtown building façades; Resolution 2024-045 approving a Community Development and Housing Needs Development Assessment; and Resolution 2024-046 approving a letter of funding commitment for the Community Development Block Grant, which would be used for exterior renovations of downtown building façades.

Discussion: In order to receive the grant, the City Council must approve a contract and authorize the Mayor to execute said contract and other required documents.

Budget Impact:

Recommendation: Roll call is in order.

- Attachments:**
- 1. Res 2024- CDBG Grant Contract
 - 2. 24-DTR-004 Indianola Contract
 - 3. 24-DTR-004 Indianola Award Letter

City of Indianola
RESOLUTION NO 2024-

**RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE IOWA ECONOMIC
DEVELOPMENT AUTHORITY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
PROGRAM CONTRACT AND THE ASSOCIATED REQUIRED ACKNOWLEDGMENT OF
ENVIRONMENTAL REVIEW REQUIREMENTS**

WHEREAS, the Indianola City Council approved the grant application for the Iowa Economic Development Authority's Downtown Revitalization Fund, funded through a Community Development Block Grant, which would be used for exterior renovations of downtown building façades, on March 4, 2024, with Resolution No 2024-044; and

WHEREAS, the Iowa Economic Development Authority (IEDA) has awarded the City of Indianola a Community Development Block Grant (CDBG) in an amount not to exceed \$650,000; and

WHEREAS, a contract between the Iowa Economic Development Authority and the City of Indianola must be executed in order to receive the grant; and

WHEREAS, the attached contract sets forth the terms and conditions to receive the grant.

NOW, THEREFORE, BE IT RESOLVED, that the Indianola City Council hereby approves the attached contract and directs the Mayor to execute the Iowa Economic Development Authority Community Development block grant program contract and the associated required acknowledgment of environmental review requirements.

Approved this 3rd day of June 2024.

Stephanie Erickson, Mayor

ATTEST:

Jackie Raffety, City Clerk

**IOWA ECONOMIC DEVELOPMENT AUTHORITY
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM
CONTRACT**

RECIPIENT: Indianola
CONTRACT NUMBER: 24-DTR-004
EFFECTIVE DATE: May 21, 2024
AWARD AMOUNT: \$650,000
END DATE: May 31, 2027

THIS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM ("CDBG") CONTRACT is made by and between the IOWA ECONOMIC DEVELOPMENT AUTHORITY, 1963 Bell Ave, Suite 200, Des Moines, Iowa 50315 ("Authority") and "Recipient", effective as of the date stated above.

WHEREAS, the Authority is designated to receive, administer, and disburse CDBG funds; and

WHEREAS, the Authority desires to disburse grant funds to the Recipient for eligible purposes primarily benefiting low and moderate income persons, eliminating slums and blight, or meeting community development needs having particular urgency; and

WHEREAS, the Recipient submitted an Application for funding to the Authority and the Authority has approved the Application; and

WHEREAS, in approving the Application the Authority has relied upon the Recipient's representations of proposed Project activities, management and financial condition of the Recipient, investment of other Project funds, and other material information contained therein; and

WHEREAS, the Recipient has certified to the Authority that the primary purpose for obtaining CDBG funds is to primarily benefit low and moderate income persons, eliminate slums and blight, or meet community development needs having a particular urgency;

NOW, THEREFORE, the Recipient accepts this grant upon the terms and conditions set forth in this Contract. In consideration of the mutual promises contained in this Contract and other good and valuable consideration, it is agreed as follows:

ARTICLE 1
DEFINITIONS

As used in this Contract, the following terms shall apply:

- 1.1 **ACT.** Act means Title I of the Housing and Community Development Act of 1974 as amended (42 U.S.C. 5301 et seq.).
- 1.2 **ACTIVITY.** "Activity" means the description of eligible work, services, and other accomplishments, as authorized by Section 105 of the "Act" and as further defined in 24 CFR 570.482, as revised April 1, 1997. Activities are found in the line items in the Recipient's "Budget Activity" in IowaGrants.gov account and have specific performance targets.
- 1.3 **ADMINISTRATIVE CODE.** "Administrative Code" means 261 Iowa Administrative Code, Chapter 23 and 25. Iowa Administrative Code is the composite of all rules adopted and administered by the executive branch to implement state law and policy.
- 1.4 **ALLOWABLE COSTS.** "Allowable Costs" are those costs which are identified in the "Budget Activity", Application, and consistent with Federal regulations and guidelines applicable to the CDBG program.
- 1.5 **APPLICATION.** "Application" is the Application the Recipient submitted in IowaGrants.gov.
- 1.6 **BUDGET.** "Budget" means the "Budget Activity" as found in the Recipient's IowaGrants.gov account.
- 1.7 **COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG).** "Community Development Block Grant Program" means the grant program authorized by Title I of the Housing and Community Development Act of 1974, as amended.
- 1.8 **CONTRACT.** "Contract" means this Contract and all of the notes, leases, assignments, mortgages, and similar

documents referred to in the Contract and all other instruments or documents executed by the Recipient or otherwise required in connection with the Contract, including the CDBG grant Application together with any related submittal documents.

1.9 **END DATE.** "End Date" means the date the Contract ceases to be in force and effect. The Contract expires upon the occurrence of one of the following: a) the Recipient fulfills the conditions and Project activities agreed to herein as of the end date stated above; or b) the Contract is terminated by the Authority due to any default under Article 9.1; or c) the Contract is terminated in accordance with provisions set forth in Sections 8 and 9 of the General Provisions, Attachment A of this Contract.

1.10 **GRANT.** "Grant" means the award of CDBG funds to the Recipient for Project activities.

1.11 **HUD.** "HUD" means the U.S. Department of Housing and Urban Development.

1.12 **IOWAGRANTS.GOV.** "Iowa Grants.gov" means Iowa's Funding Opportunity Search and Grant Management System. This system allows you to electronically apply for and manage grants received by the state of Iowa. Persons accessing the system for this purpose are required to register online at www.iowaGrants.gov.

1.13 **LOW- AND MODERATE-INCOME FAMILIES.** "Low- and Moderate-Income Families" means those families earning no more than 80 percent of the higher of the median family income of the county or the statewide nonmetropolitan area as determined by the latest U.S. Department of Housing and Urban Development, Section 8 income guidelines. Unrelated individuals living together shall be considered as one-person families for this purpose.

1.14 **LOW- AND MODERATE-INCOME PERSONS.** "Low and Moderate Income Person" means a member of a low- and moderate-income family as defined above.

1.15 **PROJECT.** "Project" means the totality of "Activity", to be performed by the Recipient as described in the application the Recipient submitted in IowaGrants.gov and approved by the Authority.

1.16 **RECIPIENT.** "Recipient" means the entity identified above that has been selected to receive Program funds to undertake the funded Project and agrees to comply with all applicable CDBG requirements, including those found in Title I of the Housing and Community Development Act of 1974 (42 USC 5302 et seq.), the CDBG program regulations at 24 CFR part 570, and any other HUD funded program as applicable. For purposes of this agreement the "Recipient" shall also be considered to meet the definition and qualifications as a "Subrecipient" as defined in 2 CFR 200.93 and 2 CFR 200.330 and agrees to receive this "Subaward" as defined in 2 CFR 200.92.

ARTICLE 2 **FUNDING**

2.1 **FUNDING SOURCE.** The source of funding for the Grant is a Federal appropriation for the Community Development Block Grant (CDBG) Program.

2.2 **RECEIPT OF FUNDS.** All payments under this Contract are subject to receipt by the Authority of sufficient Federal funds for the CDBG program. Any termination, reduction or delay of CDBG funds to the Authority shall, at the option of the Authority, result in the termination, reduction or delay of CDBG funds to the Recipient.

2.3 **PRIOR COSTS.** If any Recipient has received written approval from the Authority to incur certain costs prior to the Effective Date of this Contract, then said written approval and the terms and conditions therein are incorporated herein and made a part of this Contract by this reference as if fully set forth. Any such costs incurred prior to the Effective Date of this Contract are subject to the Special Conditions and General Conditions of this Contract.

2.4 **DISBURSEMENT OF LESS THAN THE TOTAL AWARD AMOUNT.** If the total award amount has not been requested by the Recipient within sixty (60) days after the End Date, then the Authority shall be under no obligation for further disbursement. The Authority may allow access to funds after this time for allowable costs associated with the conduct of the audits required in Article 2.0 of the General Provisions, Attachment A to this Contract.

ARTICLE 3

TERMS OF GRANT

3.1 **TIME OF PERFORMANCE.** The services of the Recipient are to commence as of the Effective Date and shall be undertaken in such a manner as to assure their expeditious completion. All of the services required hereunder shall be completed on or before the End Date.

3.2 **MAXIMUM PAYMENTS.** It is expressly understood and agreed that the maximum amounts to be paid to the Recipient by the Authority for any item of work or service shall conform to the "Budget Activity" as found in the Recipient's IowaGrants.gov account. It is further understood and agreed that the total of all payments to the Recipient by the Authority for all work and services required under this Contract shall not exceed the Award Amount unless modified by written amendment of this Contract as provided for in Section 1.0 of the General Provisions, Attachment A.

3.3 **LOCAL EFFORT REQUIREMENTS.** The Recipient agrees to provide local contribution to the Project as defined in the "Local" column of the "Budget Activity". Expenditures above this level, necessary to complete the "Budget Activity", shall be paid with local funds. Reports of the local funds expended shall be included in the Request for Payment/Activity Status Report specified in Article 8.1(b), "Reports." The Authority agrees to allow a delay in the contribution of local cash until null. When a delay is allowed, the delay shall be until the specified date or until two-thirds of the grant amount has been drawn down, whichever come first, at which time no further Federal funds may be drawn down until sufficient local cash has been expended to attain the ratio of Federal to local funds specified in the Budget.

3.4 **ADMINISTRATION.** This Contract shall be administered in accordance with "Administrative Code" and all applicable State and Federal laws and regulations, including the Iowa Community Development Block Grant Management Guide, which has been distributed by the Authority to the Recipient.

3.5 **SATISFACTORY PERFORMANCE.** For all projects requiring approval of final plans and specifications by the Iowa Department of Natural Resources, said approval shall be completed within eighteen (18) months of the Effective Date of this contract.

ARTICLE 4

PERFORMANCE TARGET ACHIEVEMENT

4.1 **PERFORMANCE TARGETS.** By the End Date, the Recipient shall have accomplished the activities and performance targets as described in the "Budget Activity", and as further elaborated in the Application, as approved by the Authority.

4.2 **DETERMINATION OF CONTRACT PERFORMANCE.** The Authority has the final authority to assess whether the Recipient has met their performance targets by the End Date. The Authority shall determine completion according to the performance targets set forth in the "Budget Activity". The Authority reserves the right to monitor and measure at any time during and after the Contract term the achievement of the performance targets.

ARTICLE 5

USE OF FUNDS

5.1 **GENERAL.** The Recipient shall perform in a satisfactory and proper manner, as determined by the Authority, the work activities and services as written and described in the approved grant proposal (Application) as summarized in the Recipient's approved Community Development Block Grant "Budget Activity".

5.2 **PROGRAM INCOME.** Proceeds generated from the use of CDBG funds are considered program income when the total amount received by the Recipient in a fiscal year exceeds \$35,000, at which time the entire \$35,000 and excess are considered program income. Prior to the End Date, all program income shall be expended prior to requesting additional CDBG funds. Program income received by the Recipient after the End Date shall be returned to the Authority unless the Recipient has submitted, and the Authority has approved, a re-use plan. If applicable, any CDBG proceeds derived from an approved Revolving Loan Fund are considered program income, regardless of the amount received in any year.

5.3 **BUDGET REVISIONS.** Budget revisions shall be subject to prior approval of the Authority through the contract amendment process. Budget revisions shall be compatible with the terms of this Contract and of such a nature as to qualify as an allowable cost. Budget revisions requested during the final ninety (90) days of the Contract period will be approved by the Authority only if it determines that the revisions are necessary to complete the Project.

5.4 **GENERAL ADMINISTRATIVE COST LIMITATIONS.** Federal funds used for reasonable administrative costs, as allowed under Federal and State regulations, shall be limited to ten percent (10%) of the total CDBG funds as specified in the "Budget Activity". Total administrative costs (Federal plus local) on the Project shall not exceed ten percent (10%) of total Project "Budget Activity". Program income received by the Recipient during the Contract period is subject to the ten percent (10%) administrative cost limitation.

5.5 **COST VARIATION.**

(a) In the event that the total Project cost is less than the amount specified in the Agreement and the "Budget Activity", the CDBG participation shall be reduced at the same ratio to the total Project cost reduction as the original ratio of the CDBG funds to the total Project costs. Any disbursed excess above the reduced CDBG participation amount shall be returned immediately to the Authority.

(b) In the event that the total Project cost is greater than the amount specified in the "Budget Activity", the Authority shall, upon request, consider increasing the CDBG participation in the same ratio to the total increase in Project cost as the original ratio of CDBG funds to the total Project costs. The consideration of an increase of CDBG funds for a Project shall be subject to availability of funds, determination of reasonable and allowable costs, and all other applicable program rules.

(c) The Recipient may request the Authority to increase the CDBG participation to an amount that is higher than the proportional ratio. The Authority may permit such a higher increase if, in the Authority's judgment, the Recipient has demonstrated financial hardship.

ARTICLE 6
CONDITIONS TO DISBURSEMENT OF FUNDS

Unless and until the following conditions have been satisfied, the Authority shall be under no obligation to disburse to the Recipient any amounts under this Contract:

6.1 **CONTRACT EXECUTED.** The Contract shall have been properly executed and, where required, acknowledged.

6.2 **COMPLIANCE WITH ENVIRONMENTAL AND HISTORIC PRESERVATION REQUIREMENTS.** Funds shall not be released under this Contract until the Recipient has satisfied the environmental review and release of funds requirements set forth in 24 CFR Part 58, "Environmental Review Procedures for the Community Development Block Grant Program", and summarized in the Iowa CDBG Management Guide. In addition, construction contracts for non-exempt activities shall not be executed and construction shall not begin prior to providing the Authority with documentation of the Recipient's compliance with Section 106 of the National Historic Preservation Act and 36 CFR Part 800, "Protection of Historic Properties." The Recipient shall comply with any programmatic Memorandum of Understanding between the Iowa Economic Development Authority and the Iowa State Historic Preservation Office, applicable to any activities included in this contract.

6.3 **PERMITS AND LICENSES.** The Authority reserves the right to withhold funds until the Authority has reviewed and approved all material, such as permits or licenses from other state or Federal agencies, which may be required prior to Project commencement.

6.4 **EXCESSIVE FORCE POLICY.** The Authority, prior to release of funds under this Contract, shall review and approve the Recipient's policy on protecting individuals engaged in nonviolent civil rights demonstrations from the use of excessive force by law enforcement agencies within its jurisdiction, and enforcing state and local laws against physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstrations within its jurisdiction, consistent with the provisions of Section 906 of the National Affordable Housing Act of 1990 and Subsection 104(l) of the Housing and Community Development Act of 1974, as amended.

6.5 **RESIDENTIAL ANTI/DISPLACEMENT AND RELOCATION ASSISTANCE PLAN APPROVAL.** The Authority, prior to release of funds under this Contract, shall review and approve the Recipient's Residential Anti/Displacement and Relocation Assistance Plan, consistent with the requirements of Section 104(d) of the Housing and Community Development Act of 1974, as amended.

6.6 **EQUAL OPPORTUNITY POLICY.** The Authority, prior to release of funds under this Contract, shall review and approve the Recipient's equal opportunity policy, consistent with Section 109 of the Housing and Community Development Act of 1974 as amended.

6.7 **PROCUREMENT POLICY.** The Authority, prior to release of funds under this Contract, shall review and approve the Recipient's procurement policy, consistent with 2 CFR 200.318.

6.8 **FAIR HOUSING POLICY.** The Authority, prior to release of funds under this Contract, shall review and approve the

Recipient's fair housing policy, consistent with Section 109 of the Housing and Community Development Act of 1974 as amended.

6.9 **CODE OF CONDUCT.** The Authority, prior to release of funds under this Contract, shall review and approve the Recipient's code of conduct, consistent with 2 CFR 200.318.

6.10 **CONDITIONS TO DISBURSEMENT FOR A SPECIFIC ACTIVITY.** For each activity number listed below, the Recipient shall comply with the corresponding applicable conditions prior to release of funds for that activity. If no applicable conditions are identified below, none of the conditions in Article 6.10 shall apply to the activities funded by this Contract.

ACTIVITY NUMBER(S)	APPLICABLE CONDITIONS
181 - Administration	6.10(l) - Administrative Plan
116 - Facade Improvements	6.10(h) - Facade Easements
116 - Facade Improvements	6.10(m) - Bid Solicitation Requirement and Construction Restrictions

(a) **DEPARTMENT OF NATURAL RESOURCES APPROVAL.** Construction shall not begin prior to the written approval of the Iowa Department of Natural Resources.

(b) **REVIEW OF HANDICAPPED ACCESSIBILITY.** Prior to release of funds for construction, the Authority shall receive and review a signed statement from the Project architect that proposed construction will meet all handicapped accessibility and ADA requirements based on approved design plans.

(c) **DEPARTMENT OF HEALTH APPROVAL.** Construction shall not begin prior to receipt of written approval from the Iowa Department of Health.

(d) **FRANCHISE ORDINANCE/28E AGREEMENT.** Prior to the release of funds for construction, the Recipient shall submit, as appropriate, either an ordinance authorizing the franchise or an executed 28E Agreement for the activity for the Authority's review.

(e) **BULK PURCHASE AGREEMENT.** Prior to release of funds for construction, the Recipient shall submit an executed "Bulk Purchase Agreement" for the Authority's review.

(f) **RURAL WATER CONNECTION FEE PROJECTS.** Prior to release of funds for payment of a connection fee, the Authority shall receive and review a copy of the water purchase agreement which outlines the basis for determining the connection fee; a signed letter with the engineer's seal from the project engineer which certifies that construction is complete and water service is available to the Recipient; and a formal invoice from the Subrecipient which requests payment of the connection fee and provides a breakdown of the Federal and local dollar amounts. The Request for Payment/ Activity Status Report for the connection fee will not be processed until the Authority has received the required documentation listed in this Article.

(g) **STATE BUILDING CODE BUREAU APPROVAL.** Bidding for construction shall not be conducted prior to the written approval of the final plans by the State Building Code Bureau of the Iowa Department of Public Safety.

(h) **FAÇADE EASEMENTS.** Prior to release of funds for construction, the Recipient shall submit, as appropriate, signed copies of all recorded façade easements with property owners when required for downtown revitalization.

(i) **STORMWATER DESIGN AND CONSTRUCTION DOCUMENTS.** Prior to bidding, the Recipient shall submit project final design and construction documents for the Authority to review for consistency with the original Application or "Budget Activity" subsequently approved by the Authority. Recipient shall also consult with Iowa Department of Agriculture and Land Stewardship (IDALS) Urban Conservation Program Team on project stormwater management designs at 30, 60, 90 percent, and final design. The Recipient shall then secure and upload to www.iowagrants.gov a letter from IDALS confirming stormwater management designs meet the requirements of the Iowa Green Streets Criteria and the Iowa Stormwater Management Manual.

(j) **IOWA GREEN STREETS CRITERIA CONSTRUCTION DOCUMENTS.** Prior to bidding, the Recipient shall submit final design and construction documents and Iowa Green Streets Criteria Appendix C for the Authority to review for consistency with the original Application subsequently approved by the Authority when required for applicable Community Facilities and Downtown Revitalization projects as identified in their application.

(k) **PERPETUAL RESTRICTIONS.** Prior to release of funds for acquisition, the Recipient shall provide the Authority evidence that appropriate perpetual deed restrictions and agreement for covenants and restrictions as required pursuant to Sections 5.7 and 5.8 of this Contract.

(l) **ADMINISTRATIVE PLAN.** The Recipient shall establish a written Administrative Plan that is consistent with the approved Application and the required elements of the Authority's sample Downtown Revitalization Administrative Plan. The release of funds shall be contingent upon the Authority's receipt and acceptance of the Administrative Plan.

(m) **BID SOLICITATION REQUIREMENTS and CONSTRUCTION RESTRICTIONS.** Within one year of contract effective date the Recipient's project shall be designed and solicitation for bids shall be completed. Prior to release of funds for construction, the Recipient shall submit, as appropriate, signed copies of all construction terms agreements with property owners when required for downtown revitalization projects.

6.11 **CONDITIONS TO DISBURSEMENT NECESSITATING OUTSIDE AGENCY ACTION.** For each activity number listed below, the Recipient shall comply with the corresponding applicable conditions prior to release of funds for that activity. If no applicable conditions are identified below, none of the conditions in Article 6.11 shall apply to the activities funded by this Contract.

ACTIVITY NUMBER(S)	APPLICABLE CONDITIONS	OUTSIDE AGENCY
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(a) **FUNDING.** Funding shall be contingent upon receipt of adequate funds from the identified agency to complete the Project described. The Recipient must submit a copy of the notification of said funding commitment to the Authority before funds can be released to the Recipient. If there is a reduction in the amount of the funds available from this source, the Recipient shall identify an alternative source of funds, and the change in funding sources shall be reflected in an amendment to this Contract. If the funds from the identified agency are rejected, this award is no longer valid. If the other funding is not obligated to the Recipient within 6 months following the announcement of the CDBG award, the CDBG funds shall be considered available to the Authority for allocation to other Projects, and the provisions of the CDBG Administrative Rules concerning contingent awards shall apply.

(b) **SUBRECIPIENT AGREEMENT.** Prior to release of funds under this contract and prior to the Recipient entering in to a Subrecipient Agreement for the administration of this award, the Recipient shall seek and obtain the Authority's review and approval of the Recipient Agreement (as applicable).

(c) **CONTINGENT FUNDING.** The Authority has awarded these funds contingent upon receipt of other funding from the identified agency.

(d) **LONG TERM LEASE AGREEMENT.** Prior to release of funds, the Authority shall review and approve a Long Term Lease Agreement or any other binding agreement deemed appropriate by the Authority between two identified agencies. The agreement shall guarantee that the constructed facility as described in this Contract will be allowed to physically remain and continue to be used for the specified purpose. In the event that the use of the facility changes, the Recipient may be required to repay all or part of the grant award as described in Article 9.4 of this Contract.

ARTICLE 7 **REPRESENTATIONS AND WARRANTIES OF RECIPIENT**

To induce the Authority to make the Grant referred to in this Contract, the Recipient represents, covenants and warrants that:

7.1 **AUTHORITY.** The Recipient is duly authorized and empowered to execute and deliver the Contract. All required actions on the Recipient's part, such as appropriate resolution of its governing board for the execution and delivery of the Contract, have been effectively taken.

7.2 **FINANCIAL INFORMATION.** All financial statements and related materials concerning the Project provided to the Authority are true and correct in all material respects and completely and accurately represent the subject matter thereof as of the Effective Date of the statements and related materials, and no material adverse change has occurred since that date.

7.3 **APPLICATION.** The contents of the Application the Recipient submitted to the Authority for funding is a complete and accurate representation of the Project as of the date of submission and there has been no material adverse change in the organization, operation, or key personnel of the Recipient since the date the Recipient submitted its Application to the Authority.

7.4 **CLAIMS AND PROCEEDINGS.** There are no actions, lawsuits or proceedings pending or, to the knowledge of the Recipient, threatened against the Recipient affecting in any manner whatsoever their rights to execute the Contract or the ability of the Recipient to make the payments required under the Contract, or to otherwise comply with the obligations of the Contract. There are no actions, lawsuits or proceedings at law or in equity, or before any governmental or administrative authority pending or, to the knowledge of the Recipient, threatened against or affecting the Recipient or any property involved in the Project.

7.5 **PRIOR AGREEMENTS.** The Recipient has not entered into any verbal or written contracts, agreements or arrangements of any kind which are inconsistent with the Contract.

7.6 **EFFECTIVE DATE.** The covenants, warranties and representations of this Article are made as of the Effective Date of this Contract and shall be deemed to be renewed and restated by the Recipient at the time of each advance or request for disbursement of funds.

ARTICLE 8 **COVENANTS OF THE RECIPIENT**

8.1 **AFFIRMATIVE COVENANTS.** Until the Project has been closed out, audited, and approved by the Authority, the Recipient covenants with the Authority that:

(a) **PROJECT WORK AND SERVICES.** The Recipient shall perform the work and services detailed in the "Budget Activity" by the End Date.

(b) **REPORTS.** The Recipient shall prepare, review and sign the requests and reports as specified below in the form and content specified by the Authority. The Recipient shall review all Requests for Payment and verify that claimed expenditures are allowable costs. The Recipient shall maintain documentation adequate to support the claimed costs. After the Recipient has submitted its 1st Request for Payment the Recipient, shall continue to submit Request for Payment at least semiannually for each "Budget Activity".

The Authority reserves the right to require more frequent submission of the Activity Status Report than as shown below if, in the opinion of the Authority, more frequent submissions would help improve the Recipient's CDBG program.

REPORT

DUE DATE

- | | |
|---|---|
| 1. Request for Payment / Activity Status Report | As funds are needed |
| 2. Section 3 Report (if applicable) | Submitted annually |
| 3. Updates to the Applicant/Recipient Disclosure Report | As needed due to changes |
| 4. Iowa Green Streets Criteria Appendices D and E or F (if applicable) | Upon construction completion |
| 5. Final request for Payment / Status Report | Within 30 days of End Date |
| 6. Form 3-D, Final Accomplishments and Equal Opportunity Data (if applicable) | Within 30 days of End Date |
| 7. Single Audit Form (required) | Within 30 days of receipt of Notice to Close letter |
| 8. Audit Report (if applicable) | Within 30 days of audit completion |

(c) **RECORDS.** The Recipient shall maintain books, records, documents and other evidence pertaining to all costs and expenses incurred and revenues received under this Contract in sufficient detail to reflect all costs, direct and indirect, of labor, materials, equipment, supplies, services and other costs and expenses of whatever nature, for which payment is claimed under this Contract. The Recipient shall maintain books, records and documents in sufficient detail to demonstrate compliance with the Contract and shall maintain these materials for the greater of **three years after the date the recipient is notified**

that the state CDBG contract has been closed with HUD, or the period required by other applicable laws and regulations as described in § 570.487 and § 570.488. Records shall be retained beyond the prescribed period if any litigation or audit is begun or if a claim is instituted involving the grant or agreement covered by the records. In these instances, the records shall be retained until the litigation, audit or claim has been finally resolved.

(d) ACCESS TO RECORDS/INSPECTIONS. The Recipient shall, without prior notice and at any time, permit HUD or its representatives, the General Accounting Office or its representatives, and the Authority, its representatives or the State Auditor, to examine, audit and/or copy (i) any plans and work details pertaining to the Project, (ii) any or all of the Recipient's books, records and accounts, and (iii) all other documentation or materials related to this Contract. The Recipient shall provide proper facilities for making such examination and/or inspection.

(e) USE OF GRANT FUNDS. The Recipient shall expend funds received under the Contract only for the purposes and activities described in its CDBG Application, this Contract and as approved by the Authority.

(f) DOCUMENTATION. The Recipient shall deliver to the Authority, upon request, (i) copies of all contracts or agreements relating to the Project, (ii) invoices, receipts, statements or vouchers relating to the Project, (iii) a list of all unpaid bills for labor and materials in connection with the Project, and (iv) budgets and revisions showing estimated Project costs and funds required at any given time to complete and pay for the Project.

(g) NOTICE OF PROCEEDINGS. The Recipient shall promptly notify the Authority of the initiation of any claims, lawsuits or proceedings brought against the Recipient.

(h) INDEMNIFICATION. The Recipient shall indemnify and hold harmless the Authority, its officers and employees from and against any and all losses in connection with the Project.

(i) NOTICE TO AUTHORITY. In the event the Recipient becomes aware of any material alteration in the Project, initiation of any investigation or proceeding involving the Project, or any other similar occurrence, the Recipient shall promptly notify the Authority.

(j) CERTIFICATIONS. The Recipient certifies and ensures that the Project will be conducted and administered in compliance with all applicable Federal and State laws, regulations and orders. Certain statutes are expressly made applicable to activities assisted under the Act by the Act itself, while other laws not referred to in the Act may be applicable to such activities by their own terms. The Recipient certifies and assures compliance with the applicable orders, laws and implementing regulations, including but not limited to, the following:

(i) Financial Management guidelines issued by the U.S. Office of Management and Budget, OMB 2 CFR part 200, subpart E.

(ii) Title I of the Housing and Community Development Act of 1974 as amended (42 U.S.C. 5301 et seq.), and regulations which implement these laws.

(iii) Title VI of the Civil Rights Act of 1964 as amended (Public Law 88-352; 42 U.S.C. 2000d et seq.); Title VIII of the Civil Rights Act of 1968 as amended (Public Law 90-284; 42 U.S.C. 3601 et seq.); the Iowa Civil Rights Act of 1965; Chapter 19B.7, Code of Iowa, and Iowa Executive Order #34, dated July 22, 1988; Iowa Code Chapter 216, Presidential Executive Order 11063, as amended by Executive Order 12259; Presidential Executive Order 11246, as amended by Presidential Executive Order 11375; Section 504 of the Vocational Rehabilitation Act of 1973 as amended (29 U.S.C. 794); the Age Discrimination Act of 1975 as amended (42 U.S.C. 6101 et seq.); the Americans with Disabilities Act, as applicable, (P. L. 101-336, 42 U.S.C. 12101-12213); and related Civil Rights and Equal Opportunity statutes; and regulations which implement these laws.

(iv) Fair Housing Act, Public Law 90-284. The Fair Housing Act is part of Title VIII of the Civil Rights Act of 1968 as amended (42 U.S.C. 3601 et seq.); Section 109 of the Title I of the Housing and Community Development Act of 1974, as amended; Section 3 of the Housing and Urban Development Act of 1968 as amended (12 U.S.C. 1701u); and regulations which implement these laws.

(v) Department of Housing and Urban Development regulations governing the CDBG program, 24 Code of Federal Regulations, Part 570.

(vi) Section 102 of the Department of Housing and Urban Development Reform Act of 1989 (P.L. 101 235), and implementing regulations.

(vii) Requirements for the Notification, Evaluation, and Reduction of Lead-Based Paint

Hazards in Federally Owned Residential Property and Housing Receiving Federal Assistance; Final Rule (24 CFR Part 35, et al.); Lead Based Paint Poisoning Prevention Act (42 U.S.C. 4821 - 4846), as amended, and implementing regulations.

(viii) Davis-Bacon Act, as amended (40 U.S.C. 276a - 276a-5), where applicable under Section 110 of the Housing and Community Development Act of 1974, as amended; Contract Work Hours and Safety Standards Act (40 U.S.C. 327 et seq.); the Copeland Anti-Kickback Act (18 U.S.C. 874); and regulations which implement these laws.

(ix) National Environmental Policy Act of 1969 and implementing regulations.

(x) Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, (URA)(42 U.S.C. 4601 - 4655) and implementing regulations; Section 104(d) of the Housing and Community Development Act of 1974, as amended, governing the residential antidisplacement and relocation assistance plan; and Section 105(a)(11) of the Housing and Community Development Act of 1974, as amended, governing optional relocation assistance.

(xi) Administrative rules adopted by the Iowa Economic Development Authority, 261 Iowa Administrative Code.

(xii) Financial and Program Management guidelines issued by the Iowa Economic Development Authority; the Iowa CDBG Management Guide; and the Authority Audit Guide.

(xiii) Government-wide Restriction on Lobbying Certification [Section 319 of Public Law 101-121] and implementing regulations.

(xiv) Fair Labor Standards Act and implementing regulations.

(xv) Hatch Act (regarding political partisan activity and Federally funded activities) and implementing regulations.

(xvi) Citizen participation, hearing and access to information requirements found under sections 104(a)(2) and 104(a)(3) of Title I of the Housing and Community Development Act of 1974, as amended.

(xvii) Subsection 104(l) of Title I of the Housing and Community Development Act of 1974, as amended, regarding the prohibition of the use of excessive force in nonviolent civil rights demonstrations and the enforcement of state and local laws on barring entrance to or exit from facilities subject to such demonstrations.

(xviii) Drug-Free Workplace Act.

(k) BUILD AMERICA, BUY AMERICA (BABA). The Grantee must comply with the requirements of the Build America, Buy America (BABA) Act, 41 USC 8301 note, and all applicable rules and notices, as may be amended, if applicable to the Grantee's infrastructure project. Pursuant to HUD's Notice, "Public Interest Phased Implementation Waiver for FY 2022 and 2023 of Build America, Buy America Provisions as Applied to Recipients of HUD Federal Assistance" (88 FR 17001), any funds obligated by HUD on or after the applicable listed effective dates, are subject to BABA requirements, unless excepted by a waiver.

(l) MAINTENANCE OF ACTIVITY PROPERTY AND INSURANCE. The following provision shall apply to the project as appropriate. The Recipient and any subrecipient shall maintain the Project property in good repair and condition, ordinary wear and tear excepted, and shall not suffer or commit waste or damage upon the Project property. The Recipient or subrecipient shall pay for and maintain insurance as is customary in its industry. This insurance shall be in an amount not less than the full insurable value of the Project property. The subrecipient shall name the Recipient and Authority as mortgagees and/or an additional loss payees, as appropriate. The Recipient shall name the Authority as a mortgagee and/or an additional loss payee, as appropriate. The Recipient or subrecipient shall maintain copies of the policies as appropriate.

(m) PROJECT PHOTOS. At IEDA's request, Recipient will assist IEDA in obtaining photos of the project by an approved photographer. If photos are requested, Recipient will coordinate with the approved photographer and provide any necessary access to the project.

8.2 NEGATIVE COVENANTS. During the Contract term the Recipient covenants with the Authority that it shall not, without the prior written disclosure to and prior written consent of the Authority, directly or indirectly:

(a) ASSIGNMENT. Assign its rights and responsibilities under this Contract.

- (b) ADMINISTRATION. Discontinue administration activities under the Contract.

ARTICLE 9 DEFAULT AND REMEDIES

9.1 **EVENTS OF DEFAULT**. The following shall constitute Events of Default under this Contract:

(a) **MATERIAL MISREPRESENTATION**. If at any time any representation, warranty or statement made or furnished to the Authority by, or on behalf of, the Recipient in connection with this Contract or to induce the Authority to make a grant to the Recipient shall be determined by the Authority to be incorrect, false, misleading or erroneous in any material respect when made or furnished and shall not have been remedied to the Authority's satisfaction within thirty (30) days after written notice by the Authority is given to the Recipient.

(b) **NONCOMPLIANCE**. If there is a failure by the Recipient to comply with any of the covenants, terms or conditions contained in this Contract.

(c) **END DATE**. If the Project, in the sole judgment of the Authority, is not completed on or before the End Date.

(d) **MISSPENDING**. If the Recipient expends Grant proceeds for purposes not described in the Application, this Contract, or as authorized by the Authority.

(e) **INSURANCE**. If loss, theft, damage, or destruction of any substantial portion of the property of the Recipient occurs for which there is either no insurance coverage or for which, in the opinion of the Authority, there is insufficient insurance coverage. This provision applies to the project as appropriate.

9.2 **NOTICE OF DEFAULT**. In the event of default, the Authority shall issue a written notice of default providing therein a fifteen (15) day period in which the Recipient shall have an opportunity to cure, provided that cure is possible and feasible.

9.3 **REMEDIES UPON DEFAULT**. If, after opportunity to cure, the default remains, the Authority shall have the right in addition to any rights and remedies specifically to it to do one or more of the following:

- (a) exercise any remedy provided by law,
- (b) require immediate repayment of up to the full amount of funds disbursed to the Recipient under this Contract plus interest.

9.4 **FAILURE TO MEET PERFORMANCE TARGETS**. If the Recipient is determined by the Authority to be in default of this Contract due to meeting less than one hundred percent (100%) of its Performance Targets, the Authority may require full Grant repayment or, at its discretion, the Authority may require partial repayment of Grant proceeds which allows partial credit for the performance targets which have been met, or the Authority may require other remedies that the Authority determines to be appropriate. For Housing rehabilitation projects only, performance targets shall include income targeting and affordability requirements as required in 261 Administrative Code 25.4(1).

ARTICLE 10 INCORPORATED DOCUMENTS

10.1 **DOCUMENTS INCORPORATED BY REFERENCE**. The Recipient shall comply with the terms and conditions of the following documents which are hereby incorporated by reference:

- (a) Budget Activity, as found in Recipient's IowaGrants.gov account.
- (b) Application, "CDBG Application", as found in Recipient's IowaGrants.gov account.
- (c) Attachment A, "CDBG Program General Provisions", dated October 3, 2018.
- (d) "Iowa Community Development Block Grant Management Guide", as found on the Authority's website at www.iowaeconomicdevelopment.com/Community/CDBG.

10.2 **ORDER OF PRIORITY**. In the event of a conflict between documents of this Contract, the following order of priority shall govern:

- (a) Articles 1 through 11 herein.
- (b) Attachment A, "CDBG Program General Provisions", dated October 3, 2018.
- (c) Budget Activity, as found in Recipient's IowaGrants.gov account.

- (d) Application, "CDBG Application", as found in Recipient's IowaGrants.gov account.
- (e) "Iowa Community Development Block Grant Management Guide", as found on the Authority's website at <https://www.iowaeda.com/cdbg/>.

ARTICLE 11

MISCELLANEOUS

11.1 **LIMIT ON GRANT PROCEEDS ON HAND.** The Recipient shall request Project funds only as needed and shall not have more than five hundred dollars (\$500.00) of Grant proceeds, including earned interest, on hand for a period of longer than ten (10) working days, after which time any surplus amount shall be returned to the Authority.

11.2 **BINDING EFFECT.** This Contract shall be binding upon and shall inure to the benefit of the Authority and Recipient and their respective successors, legal representatives and assigns. The obligations, covenants, warranties, acknowledgments, waivers, agreements, terms, provisions and conditions of this Contract shall be jointly and severally enforceable against the parties to this Contract.

11.3 **SURVIVAL OF CONTRACT.** If any portion of this Contract is held to be invalid or unenforceable, the remainder shall be valid and enforceable. The provisions of this Contract shall survive the execution of all instruments herein mentioned and shall continue in full force until the Project is completed as determined by the Authority.

11.4 **GOVERNING LAW.** This Contract shall be interpreted in accordance with the laws of the State of Iowa, and any action relating to the Contract shall only be commenced in the Iowa District Court for Polk County or the United States District Court for the Southern District of Iowa.

11.5 **NOTICES.** Whenever this Contract requires or permits any funding request, notice, report, or written request by one party to another, it shall be delivered through IowaGrants.gov. Alternately the Authority may rely on the United States Mail as the Authority deems appropriate. Any such notice given hereunder shall be deemed delivered upon the earlier of actual receipt or two (2) business days after posting. The Authority may rely on the address of the Recipient set forth heretofore, as modified from time to time, as being the address of the Recipient.

11.6 **WAIVERS.** No waiver by the Authority of any default hereunder shall operate as a waiver of any other default or of the same default on any future occasion. No delay on the part of the Authority in exercising any right or remedy hereunder shall operate as a waiver thereof. No single or partial exercise of any right or remedy by the Authority shall preclude future exercise thereof or the exercise of any other right or remedy.

11.7 **LIMITATION.** It is agreed by the Recipient that the Authority shall not, under any circumstances, be obligated financially under this Contract except to disburse funds according to the terms of the Contract.

11.8 **HEADINGS.** The headings in this Contract are intended solely for convenience of reference and shall be given no effect in the construction and interpretation of this Contract.

11.9 **INTEGRATION.** This Contract contains the entire understanding between the Recipient and the Authority and any representations that may have been made before or after the signing of this Contract, which are not contained herein, are nonbinding, void and of no effect. None of the parties have relied on any such prior representation in entering into this Contract.

11.10 **COUNTERPARTS.** This Contract may be executed in any number of counterparts, each of which shall be deemed to be an original, but all of which together shall constitute one and the same instrument.

11.11 **IOWAGRANTS.GOV.** The Authority reserves the right to require the Recipient to utilize the IowaGrants.gov system to conduct business associated with this Contract.

IN WITNESS WHEREOF, the parties have executed this Contract as of the Effective Date first stated.

RECIPIENT: Indianola

BY:

 Mayor
 Indianola
 110 N 1st St
 Indianola, Iowa 50125

 Typed or Printed Name and Title

IOWA ECONOMIC DEVELOPMENT AUTHORITY:

BY:

Deborah Durham, Director**ATTACHMENT A****GENERAL PROVISIONS
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
October 3, 2018****1.0 AMENDMENT.**

(a) WRITING REQUIRED. The Contract will only be amended through written prior approval of the Authority through IowaGrants.gov. Examples of situations where amendments are required include extensions for completion of Project activities, changes to the Project including, but not limited to, alteration of existing approved activities or inclusion of new activities.

(b) UNILATERAL MODIFICATION. Notwithstanding paragraph "a" above, the Authority may unilaterally modify the Contract at will in order to accommodate any change in the Act or any change in the interpretation of the Act or any applicable Federal, State or local laws, regulations, rules or policies. A copy of such unilateral modification will be given to the Recipient as an amendment to this Contract.

(c) AUTHORITY REVIEW. The Authority will consider whether an amendment request is so substantial as to necessitate reevaluating the Authority's original funding decision on the Project. An amendment will be denied if it substantially alters the circumstances under which the Project funding was originally approved; if it does not meet requirements set forth in Iowa Administrative Code 261-23, as applicable; or if it conflicts with the Program Rules.

2.0 AUDIT REQUIREMENTS.

(a) SINGLE AUDIT. The Recipient shall ensure that an audit is performed in accordance with the Single Audit Act Amendment of 1996; OMB 2 CFR part 200, subpart E; and OMB 2 CFR part 200, subpart F, as applicable; and the Iowa CDBG Management Guide.

(b) ADDITIONAL AUDIT. As a condition of the grant to the Recipient, the Authority reserves the right to require the Recipient to submit to a post Project completion audit and review in addition to the audit required above.

3.0 COMPLIANCE WITH LAWS AND REGULATIONS. The Recipient shall comply with all applicable State and Federal laws, rules, ordinances, regulations and orders including all Federal laws and regulations described in 24 CFR subpart K.

4.0 UNALLOWABLE COSTS. If the Authority determines at any time, whether through monitoring, audit, closeout procedures or by other means or process, that the Recipient has expended funds which are unallowable, the Recipient will be notified of the questioned costs and given an opportunity to justify questioned costs prior to the Authority's final determination of the disallowance of costs. Appeals of any determinations will be handled in accordance with the provisions of Chapter 17A, Iowa Code. If it is the Authority's final determination that costs previously paid by the Authority are unallowable under the terms of the Contract, the expenditures will be disallowed and the Recipient will repay to the Authority any and all disallowed costs. Real property under the Recipient's control in excess of \$25,000 and equipment that was acquired or improved in whole or in part with CDBG funds shall be used to meet one of the National Objectives pursuant to 24 CFR 570.208 until five (5) years after expiration of the Agreement. If Recipient fails to use CDBG assisted real property that meets a National Objective during the five (5) year period the Recipient shall pay IEDA an amount equal to the current fair market value of the property less any portion of the value attributable to expenditures of non-CDBG funds for acquisition or improvement to the real property.

5.0 PROGRAM INCOME. All program income, as defined in 2 CFR part 200, subpart E; 24 CFR 570.489; and Iowa Administrative Code 261-23, if applicable; shall be added to the Project "Budget Activity" and used to further eligible Project objectives as defined in the Contract and the "Budget Activity" in the CDBG Application for funding. Program income not used to further Project objectives will be deducted from the total Project "Budget Activity" for the purpose of determining the amount of reimbursable costs under the Contract. In cases of dispute, final decisions regarding the definition or disposition of program income shall be made by the Authority.

6.0 **INTEREST EARNED.** To the extent that interest is earned on advances of CDBG funds, this interest shall be returned to the Authority, except that the Recipient may keep interest amounts of up to \$100 per year for administrative expenses.

7.0 **SUSPENSION.** When the Recipient has failed to comply with the Contract, award conditions or standards, the Authority may, on reasonable notice to the Recipient, suspend the Contract and withhold future payments, or prohibit the Recipient from incurring additional obligations of CDBG funds. Suspension may continue until the Recipient completes the corrective action as required by the Authority. The Authority may allow such necessary and proper costs which the Recipient could not reasonably avoid during the period of suspension provided the Authority concludes that such costs meet the provisions of HUD regulations issued pursuant to OMB 2 CFR part 200, subpart E.

8.0 **TERMINATION.**

(a) **FOR CAUSE.** The Authority may terminate the Contract in whole, or in part, whenever the Authority determines that the Recipient has failed to comply with the terms and conditions of the Contract.

(b) **FOR CONVENIENCE.** The Parties may terminate the Contract in whole, or in part, when all parties agree that the continuation of the Project would not produce beneficial results commensurate with the future disbursement of funds.

(c) **DUE TO REDUCTION OR TERMINATION OF CDBG FUNDING.** At the discretion of the Authority, the Contract may be terminated in whole, or in part, if there is a reduction or termination of CDBG Federal block grant funds to the State.

9.0 **PROCEDURES UPON TERMINATION.**

(a) **NOTICE.** The Authority shall provide written notice to the Recipient of the decision to terminate, the reason(s) for the termination, and the effective date of the termination. If there is a partial termination due to a reduction in funding, the notice will set forth the change in funding and the changes in the approved "Budget Activity". The Recipient shall not incur new obligations beyond the effective date and shall cancel as many outstanding obligations as possible. The Authority's share of noncancelable obligations which the Authority determines were properly incurred prior to notice of cancellation will be allowable costs.

(b) **RIGHTS IN PRODUCTS.** All finished and unfinished documents, data, reports or other material prepared by the Recipient under the Contract shall, at the Authority's option, become the property of the Authority.

(c) **RETURN OF FUNDS.** The Recipient shall return to the Authority all unencumbered funds within one week of receipt of the notice of termination. Any costs previously paid by the Authority which are subsequently determined to be unallowable through audit, monitoring, or closeout procedures shall be returned to the Authority within thirty (30) days of the disallowance.

10.0 **ENFORCEMENT EXPENSES.** The Recipient shall pay upon demand any and all reasonable fees and expenses of the Authority, including the fees and expenses of its attorneys, experts and agents, in connection with the exercise or enforcement of any of the rights of the Authority under this Contract.

11.0 **INDEMNIFICATION.** The Recipient shall indemnify and hold harmless the Authority, its officers and employees, from and against any and all losses, accruing or resulting from any and all claims subcontractors, laborers and any other person, firm or corporation furnishing or supplying work, services, materials or supplies in connection with the performance of this Contract, and from any and all claims and losses accruing or resulting to any person, firm or corporation who may be injured or damaged by the Recipient in the performance of this Contract.

12.0 **CONFLICT OF INTEREST.**

(a) **GENERAL.** Except for the use of CDBG funds to pay salaries and other related administrative or personnel costs, no persons identified in paragraph (b) below who exercise or have exercised any functions or responsibilities with respect to CDBG assisted activities or who are in a position to participate in a decision making process or gain inside information with regard to such activities may obtain a personal or financial interest or benefit from a CDBG assisted activity or have an interest in any contract, subcontract or agreement with respect thereto, or the proceeds thereunder, either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter.

(b) **PERSONS COVERED.** The conflict of interest provisions described above apply to any person who is an employee, agent, consultant, officer, or elected or appointed official of the Recipient, or of any designated public agencies, or subrecipients which are receiving CDBG funds.

(c) CONFLICTS OF INTEREST. Chapter 68B, Code of Iowa, the "Iowa Public Officials Act", shall be adhered to by the Recipient, its officials and employees.

13.0 USE OF DEBARRED, SUSPENDED, OR INELIGIBLE CONTRACTORS OR SUBRECIPIENTS. CDBG funds shall not be used directly or indirectly to employ, award contracts to, or otherwise engage the service of, or fund any contractor or subrecipient during any period of debarment, suspension, or placement in ineligible status under the provisions of 24 CFR Part 24 or any applicable law or regulation of the Department of Labor.

14.0 CIVIL RIGHTS.

(a) DISCRIMINATION IN EMPLOYMENT. The Recipient shall not discriminate against any qualified employee or applicant for employment because of race, color, religion, sex, national origin, age, sexual orientation, gender identity, familial status, physical or mental disability. The Recipient may take affirmative action to ensure that applicants are employed and that employees are treated without regard to their race, color, religion, sex, national origin, age, sexual orientation, familial status, gender identity, or physical or mental disability. Such action shall include, but may not be limited to, the following: employment, upgrading, promotion, demotion or transfers; recruitment or recruitment advertising; lay-off or termination; rates of pay or other forms of compensation; and selection for training, including an apprenticeship. The Recipient agrees to post notices setting forth the provisions of the nondiscrimination clause in conspicuous places so as to be available to employees. Upon the State's written request, the Recipient shall submit to the State a copy of its affirmative action plan, containing goals and time specifications, and accessibility plans and policies as required under Iowa Administrative Code chapter 11—121.

(b) CONSIDERATION FOR EMPLOYMENT. The Recipient shall, in all solicitations or advertisements for employees placed by or on behalf of the Recipient, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, national origin, age, sexual orientation, gender identity, physical or mental disability, or familial status.

(c) SOLICITATION AND ADVERTISEMENT. The Recipient shall list all suitable employment openings in the State Employment Service local offices or shall list all suitable employment openings with Iowa Workforce Development's job search website, currently known as IowaWORKS.

(d) CIVIL RIGHTS COMPLIANCE IN EMPLOYMENT. The Recipient shall comply with all relevant provisions of the Iowa Civil Rights Act of 1965 as amended; Chapter 19B.7, and Chapter 216, Code of Iowa; Federal Executive Order 11246, as amended; Title VI of the U.S. Civil Rights Act of 1964 as amended (42 U.S.C. Section 2000d et seq.); the Fair Labor Standards Act (29 U.S.C. Section 201 et seq.); The Americans with Disabilities Act, as applicable, (P.L. 101 336, 42 U.S.C. 12101-12213); Section 504 of the Rehabilitation Act of 1973 as amended (29 U.S.C. Section 794); and the Age Discrimination Act of 1975 as amended (42 U.S.C. Section 6101 et seq.). The Recipient will furnish all information and reports requested by the State of Iowa or required by or pursuant to the rules and regulations thereof and will permit access to payroll and employment records by the State of Iowa to investigate compliance with these rules and regulations.

(e) CERTIFICATION REGARDING GOVERNMENT-WIDE RESTRICTION ON LOBBYING. The Recipient certifies, to the best of his or her knowledge and belief, that:

(i) No Federal appropriated funds have been paid or will be paid, by or on behalf of the Recipient, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with awarding any Federal contract, making any Federal grant, making any Federal loan, entering into any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(ii) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the Recipient shall complete and submit Standard Form-LLL, "Disclosure Form to Report Federal Lobbying" in accordance with its instruction.

(iii) The Recipient shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

(iv) This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this

transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

(f) PROGRAM NONDISCRIMINATION. The Recipient shall conform with requirements of Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) and HUD regulations issued pursuant thereto contained in 24 CFR Part 1. No person in the United States shall, on the basis of race, color, national origin, sex or religion or religious affiliation, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available through this Contract. Any prohibition against discrimination on the basis of age under the Age Discrimination Act of 1975 (42 U.S.C. 6101 et. seq.) or with respect to an otherwise qualified individual with a disability as provided in the Americans with Disabilities Act, as applicable, (P.L. 101 336, 42 U.S.C. 12101 12213) or Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. Section 794) shall also apply to any such program activity, or Project.

(g) FAIR HOUSING. The Recipient shall comply with Title VIII of the Civil Rights Act of 1968 (42 U.S.C. 3601 et seq.), generally known as the Fair Housing Act, and with HUD regulations found at 24 CFT Part 100 and 24 CFR Part 107, issued in compliance with Federal Executive Order 11063, as amended by Federal Executive Order 12259. The recipient shall also comply with Section 109, Title I of the Housing and Community Development Act of 1974, as amended.

(h) LEAD-BASED PAINT HAZARDS. The Recipient shall comply with requirements of the Notification, Evaluation, and Reduction of Lead-Based Paint Hazards in Federally Owned Residential Property and Housing Receiving Federal Assistance; Final Rule (24 CFR Part 35, et al.); Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4821 - 4846), as amended, and implementing regulations.

(i) SECTION 3 COMPLIANCE. The recipient shall comply with provisions for training, employment and contracting in accordance with 24 CFR part 75 and Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (Section 3). All Section 3 covered contracts shall include the following clause (referred to as the Section 3 clause):

(i) The work to be performed under this contract is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (Section 3). The purpose of Section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by Section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing.

(ii) The parties to this contract agree to comply with HUD's regulations in 24 CFR part 75, which implement Section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the part 75 regulations.

(iii) The contractor agrees to post copies of a notice advising workers of the Contractor's commitments under Section 3 in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the Section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.

(iv) The contractor agrees to provide written notice of employment and contracting opportunities to all known Section 3 Workers and Section 3 Businesses.

(v) The contractor agrees to hire, to the greatest extent feasible, Section 3 workers as new hires, or provide written justification to the recipient that is consistent with 24 CFR Part 75, describing why it was unable to meet minimum numerical hiring goals, despite its efforts to comply with the provisions of this clause.

(vi) The contractor agrees to maintain records documenting Section 3 residents that were hired to work on previous Section 3 covered projects or activities that were retained by the contractor for subsequent Section 3 covered projects or activities.

(vii) The contractor agrees to post contract and job opportunities to the Opportunity Portal, and will check the Business Registry for businesses located in the project area.

(viii) The contractor agrees to include compliance with Section 3 requirements in every subcontract for Section 3 projects as defined in 24 CFR part 75, and agrees to take appropriate action, as provided in an applicable provision of the subcontract upon a finding that the subcontractor is in violation of the regulations in 24 CFR part 75. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR part 75.

(ix) The contractor will certify that any vacant employment positions, including training positions, that are filled (1) after the contractor is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR part 75 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR part 75.

(x) The contractor will certify that they have followed prioritization of effort in 24 CFR part 75.19 for all employment and training opportunities. The contractor will further certify that it meets or exceeds the applicable Section 3 benchmarks, defined in 24 CFR Part 75.23, and if not, shall describe in detail the qualitative efforts it has taken to pursue low- and very low-income persons for economic opportunities.

(xi) Noncompliance with HUD's regulations in 24 CFR part 75 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.

(j) **NONCOMPLIANCE WITH THE CIVIL RIGHTS LAWS.** In the event of the Recipient's noncompliance with the nondiscrimination clauses of this Contract or with any of the aforesaid rules, regulations, or requests, this Contract may be canceled, terminated, or suspended either wholly or in part. In addition, the State of Iowa may take further action, imposing other sanctions and invoking additional remedies as provided by the Iowa Civil Rights Act of 1965 (Chapter 216, Code of Iowa) or as otherwise provided by law.

(k) **INCLUSION IN SUBCONTRACTS.** The Recipient will include the provisions of the preceding paragraphs of Section 14 in every subcontract unless exempt by the State of Iowa, and said provisions will be binding on each subcontractor. The Recipient will take such action with respect to any subcontract as the State of Iowa may direct as a means of enforcing such provisions, including sanctions for noncompliance. In the event the Recipient becomes involved in or is threatened by litigation with a subcontractor or provider as a result of such direction by the State of Iowa, the Recipient may request the State of Iowa to enter into such litigation to protect the interests of the State of Iowa.

15.0 **POLITICAL ACTIVITY.** No portion of program funds shall be used for any partisan political activity or to further the election or defeat of any candidate for public office. Neither the program nor the funds provided therefore, nor the personnel employed in the administration of this Contract, shall be in any way or to any extent engaged in the conduct of political activities in contravention of The Hatch Act (5 U.S.C. 15).

16.0 **LIMIT ON RECOVERY OF CAPITAL COSTS.** The Recipient will not attempt to recover any capital costs of public improvements assisted in whole or part under this Contract by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements, unless (i) funds received under this Contract are used to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than under Title I of the Housing and Community Development Act of 1974, as amended, or (ii) for purposes of assessing any amount against properties owned and occupied by persons of low and moderate income who are not persons of very low income, the Recipient has certified to the Authority that it lacks sufficient funds received under Title I of the Housing and Community Development Act of 1974, as amended, to comply with the requirements of clause (i) above.

17.0 **PROHIBITED ACTIVITIES.** In accordance with 24 CFR 570.207 (a): The following activities may not be assisted with CDBG funds:

(a) **BUILDINGS OR PORTIONS THEREOF, USED FOR THE GENERAL CONDUCT OF GOVERNMENT AS DEFINED AT § 570.3(D) CANNOT BE ASSISTED WITH CDBG FUNDS.** This does not include, however, the removal of architectural barriers under § 570.201(c) involving any such building. Also, where acquisition of real property includes an existing improvement which is to be used in the provision of a building for the general conduct of government, the portion of the acquisition cost attributable to the land is eligible, provided such acquisition meets a national objective described in § 570.208.

(b) **GENERAL GOVERNMENT EXPENSES.** Except as otherwise specifically authorized in this subpart or under 2 CFR part 200, subpart E, expenses required to carry out the regular responsibilities of the unit of general local government are not eligible for assistance under this part.

(c) **POLITICAL ACTIVITIES.** CDBG funds shall not be used to finance the use of facilities or equipment for political purposes or to engage in other partisan political activities, such as candidate forums, voter transportation, or voter registration. However, a facility originally assisted with CDBG funds may be used on an incidental basis to hold political meetings, candidate forums, or voter registration campaigns, provided that all parties and organizations have access to the facility on an equal basis, and are assessed equal rent or use charges, if any.

18.0 **FEDERAL GOVERNMENT RIGHTS.** If all or a portion of the funding used to pay for the Deliverables is being provided through a grant from the Federal Government, recipient, subrecipient, contractor, subcontractor, or provider

acknowledges and agrees that pursuant to applicable federal laws, regulations, circulars and bulletins, the awarding agency of the Federal Government reserves certain rights including, without limitation a royalty-free, non-exclusive and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use, for Federal Government purposes, the Deliverables developed under this Contract and the copyright in and to such Deliverables.

19.0 **IOWA ECONOMIC DEVELOPMENT AUTHORITY FRAUD AND WASTE POLICY.** The Authority has zero tolerance for the commission or concealment of acts of fraud, waste, or abuse. Allegations of such acts will be investigated and pursued to their logical conclusion, including legal action where warranted.

May 28, 2024

Honorable Stephanie Erickson
City of Indianola
110 N 1st St
Indianola, Iowa 50125

SUBJECT: 2024 CDBG Downtown Revitalization Award (24-DTR-004)

Dear Mayor Erickson:

I am pleased to inform you the Iowa Economic Development Authority (IEDA) has awarded the City of Indianola a Community Development Block Grant (CDBG) in an amount not to exceed \$650,000.

Your contract with respect to this award (the "Contract") will have a start date of May 21, 2024 pending successful contract negotiation and complete execution. Enclosed is the Contract between the City of Indianola and IEDA. Please review the document thoroughly. Once signed, please return electronic signed copy to Terie Taylor-Wolf at IEDA. Upon receipt of your signed contract, we will execute and upload a copy to IowaGrants.gov for your records.

No HUD Funds or non-HUD funds may be committed to the project until the applicant has secured environmental approval from the State, as provided in HUD regulation 24 CFR Part 58. In addition, pending environmental approval and pursuant to 24 CFR Part 58.22(a), no grant recipient or participant in the development process, including contractors or sub-contractors, may undertake an activity that may limit the choice of reasonable alternatives. Such choice limiting actions include real property acquisition, conducting a competitive sealed bid process for the project, signing a construction contract, leasing, rehabilitation, repair, demolition, conversion, and construction.

IF ANY CONDITIONS CONTAINED IN THIS LETTER ARE NOT SATISFIED IN THE SOLE DISCRETION OF IEDA, OR THE CONTRACT IS NOT FULLY EXECUTED BY August 4, 2024, THIS AWARD OF FUNDS SHALL BE RESCINDED, AND NO REIMBURSEMENT IS AVAILABLE FOR ANY COSTS INCURRED BY THE CONTRACT RECIPIENT WITH RESPECT TO THIS AWARD.

If you have any questions, please contact your project manager, Sarah Plowman, at (515) 348-6213 or by e-mail at Sarah.Plowman@IowaEDA.com.

IEDA looks forward to working with the City of Indianola on its CDBG Downtown Revitalization project **once all conditions to the award have been met and the contract is fully executed.**

Sincerely,



Debi Durham (May 28, 2024 08:25 CDT)

Debi Durham, Director

cc: Caleb Knutson, Mid-Iowa Planning Alliance
Representative Thomas Jay Moore, House District 21
Senator Tom Shipley, Senate District 11
File: IowaGrants.gov

**IOWA ECONOMIC DEVELOPMENT AUTHORITY
COMMUNITY DEVELOPMENT DIVISION**

FEDERAL GRANT SUBRECIPIENT AWARD SUMMARY

PROJECT INFORMATION

PROJECT TITLE: Indianola (CDBG Downtown Revitalization)
TOTAL FEDERAL FUNDS AWARD TO RECIPIENT: \$650,000
GRANT AWARD PERIOD: May 21, 2024 to May 31, 2027
FEDERAL AWARD PROJECT DESCRIPTION: CDBG Downtown Revitalization Project

SUBRECIPIENT INFORMATION

AGENCY NAME: City of Indianola
ADDRESS: 110 N 1st St, Indianola, 50125
UEI (UNIQUE ENTITY IDENTIFIER): T4DKLXKFAXP3
SUBRECIPIENT'S INDIRECT COST RATE: N/A

FEDERAL FUNDS INFORMATION

FEDERAL FUNDING ENTITY: U.S. Department of Housing and Urban Development
FEDERAL PROGRAM NAME: Community Development Block Grant
FEDERAL AWARD NUMBER: B-23-DC-19-0001
FEDERAL AWARD DATE: 01/01/2023
CATALOGUE OF FEDERAL DOMESTIC ASSISTANCE: 14.228
TOTAL FEDERAL AWARD AMOUNT: \$24,645,105
AWARD FOR RESEARCH AND DEVELOPMENT: NO

**IOWA ECONOMIC DEVELOPMENT AUTHORITY
COMMUNITY DEVELOPMENT DIVISION INFORMATION**

CONTACT PERSON: Brian Sullivan
E-MAIL ADDRESS: brian.sullivan@iowafinance.com
TELEPHONE NUMBER: (515) 452-0430

This information is provided as a requirement of 2 CFR 200.331 Requirements for pass-through entities. All requirements imposed by the Federal entity and passed on to IEDA. In turn IEDA passes on to the subrecipient all requirements imposed by the Federal entity and that the Federal award is used in accordance with Federal statutes, regulations and the terms and conditions of the Federal award.

REQUIRED ACKNOWLEDGEMENT OF ENVIRONMENTAL REVIEW REQUIREMENTS

By signing below, I hereby acknowledge that I accept and understand that no construction or other choice limiting actions may be commenced in relation to any portion or aspect of this project, regardless of the funding source, prior to the grant recipient, (city or county) receiving a formal Release of Funds letter from the offices of the Iowa Economic Development Authority (IEDA).

Choice limiting actions include not only actual traditional construction activities but also the purchase or lease of land or structures, bid letting (**any advertisement of bids**), signing construction contracts of any kind, rehabilitation, repair, remodeling, demolition, conversion, and any phase of construction activity whatsoever.

Release of Funds letters will be issued only upon proper completion and submittal of the appropriate level of Environmental Review Record (ERR) for the project to IEDA through the iowagrants.gov system.

I understand that violation of this federal rule by taking any prohibited action as outlined above prior to the receipt of a Release of Funds letter from IEDA is likely to result in the forfeiture of CDBG grant monies awarded.

Signed: _____
Mayor or County Chairperson

Date: _____

Print Name: _____

Signed: _____
Grant Administrator

Date: _____

Print Name: _____

Signed: _____
Subrecipient Entity (if applicable)

Date: _____

Print Name: _____

We strongly suggest that you please share this form with any engineers or architects involved in the project.

Note: Following execution and dating this form must be uploaded into the "Required Uploads" component for your respective grant project in the iowagrants.gov system. No claim for grant funds will be processed until this task is completed.



MEMORANDUM

To: Mayor and City Council
From: Jackie Raffety, City Clerk/Asst. to City Manager/Asst. Finance Director
Date: June 3, 2024
Subject: Approval of Urban Revitalization Designations

Introduction: Approving the designation will authorize a tax abatement for the property.

Background:

Discussion: The following comprise a list of Urban Revitalization Designations for new residential construction.

Address	Titleholder or Contract Buyer	Estimated or Actual Cost of Improvements
2310 N 8th St	Steger Construction	\$700,000
2009 N 7th St	Ann Trimble	\$324,990
2106 N Summercrest St	Thomas Becker or Valaleen Ruther	\$337,990

Budget Impact:

Recommendation: All applications are in order for approval.

Attachments: None



MEMORANDUM

To: Mayor and City Council
From:
Date: June 3, 2024
Subject: Resolution approving salaries.

Recommendation: Roll call is in order.

Attachments: 1. Res 2024- approving salaries

City of Indianola
RESOLUTION NO 2024-

RESOLUTION APPROVING SALARIES

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

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

MyLisa Thompson, Full-time IT Tech Services Specialist with \$300/year longevity to 4C \$62,105.50/year, effective July 30, 2023; and

LeAnna Cunningham, Seasonal Lifeguard Year 1, to LGI Certified, \$13.50/hour, effective May 19, 2024; and

Taylor Hoger, Seasonal Pool Manager Year 1, to LGI Certified, \$15.50/hour, effective May 19, 2024; and

Allyson Karsjens to Part-time Paramedic, 3A, \$25.27/hour, effective May 20, 2024; and

Tara Bosteder to Full-time Community Development Office Assistant, 2A, \$47,775.00/year, effective June 3, 2024; and

Gracie Cutts to Part-time Learn and Play Staff, \$12.00/hour, effective June 3, 2024; and

Shelby Dale to Part-time Learn and Play Staff, \$12.00/hour, effective June 3, 2024; and

Brooks Paugh to Part-time non-benefitted IWC Lifeguard, \$11.00/hour, effective June 3, 2024; and

Bree Tenges to Part-time Learn and Play Staff, \$12.00/hour, effective June 3, 2024; and

Ryan Torrence to Part-time non-benefitted IWC Lifeguard, \$11.00/hour, effective June 3, 2024; and

Max Walljasper to Part-time non-benefitted IWC Lifeguard, \$11.00/hour, effective June 3, 2024; and

Timothy Myers, Full-time WRRD Operator IV, to R25+1.5, \$72,216.13/year, effective June 16, 2024; and

BE IT FURTHER RESOLVED that the city staff is hereby authorized to execute the resolution to issue payroll checks and make all required supporting payroll payments as required per the personnel manual or required by law.

Passed and approved this 3rd day of June 2024.

Stephanie Erickson, Mayor

ATTEST:

Jackie Raffety, City Clerk



MEMORANDUM

To: Mayor and City Council
From: Charlie Dissell, Deputy City Manager Development and Operations
Date: June 3, 2024
Subject: Chapter 165, Zoning Regulations

Introduction:

Background: Since adopting new zoning code regulations and standards in 2021, the Community Development Staff have been monitoring and tracking these updates to determine if any relevant updates to the zoning code are needed. Staff have provided the following recommended zoning code changes for the Planning and Zoning Commission to consider and provide feedback. To view the current zoning code, visit: <https://www.indianolaiowa.gov/DocumentCenter/View/16375>.

Discussion:

Budget Impact:

Recommendation: The Planning and Zoning Commission recommended approval of the amendments, as presented.

Attachments: 1. 1. Proposed Code Amendments



— PLANNING & ZONING COMMISSION —

To: City of Indianola Planning & Zoning Commission
From: Charlie Dissell, AICP, Community and Economic Development Director
Emily Rizvic, Associate Planner
Subject: Code Amendments

Background

Since adopting new zoning code regulations and standards in 2021, Community Development Staff have been monitoring and tracking these updates to determine if any relevant updates to the zoning code are needed. Staff have provided the following recommended zoning code changes for the Planning and Zoning Commission to consider and provide feedback. To view the current zoning code, [click here](#).



1. Code Section: 165.02(5)(C)- Zoning Commission Disapproval or Protest Petition

Area of Concern: Current language for protest petitions is confusing regarding property adjacent to a rezoning area can protest. Additionally, current City Code does not match Iowa Code Section 414.5, which simply states a protest petition may include all properties within 200 ft of the exterior boundary of the request, and that a protest petition shall be submitted to the City Clerk before or at the public hearing of the City Council. Staff proposes to split this current section of code into three (3) subsections; one for process where the zoning commission disapproves, one where a protest petition is submitted and one specifying where a new application can be submitted if a rezoning is ultimately denied by Council. Regarding the protest petitions, staff recommends language to stay consistent with the requirements of Iowa Code Section 414.5.

Proposed Language:

- (1) In case the proposed amendment, supplement or change is disapproved by the Zoning Commission, such amendment shall not become effective except by the favorable vote of at least three-fourths (¾) of all members of the Council.
 - (2) In case ~~or~~ a protest is presented duly signed by the owners of twenty percent (20%) or more either of the area of the lots included in such proposed change, or by the owners of the property which is located within two hundred (200) feet of the exterior boundaries of the property for which the change is proposed ~~of those immediately adjacent in the rear thereof, extending the depth of one lot or not to exceed two hundred (200) feet therefrom, or of those directly opposite thereto, extending the depth of one lot or not to exceed two hundred (200) feet from the street frontage of such opposite lots,~~ such amendment shall not become effective except by the favorable vote of at least three-fourths (¾) of all members of the Council. Such petition shall be submitted to the City Clerk before or at the public hearing of the City Council.
 - ~~(1)~~(3) Whenever any petition for amendment, supplement or change of the zoning districts or regulations herein contained or subsequently established has been denied by the Council, then no new petition covering the same property or the same property and additional property shall be filed with or considered by the Council until one year shall have elapsed from the date of filing of the first petition.
-

2. Code Section: 165.02(5)(D)- Public Hearing Noticing

Area of Concern:

Current language for rezonings requires that a sign 18" x 24" regarding the amendment be placed in a visible location on the premises for at least 10 days before the Planning and Zoning Commission meeting. These signs are small and rather ineffective on larger properties. Furthermore, the City currently supplies these signs and places them on applicant's properties. These signs typically get removed, misplaced, and in some cases, city supply of this signage is limited. Staff proposes to split this current section of code into three (3) subsections by order that they occur. Additionally, staff proposes to specify the design standards of the notification signs and require that the applicant be responsible for the purchase and installation of the rezoning notification sign.

Lastly, on mailed notices, staff wishes to clarify that the notices shall be mailed/postmarked 10 days prior to the meeting.

Proposed Language:

- (1) The Commission shall not make any recommendation to the Council on an amendment to any zoning district boundaries until a sign ~~18 inches by 24 inches~~ indicating the amendment requested has been prepared and posted by the ~~City~~ applicant. The sign shall be of such design that is approved by the zoning administrator and be in a visible location on the premises that is visible from all rights-of-way. The sign shall be posted at least for a period of 10 days prior to the Commission meeting and shall remain in place until the City Council has taken final action on the amendment.
- ~~(1)~~(2) Notice of the Commission meeting shall be mailed/postmarked by first class mail 10 days prior to the meeting to all property owners within 200 feet of the boundary of the property requesting an amendment to its zoning district boundaries.
- (3) Not less than seven nor more than 20 days' notice of the time and place of the City Council hearing to consider any proposed amendment or change in the Zoning Ordinance or zoning district boundaries shall be published in a newspaper having general circulation in the City.

Other Cities:

- **Urbandale:** No sign requirement
- **Waukee:** Sign required to be installed by applicant
- **Johnston:** Sign required to be installed by applicant
- **Altoona:** Sign provided by City, installed by applicant
- **Clive:** Sign required to be installed by City
- **Newton:** Sign required to be installed by applicant
- **Grimes:** No sign requirement
- **Norwalk:** Sign required to be installed by applicant
- **Pleasant Hill:** No sign requirement

3. Code Section: 165.04(2)(D)- Accessory Structures – Setback Requirements

Area of Concern: Staff feels that this code section isn't clearly expressing its intent and could be condensed. No policy changes from previous interpretations of this code section would be affected if revised.

Proposed Language: Revise Code Section 165.04.2.D.(7)) to the following:

- (7) Accessory buildings and structures ~~shall maintain a minimum distance of~~ within ten (10) feet from any principal structure. ~~Otherwise, said accessory building or structure~~ must meet setback standards required of the principal structure.
-

4. Code Section: 165.04(2)(E)- Accessory Building Area and Height Limitation

Area of Concern:

Current language regulates size and roof lines for detached accessory structures but does not regulate sizing of an attached garage. Recently, there have been a few new dwellings approved where the total attached garage space exceeded the total floors areas of the other portions of the dwelling, a few where nearly 70% of the structure was attached garage space. Staff proposes a regulation which would limit the size of an attached garage to no larger than the other areas of the principal structure.

Additionally, the Board of Adjustment has reviewed, and approved a few variance requests pertaining to accessory structures on large A-1 zoned properties where property owners have needed more than 1,800 sq ft of accessory building area to store materials to maintain the larger properties. As such, staff proposes an exception for A-1 zoned properties over 15 acres, where property owners would be able to have detached accessory buildings, which are not exceed a total square footage of 1.5 times the total gross living area of the principal structure, or exceed 2,700 square feet, whichever is less.

Lastly, the code section currently limits accessory buildings and structures to two (2) per property. As the code is currently written, it includes buildings such as detached garages and sheds, but also includes trash enclosures, play structures, trellises, and hot tubs. Staff recommends updating the code to limit up to two (2) accessory buildings for detached garages, sheds, and above-ground pools, and to exclude accessory structures such as play structures, trellises, hot tubs, and underground shelters from the maximum allowance count.

Proposed Language:

- (1) Detached Accessory buildings and structures shall be limited to a maximum of two (2) total buildings, including a detached garages, sheds, and above-ground pools, but not including play structures, trellises, hot tubs, or underground shelters. In -of which all total, detached accessory buildings shall not occupy more than ten (10) percent of the total lot area nor exceed a total square footage of 1,800 square feet. However, this regulation shall not prohibit the construction of at least one detached garage not to exceed six hundred (600) square feet gross building area and at least one detached accessory storage building not to exceed one hundred twenty (120) square feet gross building area.
 - a. On properties zoned agricultural that have a minimum lot size of 15 acres, detached accessory buildings may exceed 1,800 square feet, given the detached accessory buildings shall not exceed a total square footage of 1.5 times the total gross living area of the principal structure or 2,700 square feet, whichever is less.
 - (2) Detached Accessory buildings and structures shall not be taller nor encompass more floor area than the principal structure that is located on the same and shall in no case more than one and one-half (1.5) stories in height and shall not exceed a height of 24-feet.
 - (3) Attached garages in residential districts shall not extend above the roofline of the principal structure and shall occupy less than fifty percent (50%) of the total principal structure area.
-

5. **Code Section: 165.04(4)- Fences**

Area of Concern:

The current language does not regulate fence setbacks from public alley ways or trail/sidewalk easements, nor does it regulate fencing of a vacant lot. Recently, staff have seen fences built on the property lines adjacent to alleys, which has caused problems for traffic upon the alleyways. Staff proposes to require a five (5)-foot setback from all alleys for fences.

Additionally, staff have seen vacant lots in town become fenced, which can typically lead to illegal storage of materials. Staff proposes to only allow the fencing of vacant lots by special exception of the Board of Adjustment.

Proposed Language:

D. Fence Setbacks. In all districts, fences and walls shall be built wholly on the owner's property and outside of any sidewalk or recreational trail easement.

a. Fences and walls adjacent to a sidewalk or recreational trail shall be setback two (2) feet from the edge of the sidewalk or trail surface.

b. Fences and walls adjacent to a public alley shall be setback five (5) feet from the property line.

E. Vacant Lots. In all districts, fences and walls shall not be constructed on a vacant lot unless it is permitted by special exception of the Board of Adjustment or by City Council approval as part of a site plan application.

6. Code Section: 165.05(2)- Setback Averaging – Residential Properties

Area of Concern: The Zoning Code currently establishes setbacks for residentially zoned and properties. These setbacks are dependent on the type of use/density being proposed for a particular site. No setback exceptions or flexibility is provided for infill development or vacant lots within an established residential subdivision. If an older subdivision was platted out before zoning or subdivision regulations were in place, or if zoning regulations allowed for a shorter front yard setback requirement, any new construction builds would be required to meet current day setback requirements. This, however, may not be feasible for a lot because the lot itself may have been graded for a particular setback.

Setback averaging is a zoning tool that allows for flexibility for these types of instances. Setback averaging takes the average setback of the adjacent dwellings and creates a setback based upon those averages. Generally, setback averages will not allow for garages to encroach within the specific zoning districts setback, to accommodate for off-street parking for the residence and prevent vehicles from parking on the public sidewalk.

Proposed Language: Insert the following text as 165.05.2.A and 165.05.2.A.(1)

A. Setback Averaging. Where the average, legal, front yard setback differs than that required for the specific residential zoning district and excluding non-residential structures and dwellings within the A-1 Zoning District, the front yard setback for the subject lot shall be equal to the average of the front yard depths of any existing immediate adjacent dwellings on the same side of the street.

(1) The front yard setback measured from the face of any garage accessed from the street shall be a minimum of twenty-five (25) feet, regardless of the averaged front yard depth.

7. Code Section: 165.05(2)- Residential/Non-Residential Bulk And Density Regulations.

Area of Concern: Current zoning code does not match the Comprehensive Plan's goals for density within the City, specifically with higher density properties. The Comprehensive Plan calls for Low/Medium Density Residential, which includes multi-family dwellings, to be up to 15 dwelling units per acre, and Medium/High Density Residential, which again includes multi-family dwellings, to be up to 25 dwelling units per acre. Current regulations cap townhouse/row-dwelling at 8 units per acre. The city has had two developments for townhouses on a single lot (508 W 2nd and Schoolyard) that exceeded 8 units per acre, but were under 9 units per acre. Current regulations also cap all multi-family dwellings at 20 units per acre.

Proposed Language:

- 2. RESIDENTIAL ZONING DISTRICTS BUILDING BULK AND DENSITY REGULATIONS.** The following table details the minimum lot sizes, building setbacks, building size and height limitations, minimum open space, and maximum density requirements for each building type constructed within the residential zoning districts established herein.

RESIDENTIAL ZONING DISTRICTS BUILDING BULK AND DENSITY REGULATIONS TABLE						
BULK AND DENSITY REGULATION BY BUILDING TYPE	BUILDING TYPE					
	A-1 Zoned Single Family Dwelling	Single Family Dwelling (Detached and Semi-Detached)	Two Family Dwelling	Townhouse or Row Dwelling	Multiple-Family Dwelling (Apartment)	Non-Residential Structure in a Residential Zoning District
Min. Lot Size	15 acres	7,200 sq ft	8,400 sq ft	n/a	n/a	40,000 sq ft
Min. Lot Width ¹	300 ft	60 ft	70 ft	24 ft.	80ft	100 ft
Min. Lot Street Frontage ²	20 ft	20 ft	20 ft	20 ft	20 ft	40 ft
Front Yard Setback ³	40 ft	30 ft	25 ft	25 ft	30 ft.	35 ft.
Side Yard Setback ⁴	10 ft	8 ft min one side, 18 ft total sum of both side yards	10 ft ⁶	8 ft. ⁶	30 ft	30 ft
Rear Yard Setback ⁵	35 ft	35 ft	30 ft	30 ft	30 ft	35 ft
Min. Separation Between Principal Buildings	n/a	n/a	n/a	16 ft side to side, 46 ft back to back or back to side	30 ft	20 ft
Min. Setback from Private Street or Common Private Roadway	n/a	n/a	20 ft from back of curb or street sidewalk whichever is closest	20 ft from back of curb or street sidewalk whichever is closest	n/a	n/a
Min. Setback from the Perimeter of the Development	n/a	n/a	30 ft	30 ft	30 ft	30 ft
Max. Building Height	35 ft	35 ft	35 ft	35 ft	50 ft	40 ft
Min. Open Space	n/a	20%	20%	25%	25%	25%
Max. Dwelling Units Per Acre	0.067	n/a	n/a	810	2025	n/a
¹ Measured at the front yard building setback line						
² Postage Stamp Lots: Direct street frontage not required; All yard setbacks for postage stamp lots shall be 5 ft, excluding shared walls located along a common lot line						
³ Front stoops, stairs, decks and porches may encroach up to 6 ft into the required front yard setback						
⁴ Horizontally projecting roof overhangs and other similar building projections may extend up to 3 ft into a required side yard setback provided no part of a building is closer than 5 ft to a lot line						
⁵ Stoops, stairs, decks, and patios, not enclosed or covered by a roof, may encroach up to 20 ft into the required rear setback						
⁶ Zero feet from common lot lines of attached structures						

3. **NON-RESIDENTIAL BULK AND DENSITY REGULATIONS.** The following table details the minimum lot sizes, building setbacks, building size and height limitations, minimum open space, and maximum density requirements for each non-residential zoning district.

NON-RESIDENTIAL BULK AND DENSITY REGULATIONS TABLE					
BULK AND DENSITY REGULATION BY ZONING DISTRICT	ZONING DISTRICTS				
	C-1	C-2	C-3	M-1	M-2
Min. Lot Size	n/a	n/a	n/a	n/a	n/a
Min. Lot Width	150 ft	150 ft	n/a	n/a	n/a
Min. Lot Street Frontage ⁴	40 ft	40 ft	40 ft	40 ft	40 ft
Front Yard Setback	30 ft	40 ft	0 ft	35 ft	35 ft
Side Yard Setback ¹	10 ft	10 ft	0 ft	20 ft	20 ft
Rear Yard Setback ²	10 ft	10 ft	0 ft	35 ft	35 ft
Min. Separation Between Buildings Not Attached	20 ft	20 ft	20 ft	20 ft	20 ft
Max. Building Height	50 ft ³	50 ft ³	50 ft	50 ft ³	50 ft ³
Min. Building Height	n/a	n/a	28 ft	n/a	n/a
Min. Open Space	20%	20%	0%	15%	15%
Max. Dwelling Units Per Acre	n/a	n/a	18 25	n/a	n/a
¹ 30 feet when said yard adjoins a residential zoning district or existing residential property					
² 40 feet when said yard adjoins a R-1 or R-2 zoning district or existing single-family property					
³ An additional 10 ft of height is permitted for every 10 ft of additional building setback provided to a maximum height of 60 ft					
⁴ Postage Stamp Lots: Direct street frontage not required; All yard setbacks for postage stamp lots shall be 5 ft, excluding shared walls located along a common lot line					

8. Code Section: 165.05(5)(F)- Screening/Fencing of Outdoor Storage Areas

Area of Concern: Current language requires that an outdoor storage area be enclosed by a fully opaque fence. Recently, a site plan was submitted where a large outdoor storage area was completely in the rear of a yard, fully surrounded by industrial property, and proposed nearly 2,000 lineal feet of fencing. Staff propose to increase buffer regulations on screening requirements and not require an opaque fence.

Proposed Language:

Outdoor Storage

The outdoor storage of any materials, goods, shipping containers, construction equipment, trucks or trailers over 30 feet in length, inoperable vehicles, inoperable trucks, other inoperable equipment, parts, containers, pallets, ~~construction equipment~~, debris, or other materials is prohibited in all zoning districts except where expressly permitted by the Zoning Regulations. When permitted, outdoor storage is subject to site plan review and approval and shall comply with the following standards:

- (1) Must be located on a surface paved with PCC or HMA in accordance with City Code. The City Council may, at their full discretion, approve a gravel surface for a storage yard in the M-2 zoning district provided the storage yard is wholly located within the rear yard of the site and mitigation measures are established to prevent dust and gravel from leaving the site.
 - (2) Shall comply with the Open Space, Landscaping and Buffering requirements of the Zoning Code.
 - (3) Shall be screened from view from all adjoining public street rights-of-way and all adjoining residentially developed or zoned properties, schools and similar sensitive uses and properties by a buffer that includes a minimum of 1-overstory tree, 2-evergreen trees, and 6-shrubs be planted for every 25 linear feet.
 - (4) Shall be enclosed by ~~an opaque~~ fence no less than six (6) feet in height, eight (8) feet for an industrially zoned property. Outdoor storage areas located in the front yard shall be enclosed by an opaque fence.
-

9. Code Section: 165.05(5)(G)- Loading Docks, Delivery and Service Overhead Doors

Area of Concern: The current code allows overhead vehicle doors to face the public street if the requirement is waived by the City Council. Staff recommends providing language so that when this requirement is waived, potential negative visual effects would be appropriately screened. Screening could include a combination of earth berming, masonry fencing, and landscaping.

Proposed Language: Revise Code Section 165.05.5.G to the following:

In all zoning districts, with the exception of the M1 and M-2 Zoning Districts, loading docks and overhead doors for delivery, distribution and service, including vehicle repair service bay doors, shall not face a public street. This requirement may be waived by the City Council upon review of a site plan if adequate measures are taken to minimize visual impacts when visible from street views and adjacent residential uses.

10. Code Section: 165.05(5)(H)- Trash and Recycling Collection

Area of Concern: Staff is concerned that the current text and language is vague and could lead to the undersizing of trash enclosures and waste facilities on sites. The proposed text amendment is aimed at encouraging sustainable and successful waste collection infrastructure and prevent or require enclosure upgrades to prevent nuisances related to waste collection.

The proposed text also provides guidance for the location of collection containers and associated trash enclosures, as well as ensuring that an accessible path of travel is secured between the waste collection facility and other facilities on site.

Proposed Language: Revise Code Section 165.05.5.H to the following:

“(1) Provisions Required. All buildings and dwellings shall have adequate provisions for the collection of trash, grease, and recyclable materials with sufficient numbers and locations of collection containers, as determined by the Zoning Administrator, at their sole discretion. Enclosure upgrades may be required at the discretion of the Zoning Administrator for unscreened, dilapidated, overflowing, or inappropriately sited waste containers.

(2) Screening of Collection Containers. All outdoor trash and recycling receptacles, dumpsters, and grease collection containers shall be opaquely screened on all sides by the use of a permanent enclosure, with gates for disposal truck access. The enclosure shall be constructed of permanent materials such as textured block, split-faced concrete block, brick, or stone. Colors shall be compatible with the dominant architectural materials of buildings on site and shall be integral to a building on site whenever possible. The enclosure shall be located out of public view and constructed to visibly screen the views from the adjoining properties. The enclosure shall be appropriately sized to screen the entirety of the collection container(s).

(3) Siting of Collection Containers. For commercial and industrial uses, collection containers shall be located within two hundred and fifty (250) feet from the nearest building served. For residential complexes with shared waste facilities, collection containers must be placed within one-hundred and fifty feet (150’) of the nearest building served. Collection containers shall be accessible, including an accessible path of travel provided to the enclosure. The path of travel cannot take place behind parked vehicles.”

11. Code Section: 165.05(5)(J)- Exterior Lighting

Area of Concern: Wall-pack type light fixtures can assist in general site illumination, however, are not considered proper façade lighting due to the luminaires landing on areas other than the building façade. For building and site design, staff recognizes that wall-pack lighting can be helpful to illuminate a parking lot area, if the lighting will not cause glare to adjacent properties and roadway by providing guard shields. Simultaneously, staff recognizes that wall-pack type lighting fixtures do not provide enough entrance lighting to sites and site entrances and alternative lighting methods would provide a greater architectural quality and value to the city. As such, the city is recommending the following:

- Include language to require that wall-packs to be installed with glare-shields if utilized.
- Include language to prohibit wall-pack type light fixtures along primary facades.

Proposed Language: Revise Code Section 165.05.5.J.(2) to the following:

All light fixtures shall be downcast in nature and must possess sharp, cut-off qualities to limit off-site glare. Wall-pack type light fixtures are prohibited along primary facades. If utilized on non-primary facades, All wall-pack type light fixtures must include glare-shields-if utilized.

12. Code Section: 165.05(5)(K)- Attached and Free-Standing Drive-Thru Canopies

Area of Concern: Current language requires that the minimum vertical clearance for all canopies is 14 ft. Medicap Pharmacy's canopy was built to meet this requirement where it was realized that a 14 ft canopy height did not meet the design standards the City was seeking. In review of the language, staff realized that the intention of the proposed language was likely to require that fuel pump canopy island had a minimum clearance of 14 feet for both fire department access, and larger vehicle access. In review of other drive-thru facilities, a nine-foot vertical clearance seems to be normal.

Proposed Language:

Attached and Free-Standing Drive-Thru Canopies

The following regulations shall apply to all vehicle drive-thru or drive-up canopies, including bank ATM and teller service canopies, fuel pump island canopies, and restaurant drive-thru and drive-up canopies.

- (1) Canopies shall meet the building setback requirements for the property on which it is located.
 - (2) The minimum vertical clearance for all canopies shall be ~~14 ft~~ nine (9) ft, except fuel pump island canopies shall have a minimum vertical clearance of 14 ft.
 - (3) The maximum height for all free-standing canopies shall be 20 ft.
 - (4) All structural and supporting columns shall be wrapped in a material consistent with or complementary to the primary building material of the principal building or buildings located on the same site. Canopies clad in any architectural metal panel shall consist of no more than two different colors.
 - (5) Under-canopy lighting shall be flush mounted.
-

13. Code Section: 165.06- Site Plan

Area of Concern:

Current language does not require site plans for new builds to be submitted by a professional Civil Engineer, Land Surveyor, Landscape Architect, or Architect who is licensed in the State of Iowa. Occasionally, this will lead to site plans that are difficult to read and interpret for staff, which leads to longer duration of reviews and staff time.

Proposed Language:

1. SITE PLAN REQUIRED

Site plans, as provided herein this section, are required prior to approval of a building permit for the erection, relocation, expansion, or alteration of any structure ~~or for the change in use of any structure or parcel~~. All site plans shall be prepared and signed by a professional Civil Engineer, Land Surveyor, Landscape Architect, Architect, or other licensed professional with competency in preparing site plans, who is licensed in the State of Iowa.

2. SITE PLAN APPLICATION

The following site plans are required for all uses:

A. Agricultural Related and Single-Family Dwellings. New agricultural related uses and buildings, single-family dwellings, two-family dwellings, townhouse dwellings with four (4) or less units, conversion of existing single-family dwellings into two-family dwellings, accessory dwellings units, and related additions and accessory structures shall require the following:

(1) Sketch Plan. A Sketch Plan Application is required prior to the construction or erection of a new building, building addition, fence, accessory structure, or other permitted structure or improvement.

a. Sketch Plan Application - Each application to the Building Official for a building permit to construct or erect a new building, building addition, fence, accessory structure, or other permitted structure or improvement shall be accompanied by a sketch plan ~~(including required sketch plan details)~~, application form, and any additional information and details as specified and required by the Zoning Administrator as necessary to determine compliance with all applicable codes and requirements ~~including building setbacks and off-street parking requirements~~.

a. Sketch Plans for new single-family dwellings, two-family dwellings, or townhouse dwellings with four (4) or less units shall be prepared and signed by a professional Civil Engineer, Land Surveyor, Landscape Architect, Architect, or other licensed professional with competency in preparing sketch plans who is licensed in the State of Iowa.

b. Sketch Plan Details – The Sketch Plan shall show the following:

a. Lot dimensions.

b. All existing structures on the site.

c. Size and location of new construction.

d. Setback distance of new construction to all lot lines and from all structures.

e. All easements encumbered on the property, including their type, length, and width.

f. All proposed driveway locations and widths and their setback from all existing driveways.

~~a.c.~~ **Sketch Plan Procedure** - The Sketch Plan Application shall be reviewed by the Zoning Administrator, or their designee, for compliance with all applicable City Codes as part of the review of the corresponding building permit application.

B. All Other New Uses, Buildings, and Structures. All other new uses, buildings, structures, conversions or changes of use, changes or modifications to building facades, and related additions and accessory structures that are not included in Section A herein above shall require the following:

(1) **Major Site Plan.** A Major Site Plan Application is required for the development of a property, the construction of a new building or improvement, or the redevelopment/change of use of an existing property ~~(including a significant change in use)~~ where the cost of the alteration of the existing building would equal or exceed fifty percent (50%) of the assessed value of the building, or an amendment or change to a previously approved site plan.

- a. **Major Site Plan Application** - A site plan (including required site plan details and number of copies), application form, and any additional information and details as specified and required by the Zoning Administrator as necessary to determine compliance with all applicable codes and requirements shall be submitted to the Zoning Administrator along with the Major Site Plan Application fee as established by resolution of the City Council.
- b. **Major Site Plan Review Procedure** - The Major Site Plan Application shall be reviewed by the Zoning Administrator, or their designee, for completeness. Incomplete applications shall be returned to the applicant with a list of the missing items or details. Applications deemed completed shall be distributed to other city departments and other agencies as necessary for review and comment as to its compliance with all zoning regulations and other pertinent city codes, regulations, and policies.
- c. **Major Site Plan Review by Zoning Commission** - Subsequent to review by the Zoning Administrator and other city departments and agencies, the Zoning Administrator, or their designee, shall submit to all members of the Zoning Commission a copy of the Major Site Plan Application along with a written recommendation as to the plan's conformity with the rules and regulations of the city.
- d. The Commission shall subsequently hold a meeting as prescribed by their rules of procedures and review the Major Site Plan Application for conformity with the zoning regulations and standards and may confer with the applicant on changes deemed advisable in such Site Plan.
- e. The Commission shall forward its recommendation to the City Council for approval, approval with conditions, or denial of the Major Site Plan Application within 45 days of the receipt of a Major Site Plan Applicant deemed complete by the Zoning Administrator. If the Commission does not act within the 45 days as prescribed above, the Major Site Plan Application shall be deemed to be recommended for ~~approved~~approval by the Commission unless the applicant agrees to an extension of time.
- f. **Findings for Approval** – In order for the Commission to make a recommendation for approval of a Major Site Plan, the Commission shall make the following findings:
 - i. The proposed use, site improvements, and site plan comply with the

minimum requirements of the zoning district in which it is proposed to be located;

- ii. The property is of adequate size to accommodate the proposed use and site improvements including setbacks, open space, stormwater management, and off-street parking;
- iii. The proposed use and site improvements will not unduly impact the health, safety, and general welfare of persons residing or working in adjoining property or surrounding area;
- iv. The proposed use and site improvements shall not unduly increase traffic congestion;
- v. The proposed use and site improvements will not unduly burden public utilities or increase risk to flooding;
- vi. The proposed use and site improvements are compatible with the surrounding neighborhood and shall not diminish or impair established property values in adjoining or surrounding property; and,
- vii. The proposed use and site improvements will not endanger, jeopardize or harm the health, safety or welfare of the properties and the community.

- g. **Major Site Plan Review by City Council** - The City Council, upon receipt of the recommendation of the Commission, shall either approve, approve with conditions, or disapprove the Major Site Plan Application. In order for the Council to approve a Major Site Plan, the Council shall confirm or make the aforementioned findings in subsection f. herein above.

- (2) Minor Site Plan. A Minor Site Plan Application may be submitted to the Zoning Administrator for minor changes to an existing developed site or to an approved site plan, including changes or modifications to the building facades and landscape plan or minor changes in use, provided that all code requirements are met and the following:
 - i. The application does not include a new building, building expansion, or building addition of more than 2,000 sq. ft., and does not increase the total building gross floor area of the site by more than 20% of the existing building gross floor area. Both the 2,000 sq. ft. and the 20% expansion limits for a Minor Site Plan cannot be exceeded by sequential Minor Site Plans.
 - ii. The application does not include the expansion or addition of more than 4,000 sq. ft. of paving or impervious area including cumulatively by multiple Minor Site Plans.
 - iii. As part of a change of use where the cost of the alteration of an existing building is more than thirty percent (30%), but less than fifty percent (50%) of the assessed value of the building.
 - ~~iii.~~iv. The application does not increase the total number of dwelling units.

- a. **Minor Site Plan Application** - A site plan (including required site plan details and number of copies), application form, and any additional information and details as specified and required by the Zoning Administrator as necessary to determine compliance with all applicable codes and requirements shall be submitted to the Zoning Administrator along with the Site Plan Application fee as established by resolution of the City Council.
- b. **Minor Site Plan Procedure** - The Minor Site Plan Application shall be reviewed by

the Zoning Administrator, or their designee, for compliance with all applicable City Code. In order for the Zoning Administrator to approve a Minor Site Plan, the Zoning Administrator shall make the following findings:

- i. The proposed use, site improvements, and site plan comply with the minimum requirements of the zoning district in which it is proposed to be located;
 - ii. The property is of adequate size to accommodate the proposed use and site improvements including setbacks, open space, stormwater management, and off-street parking;
 - iii. The proposed use and site improvements will not unduly impact the health, safety, and general welfare of persons residing or working in adjoining property or surrounding area;
 - iv. The proposed use and site improvements shall not unduly increase traffic congestion;
 - v. The proposed use and site improvements will not unduly burden public utilities or increase risk to flooding;
 - vi. The proposed use and site improvements are compatible with the surrounding neighborhood and shall not diminish or impair established property values in adjoining or surrounding property; and,
 - vii. The proposed use and site improvements will not endanger, jeopardize or harm the health, safety or welfare of the properties and the community.
- c. Any application which exceeds the prescribed limitations outlined in this section shall require a Major Site Plan Application and review by the Zoning Administrator as prescribed in Subsection a hereinabove.

- (3) Site Plans Required for Change of Use- To address special or unique circumstances with an existing site, alternative standards may be requested. The City Council, upon receipt of the recommendation of the Commission, shall either approve, approve with conditions, or disapprove a Site Plan Application with alternative standards, provided the aforementioned findings in subsection 1.f. herein above are satisfied.
-

14. Code Section: 165.07(1) and (2)- Off-Street Parking Regulations

Area of Concern: Current language requires that all driveways in the City be paved with hot mix asphalt (HMA), Portland cement concrete (PCC), or pavers; gravel is not an allowed surface for driveways.

Proposed Language:

1. STATEMENT OF INTENT

It is the intent of this article to prevent traffic congestion and to provide for proper traffic safety by preserving the public thoroughfares for the unimpaired movement of pedestrian and vehicular traffic. In all districts, there shall be provided at the time any new building or structure is erected, off-street parking spaces in accordance with the requirements set forth herein. The requirements of this Article are minimum standards, and in certain uses these requirements may be inadequate. Where review of the site plans and intended land use indicate through the application of proven standards or experienced statistics that the requirements herein are inadequate for the specific land use adaptation, a ~~greater~~-different requirement for off-street parking may be required or approved to preserve the intent of this ordinance.

2. OFF-STREET LOADING AND PARKING SPACES REQUIRED

A. Off-Street Loading Spaces

- (1) In any district, in connection with every building or part thereof hereafter erected, having a gross floor area of 10,000 square feet or more, which is to be occupied by manufacturing, storage, warehouse, goods display, retail store, wholesale store, market, hotel, hospital, mortuary, laundry, dry cleaning or other uses similarly requiring the receipt or distribution by vehicles of material or merchandise, there shall be provided and maintained on the same lot with such building, at least one off-street loading space plus one additional such loading space for each 20,000 square feet, or major fraction thereof, of gross floor area, so used, in excess of 10,000 square feet.
- (2) Each loading space shall be not less than 12 feet in width and 40 feet in length.
- (3) Such space may occupy all or any part of any required rear or side yard, except where adjoining a residentially zoning property, and shall be setback and screened as required within this chapter and elsewhere within the Zoning Regulations.
- (4) All loading yards and access drives to loading yards and loading docks shall be paved with asphaltic or Portland cement concrete pavement in accordance with surfacing requirements set forth in this section.

B. Off-Street Parking Spaces

- (1) All parking and storage of vehicles, trailers, recreational vehicles, campers, boats and similar recreation equipment shall occur only upon paved surfaces designed and constructed per the regulations contained herein this Chapter. Unlicensed or inoperable vehicles and equipment shall not be stored outside unless part of an approved storage area on a property located within the M-1 or M-2 zoning districts. In all zoning districts space for parking and storage of vehicles and trailers shall be provided in accordance with the Off-Street Parking Required Table and the standards contained herein this Chapter. Required off-street parking facilities shall be primarily for the parking of private passenger automobiles of occupants, patrons, or employees of the principal use served.
- (2) Off-Street Parking Required Table: The following table identifies the minimum number of parking spaces required for the specified use. In no case shall the parking provided on a site

| be more than 150% of the minimum that is required. The intent of these standards is to provide the appropriate number of parking spaces on site for the given use and to accommodate changes in uses over time. No off-street parking shall be required in the C-3 Zoning District. At the discretion of the Zoning Administrator, the City may require the amount of parking required for a site be based on the parking standards contained within the latest edition of the ITE Parking Generation manual or by an alternative parking study and analysis.

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15. Code Section: 165.07(3)(A)(4)- Access and Driveways

Area of Concern: Current language requires that all driveways in the City be paved with hot mix asphalt (HMA), Portland cement concrete (PCC), or pavers; gravel is not an allowed surface for driveways.

Proposed Language:

Outdoor Storage

Paving. All driveways, access drives, and off-street parking and loading areas shall be paved with hot mix asphalt (HMA), Portland cement concrete (PCC), or pavers (including permeable pavement and paver systems).

- a. The design and construction of said pavement or pavers shall be of sufficient thickness, reinforcement, and sub-base necessary to provide a durable, dustless surface designed and rated for the traffic it is anticipated to carry.
- b. All paved areas shall be so graded and drained as to dispose of all surface water accumulation within the area and shall be so arranged and marked as to provide for orderly and safe loading or unloading and parking and storage of self-propelled vehicles.
- c. On properties zoned agricultural that have a minimum lot size of 15 acres, aggregate may be used for driveways given that the driveway approaches are paved through the right-of-way line.
- ~~a.~~d. No vehicles or trailers shall be parked or ~~storage~~stored upon an unpaved surface except as may be permitted within a designated and approved outdoor storage area. See Chapter 165.06, Section 4 for specific design standards.

16. Code Section: 165.09(7)(B)- Buildings Design Standards by Building Use Type

Area of Concern: Currently, office and civic uses, such as schools, places of assembly, community centers, and singular/multi-tenant office buildings do not have a minimum amount of required clear glass fenestrations. Other building use types, such as commercial/retail and mixed-use buildings require a minimum amount of glass fenestrations to be provided on the first floor of the building.

- Staff recommend requiring a minimum of 20% clear glass fenestrations for office and civic buildings.

Proposed Language: Insert Code Section 165.09.7.B.(7)b:

b. At least one street-facing façade and the façade containing the main building entry, if different from the street façade, shall consist of no less than 20% clear glass fenestrations (windows and full glass doors) on the first level.

17. Code Section: 165.10(3) Sign Definitions

Area of Concern: The commonly accepted definition by sign professionals and city planners for “Blade Signage” refers to a permanent sign that is attached to a building or building elements, such as a roof, canopy, awning, marquee, or wall. The current definition by code refers to blade signage as including temporary signage, including feature signs or portable structures.

Staff is recommending updating the definition to what is widely accepted and referred to for blade type signage, by referring it back to the sign’s current definition for a “projecting sign”. Staff is also recommending that the definition of a “feather sign” be updated to include the Sign Code’s current definition of a blade sign.

Proposed Language:

- H. ~~“Blade sign” is a temporary sign constructed of cloth, canvas, plastic fabric, or similar lightweight, non-rigid material and supported by a single vertical pole mounted into the ground or on a portable structure. May also be known as a “feather sign.”~~see “projecting sign.”
 - U. ~~“Feather sign” is a temporary sign constructed of cloth, canvas, plastic fabric, or similar lightweight, non-rigid material and supported by a single vertical pole mounted into the ground or on a portable structure. see “blade sign.”~~
-

18. Code Section: 165.10(8)B Temporary Signs Table

Area of Concern: Staff is recommending updating the table which outlines sign code allowances per zoning district, for temporary signage. This recommended update is to reflect the previous recommendation accordingly.

Staff is recommending updating the definition to what is widely accepted and referred to for blade type signage, by referring it back to the sign's current definition for a "projecting sign". Staff is also recommending that the definition of a "feather sign" be updated to include the Sign Code's current definition of a blade sign.

Proposed Language:

TEMPORARY SIGNS										
COMMERCIAL SIGNS	ZONING DISTRICT									
	A-1	R-1	R-2	R-3	R-4	C-1	C-2	C-3	M-1	M-2
Number of Signs Permitted	1 sign per public street frontage for each lot of record					1 sign per public street frontage for each lot of record plus 1 per building or individual business. Each building or individual business may also display 1 "A-Frame" or 1 "Blade sign" during the hours in which the business is open.				
Maximum Sign Area	32 sq. ft. for permitted multi-family residential and non-residential uses and 8 sw. ft. for all other uses. Sign area shall be calculated by using sign area Formula B as defined herein this chapter.					32 sq. ft. using sign area Formula B as defined herein this chapter.				
Maximum Free Standing Sign Height	6 ft.					8 ft.				
Maximum Free Standing Sign Setback Requirement	5 ft. from all property lines									

19. Code Section: 165.10(7)B Temporary Signs

Area of Concern: The recommended code update would reflect the previous recommended code adjustments to temporary signage as it relates to feather signage. The proposed language would allow for a feather sign to be considered as temporary signage, as long as it is non-movable or wind-activated.

Proposed Language:

B. Temporary Signs. Temporary signs may be commercial or non-commercial signs as defined herein this chapter. Temporary, commercial signs may be on-premise or off-premise signs. Temporary signs are limited to the following sign types as defined and further regulated herein this chapter.

- (1) Free Standing Signs
 - (2) Sidewalk Signs
 - (3) ~~Blade signs and~~ Feather flags
 - (4) Banner signs attached to a building wall ~~or window~~ or covering and affixed to an existing building sign
 - (5) Bag signs covering and affixed to an existing monument ground sign
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20. Code Section: 165.10(8) Sign Regulations (Building Signs)

Area of Concern: To standardize sign permit allowances, staff is recommending that the allowance count is updated based on the linear feet of the building wall area rather than the overall square footage of the building primary façade(s). This sign allowance calculation is in line with other communities within the Des Moines metro, including West Des Moines, Waukee, Grimes, and Bondurant. Updating the formula calculation will also assist staff and licensed sign contractors to calculate sign allowances for new building signs.

Staff is also recommending an overall cap to square footage to encourage appropriately scaled signage based upon the size of the facility and its setback to the road. Additional sign allowance is allowed when the street frontage is over 200 feet, and the setback is 250 feet.

Lastly, the recommended adjustment fixes code language which states that signage within the downtown must exceed a certain size amount, when the original intent of the code was to limit the size

Proposed Language:

PERMANENT SIGNS										
BUILDING SIGNS	ZONING DISTRICT									
	A-1	R-1	R-2	R-3	R-4	C-1	C-2	C-3	M-1	M-2
Number of Signs Permitted	1 sign per principal building facing a public street for all permitted multi-family residential and non-residential uses.					Building signs may be located on any side of a building so long as the total sign area does not exceed the total allowed for the building (or building floor, in the case of the C-3 District). The area of all wall, awning, and window signs shall be included in the total building signage area calculation.				
Projecting Sings Permitted	Not permitted.							1 per building entrance. Maximum 24 sq. ft. per sign face.	Not permitted.	
Maximum Sign Area	48 sq. ft.					<u>1.5 sq. ft./lin. ft.</u> 10% of the total sq. ft. of the wall area of a principal building facing a public street, <u>for a maximum sign area of 100 Square Feet. For properties which exceed 200 feet in street frontage and is setback from the front property line over 250 feet, the maximum sign area shall be 200 square feet.</u> No more than two sides of a building facing a street shall be used to calculate the allowable signage. The sign area of all building signs (including wall, awning, and window signs) shall be calculated using sign area Formula A as defined herein this chapter.				
							In the C-3 District, the total sign area shall <u>not</u> exceed <u>1.5 sq. ft./lin. ft.</u> 10% of the wall area of the building floor on which			

			the sign(s) is/are located	
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21. Code Section: 165.10(9)(A)(1) Building Sign Regulations

Area of Concern: Anodized aluminum is a type of sign material which produces a durable, corrosion-resistant, finish. Material that is corrosion-resistant is ideal for signage, as it is more durable and will not deteriorate as opposed to weaker materials. Staff recommends clarifying text in the language to set the intent of the code section and permit alternative materials, so long as they are non-corrosive.

Proposed Language:

- c. All building signs, including projecting signs but not including awning and window signs, shall consist of solid individual letters and symbols that have a three-dimensional appearance with a minimum dimensional depth of one (1) inch. The dimensional depth may be achieved by individual dimension letters or symbols, cut out, push through, engraved, embossed, pin mounted with stand-offs, or alternative acceptable to the Zoning Administrator. Said individual letters and symbols shall be made of anodized aluminum or similar corrosion-resistant materials or should consist of individual illuminated self-contained letters and symbols made of anodized aluminum or similar corrosion-resistant materials with translucent plastic faces.
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22. **Code Section: 165.10(9)A(1)i Building Sign Uniform Backings**

Area of Concern: The sign code currently has conflicting requirements for building signage as it relates to acceptable mounting methods for signage. The sign code allows for a pan-style raceway (contoured raceways) by Administrators discretion, when physically impractical to mount a wall sign without a raceway. The sign code also separately notes that signage may be mounted on a separate backing and restricts the backing to one color and the maximum amount of projection the backing may have.

Staff recommends adjusting code to clarify the intent of the code requirement, as well as provide flexibility in design requirements for signage, while still promoting effective and aesthetically pleasing signage within the community.

The recommended code adjustment proposes clarifying that a uniform backing should be contoured (pan-style), and also provides clarification and direction on when a backer panel should be considered as part of a sign area calculation. It is recommended that if the backing contrasts against the wall that it is attached to, that the signage be included as part of the sign area calculation as it relates to messaging and signage for the site. If it blends into the surface of which it is attached to, staff recommends that the area is not considered as part of the sign calculation.

Proposed Language:

Signs may be mounted on a contoured, uniform backing that is of no more than one (1) color and that projects no more than four (4) inches from the surface of the building wall. If the backer panel is a contrasting color from the attached wall, the backer panel shall be included in the sign area calculation.

23.Code Section: 165.10(9) Licensed Sign Contractor

Area of Concern: Staff is recommending condensing language and clarifying that signage to be installed or erected needs to do so by a professional sign contractor that is licensed.

Proposed Language:

All permanent, free standing and building signs shall be installed or erected by a professional sign contractor licensed to conduct business within the City of Indianola. The licensing application and insurance requirements shall be as determined by the Zoning Administrator. The licensing fee shall be established by resolution of the City Council.

24.Code Section: 165.10(9)A(1) Building Signs – Window Signage

Area of Concern: The current code regulates window signage as building signage. Staff is recommending that language be included in the code to specify requirements for window signage based to provide staff and sign contractors with direction and clarification on the code, as well as meeting the intent and purpose of the sign code, which includes promoting effective and aesthetically pleasing signage within the community.

The proposed recommended code outlines that window signage on primary facades is acceptable but cannot exceed more than twenty-five (25%) of the window area of the façade that it is proposed on. This language is recommended to ensure that there is no sign clutter along primary facades, as well as ensuring that the façade fronts reserve clear glass.

The proposed language also allows for secondary facades to have window signage, with coverage of up to 100% for privacy or sunscreen, however graphics/symbology cannot exceed twenty-five percent (25%) of window area, requiring that the remainder seventy-five percent (75%) be of a solid, neutral color.

Proposed Language:

j. Window Signage. Permanent window signs, including vinyl, located on primary facades shall not exceed twenty-five percent (25%) of the window area of that façade of the building. For secondary facades, up to one-hundred percent (100%) of the window area may be covered for the purpose of privacy or sunscreen, but only a maximum of twenty-five percent (25%) may include a graphic with the balance of the background being a solid neutral color.



MEMORANDUM

To: Mayor and City Council

From:

Date: June 3, 2024

Subject: Public hearing regarding various amendments to Chapter 165, Zoning Regulations.

Recommendation: Roll call to open and close the public hearing is in order.

Attachments: None



MEMORANDUM

To: Mayor and City Council

From:

Date: June 3, 2024

Subject: First consideration of ordinance regarding various amendments to Chapter 165, Zoning Regulations.

Recommendation: Roll call is in order.

Attachments: 1. Zoning Change Ordinance

ORDINANCE NO. 2022 - _____

**AN ORDINANCE AMENDING VARIOUS SECTION OF CHAPTER 165,
ZONING REGULATIONS**

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

Section 1. Section 165.02(5)(C) of the Code of Ordinances of the City of Indianola, Iowa be and is hereby amended by deleting the stricken language and inserting the underlined language as follows:

- (1) In case the proposed amendment, supplement or change is disapproved by the Zoning Commission, such amendment shall not become effective except by the favorable vote of at least three-fourths (¾) of all members of the Council.
- (2) ~~In case~~ or a protest is presented duly signed by the owners of twenty percent (20%) or more either of the area of the lots included in such proposed change, or by the owners of the property which is located within two hundred (200) feet of the exterior boundaries of the property for which the change is proposed ~~of those immediately adjacent in the rear thereof, extending the depth of one lot or not to exceed two hundred (200) feet therefrom, or of those directly opposite thereto, extending the depth of one lot or not to exceed two hundred (200) feet from the street frontage of such opposite lots,~~ such amendment shall not become effective except by the favorable vote of at least three-fourths (¾) of all members of the Council. Such petition shall be submitted to the City Clerk before or at the public hearing of the City Council.
- (1)(3) Whenever any petition for amendment, supplement or change of the zoning districts or regulations herein contained or subsequently established has been denied by the Council, then no new petition covering the same property or the same property and additional property shall be filed with or considered by the Council until one year shall have elapsed from the date of filing of the first petition.

Section 2. Section 165.02(5)(D) of the Code of Ordinances of the City of Indianola, Iowa be and is hereby amended by deleting the stricken language and inserting the underlined language as follows:

- (1) The Commission shall not make any recommendation to the Council on an amendment to any zoning district boundaries until a sign ~~18 inches by 24 inches~~ indicating the amendment requested has been prepared and posted by the City applicant. The sign shall be of such design that is approved by the zoning administrator and be in a visible location on the premises that is visible from all rights-of-way. The sign shall be posted at least for a period of 10 days prior to the Commission meeting and shall remain in place until the City Council has taken final action on the amendment.
- (1)(2) Notice of the Commission meeting shall be mailed/postmarked by first class mail 10 days prior to the meeting to all property owners within 200 feet of the boundary of the property requesting an amendment to its zoning district boundaries.

- (3) Not less than seven nor more than 20 days' notice of the time and place of the City Council hearing to consider any proposed amendment or change in the Zoning Ordinance or zoning district boundaries shall be published in a newspaper having general circulation in the City.

Section 3. Section 165.04(2)(D) of the Code of Ordinances of the City of Indianola, Iowa be and is hereby amended by deleting the stricken language and inserting the underlined language as follows:

- (7) Accessory buildings and structures ~~shall maintain a minimum distance of~~ within ten (10) feet from any principal structure. ~~Otherwise, said accessory building or structure must meet setback standards required of the principal structure.~~

Section 4. Section 165.04(2)(E) of the Code of Ordinances of the City of Indianola, Iowa be and is hereby amended by deleting the stricken language and inserting the underlined language as follows:

- (1) ~~Detached A~~ accessory buildings and structures shall be limited to a maximum of two (2) total buildings, including ~~a detached~~ garages, sheds, and above-ground pools, but not including play structures, trellises, hot tubs, or underground shelters. In -of which all total, detached accessory buildings shall not occupy more than ten (10) percent of the total lot area nor exceed a total square footage of 1,800 square feet. However, this regulation shall not prohibit the construction of at least one detached garage not to exceed six hundred (600) square feet gross building area and at least one detached accessory storage building not to exceed one hundred twenty (120) square feet gross building area.
- a. On properties zoned agricultural that have a minimum lot size of 15 acres, detached accessory buildings may exceed 1,800 square feet, given the detached accessory buildings shall not exceed a total square footage of 1.5 times the total gross living area of the principal structure.
- (2) ~~Detached A~~ accessory buildings and structures shall not be taller nor encompass more floor area than the principal structure that is located on the same and shall in no case more than one and one-half (1.5) stories in height and shall not exceed a height of 24-feet.
- (3) Attached garages in residential districts shall not extend above the roofline of the principal structure and shall occupy less than fifty percent (50%) of the total principal structure area.

Section 5. Section 165.04(4) of the Code of Ordinances of the City of Indianola, Iowa be and is hereby amended by inserting the underlined language as follows:

- D. Fence Setbacks.** In all districts, fences and walls shall be built wholly on the owner's property and outside of any sidewalk or recreational trail easement. Fences and walls adjacent to a public alley shall be setback five (5) feet from the alley line.
- E. Vacant Lots.** In all districts, fences and walls shall not be constructed on a vacant lot unless it is permitted by special exception of the Board of Adjustment or by City Council approval as part of a site plan application.

Section 6. Section 165.05(2) of the Code of Ordinances of the City of Indianola, Iowa be and is hereby amended by inserting the underlined language as follows:

A. Setback Averaging. Where the average, legal, front yard setback differs than that required for the specific residential zoning district and excluding non-residential structures and dwellings within the A-1 Zoning District, the front yard setback for the subject lot shall be equal to the average of the front yard depths of any existing immediate adjacent dwellings on the same side of the street.

(1) The front yard setback measured from the face of any garage accessed from the street shall be a minimum of twenty-five (25) feet, regardless of the averaged front yard depth.

Section 7. Section 165.05(2) of the Code of Ordinances of the City of Indianola, Iowa be and is hereby amended by deleting the stricken language and inserting the underlined language as follows:

2. **RESIDENTIAL ZONING DISTRICTS BUILDING BULK AND DENSITY REGULATIONS.** The following table details the minimum lot sizes, building setbacks, building size and height limitations, minimum open space, and maximum density requirements for each building type constructed within the residential zoning districts established herein.

RESIDENTIAL ZONING DISTRICTS BUILDING BULK AND DENSITY REGULATIONS TABLE						
BULK AND DENSITY REGULATION BY BUILDING TYPE	BUILDING TYPE					
	A-1 Zoned Single Family Dwelling	Single Family Dwelling (Detached and Semi- Detached)	Two Family Dwelling	Townhouse or Row Dwelling	Multiple- Family Dwelling (Apartment)	Non- Residential Structure in a Residential Zoning District
Min. Lot Size	15 acres	7,200 sq ft	8,400 sq ft	n/a	n/a	40,000 sq ft
Min. Lot Width ¹	300 ft	60 ft	70 ft	24 ft.	80ft	100 ft
Min. Lot Street Frontage ²	20 ft	20 ft	20 ft	20 ft	20 ft	40 ft
Front Yard Setback ³	40 ft	30 ft	25 ft	25 ft	30 ft.	35 ft.
Side Yard Setback ⁴	10 ft	8 ft min one side, 18 ft total sum of both side yards	10 ft ⁶	8 ft. ⁶	30 ft	30 ft
Rear Yard Setback ⁵	35 ft	35 ft	30 ft	30 ft	30 ft	35 ft
Min. Separation Between Principal Buildings	n/a	n/a	n/a	16 ft side to side, 46 ft back to back or back to side	30 ft	20 ft
Min. Setback from Private Street or Common Private Roadway	n/a	n/a	20 ft from back of curb or street sidewalk whichever is closest	20 ft from back of curb or street sidewalk whichever is closest	n/a	n/a
Min. Setback from the Perimeter of the Development	n/a	n/a	30 ft	30 ft	30 ft	30 ft
Max. Building Height	35 ft	35 ft	35 ft	35 ft	50 ft	40 ft
Min. Open Space	n/a	20%	20%	25%	25%	25%
Max. Dwelling Units Per Acre	0.067	n/a	n/a	810	2025	n/a
¹ Measured at the front yard building setback line						
² Postage Stamp Lots: Direct street frontage not required; All yard setbacks for postage stamp lots shall be 5 ft, excluding shared walls located along a common lot line						
³ Front stoops, stairs, decks and porches may encroach up to 6 ft into the required front yard setback						
⁴ Horizontally projecting roof overhangs and other similar building projections may extend up to 3 ft into a required side yard setback provided no part of a building is closer than 5 ft to a lot line						
⁵ Stoops, stairs, decks, and patios, not enclosed or covered by a roof, may encroach up to 20 ft into the required rear setback						
⁶ Zero feet from common lot lines of attached structures						

3. **NON-RESIDENTIAL BULK AND DENSITY REGULATIONS.** The following table details the minimum lot sizes, building setbacks, building size and height limitations, minimum open space, and maximum density requirements for each non-residential zoning district.

NON-RESIDENTIAL BULK AND DENSITY REGULATIONS TABLE					
BULK AND DENSITY REGULATION BY ZONING DISTRICT	ZONING DISTRICTS				
	C-1	C-2	C-3	M-1	M-2
Min. Lot Size	n/a	n/a	n/a	n/a	n/a
Min. Lot Width	150 ft	150 ft	n/a	n/a	n/a
Min. Lot Street Frontage ⁴	40 ft	40 ft	40 ft	40 ft	40 ft
Front Yard Setback	30 ft	40 ft	0 ft	35 ft	35 ft
Side Yard Setback ¹	10 ft	10 ft	0 ft	20 ft	20 ft
Rear Yard Setback ²	10 ft	10 ft	0 ft	35 ft	35 ft
Min. Separation Between Buildings Not Attached	20 ft	20 ft	20 ft	20 ft	20 ft
Max. Building Height	50 ft ³	50 ft ³	50 ft	50 ft ³	50 ft ³
Min. Building Height	n/a	n/a	28 ft	n/a	n/a
Min. Open Space	20%	20%	0%	15%	15%
Max. Dwelling Units Per Acre	n/a	n/a	1825	n/a	n/a
¹ 30 feet when said yard adjoins a residential zoning district or existing residential property					
² 40 feet when said yard adjoins a R-1 or R-2 zoning district or existing single-family property					
³ An additional 10 ft of height is permitted for every 10 ft of additional building setback provided to a maximum height of 60 ft					
⁴ Postage Stamp Lots: Direct street frontage not required; All yard setbacks for postage stamp lots shall be 5 ft, excluding shared walls located along a common lot line					

Section 8. Section 165.05(5)(F) of the Code of Ordinances of the City of Indianola, Iowa be and is hereby amended by deleting the stricken language and inserting the underlined language as follows:

Outdoor Storage

The outdoor storage of any materials, goods, shipping containers, construction equipment, trucks or trailers over 30 feet in length, inoperable vehicles, inoperable trucks, other inoperable equipment, parts, containers, pallets, ~~construction equipment~~, debris, or other materials is prohibited in all zoning districts except where expressly permitted by the Zoning Regulations. When permitted, outdoor storage is subject to site plan review and approval and shall comply with the following standards:

- (1) Must be located on a surface paved with PCC or HMA in accordance with City Code. The City Council may, at their full discretion, approve a gravel surface for a storage yard in the M-2 zoning district provided the storage yard is wholly located within the rear yard of the site and mitigation measures are established to prevent dust and gravel from leaving the site.
- (2) Shall comply with the Open Space, Landscaping and Buffering requirements of the Zoning Code.

- (3) Shall be screened from view from all adjoining public street rights-of-way and all adjoining residentially developed or zoned properties, schools and similar sensitive uses and properties by a buffer that includes a minimum of 1-overstory tree, 2-evergreen trees, and 6-shrubs be planted for every 25 linear feet.
- (4) Shall be enclosed by ~~an opaque~~ fence no less than six (6) feet in height, eight (8) feet for an industrially zoned property. Outdoor storage areas located in the front yard shall be enclosed by an opaque fence.

Section 9. 165.05(5)(G) of the Code of Ordinances of the City of Indianola, Iowa be and is hereby amended by inserting the underlined language as follows:

In all zoning districts, with the exception of the M1 and M-2 Zoning Districts, loading docks and overhead doors for delivery, distribution and service, including vehicle repair service bay doors, shall not face a public street. This requirement may be waived by the City Council upon review of a site plan if adequate measures are taken to minimize visual impacts when visible from street views and adjacent residential uses.

Section 10. Section 165.05(5)(H) of the Code of Ordinances of the City of Indianola, Iowa be and is hereby amended by inserting the underlined language as follows:

“(1) Provisions Required. All buildings and dwellings shall have adequate provisions for the collection of trash, grease, and recyclable materials with sufficient numbers and locations of collection containers, as determined by the Zoning Administrator, at their sole discretion. Enclosure upgrades may be required at the discretion of the Zoning Administrator for unscreened, dilapidated, overflowing, or inappropriately sited waste containers.

(2) Screening of Collection Containers. All outdoor trash and recycling receptacles, dumpsters, and grease collection containers shall be opaquely screened on all sides by the use of a permanent enclosure, with gates for disposal truck access. The enclosure shall be constructed of permanent materials such as textured block, split-faced concrete block, brick, or stone. Colors shall be compatible with the dominant architectural materials of buildings on site and shall be integral to a building on site whenever possible. The enclosure shall be located out of public view and constructed to visibly screen the views from the adjoining properties. The enclosure shall be appropriately sized to screen the entirety of the collection container(s).

(3) Siting of Collection Containers. For commercial and industrial uses, collection containers shall be located within two hundred and fifty (250) feet from the nearest building served. For residential complexes with shared waste facilities, collection containers must be placed within one-hundred and fifty feet (150’) of the nearest building served. Collection containers shall be accessible, including an accessible path of travel provided to the enclosure. The path of travel cannot take place behind parked vehicles.”

Section 11. Section 165.05(5)(J) of the Code of Ordinances of the City of Indianola, Iowa be and is hereby amended by deleting the stricken language and inserting the underlined language as follows:

All light fixtures shall be downcast in nature and must possess sharp, cut-off qualities to limit off-site glare. Wall-pack type light fixtures are prohibited along primary facades. If utilized on non-primary facades, All wall-pack type light fixtures must include glare-shields-if utilized.

Section 12. Section 165.05(5)(K) of the Code of Ordinances of the City of Indianola, Iowa be and is hereby amended by deleting the stricken language and inserting the underlined language as follows:

Attached and Free-Standing Drive-Thru Canopies

The following regulations shall apply to all vehicle drive-thru or drive-up canopies, including bank ATM and teller service canopies, fuel pump island canopies, and restaurant drive-thru and drive-up canopies.

- (1) Canopies shall meet the building setback requirements for the property on which it is located.
- (2) The minimum vertical clearance for all canopies shall be 14 ft. nine (9) ft, except fuel pump island canopies shall have a minimum vertical clearance of 14 ft.
- (3) The maximum height for all free-standing canopies shall be 20 ft.
- (4) All structural and supporting columns shall be wrapped in a material consistent with or complementary to the primary building material of the principal building or buildings located on the same site. Canopies clad in any architectural metal panel shall consist of no more than two different colors.
- (5) Under-canopy lighting shall be flush mounted.

Section 13. Section 165.06 of the Code of Ordinances of the City of Indianola, Iowa be and is hereby amended by deleting the stricken language and inserting the underlined language as follows:

1. SITE PLAN REQUIRED

Site plans, as provided herein this section, are required prior to approval of a building permit for the erection, relocation, expansion, or alteration of any structure ~~or for the change in use of any structure or parcel.~~ All site plans shall be prepared and signed by a professional Civil Engineer, Land Surveyor, Landscape Architect, Architect, or other licensed professional with competency in preparing site plans who is licensed in the State of Iowa.

2. SITE PLAN APPLICATION

The following site plans are required for all uses:

A. Agricultural Related and Single-Family Dwellings. New agricultural related uses and buildings, single-family dwellings, two-family dwellings, townhouse dwellings with four (4) or less units, conversion of existing single-family dwellings into two-family dwellings, accessory dwellings units, and related additions and accessory structures shall require the following:

- (1) Sketch Plan. A Sketch Plan Application is required prior to the construction or erection of a new building, building addition, fence, accessory structure, or other

permitted structure or improvement.

a. Sketch Plan Application - Each application to the Building Official for a building permit to construct or erect a new building, building addition, fence, accessory structure, or other permitted structure or improvement shall be accompanied by a sketch plan ~~-(including required sketch plan details),~~ application form, and any additional information and details as specified and required by the Zoning Administrator as necessary to determine compliance with all applicable codes and requirements ~~-including building setbacks and off-street parking requirements.~~

a. Sketch Plans for new single-family dwellings, two-family dwellings, or townhouse dwellings with four (4) or less units shall be prepared and signed by a professional Civil Engineer, Land Surveyor, Landscape Architect, Architect, or other licensed professional with competency in preparing sketch plans who is licensed in the State of Iowa.

b. Sketch Plan Details – The Sketch Plan shall show the following:

a. Lot dimensions.

b. All existing structures on the site.

c. Size and location of new construction.

d. Setback distance of new construction to all lot lines and from all structures.

e. All easements encumbered on the property, including their type, length, and width.

f. All proposed driveway locations and widths and their setback from all existing driveways.

a.c. Sketch Plan Procedure - The Sketch Plan Application shall be reviewed by the Zoning Administrator, or their designee, for compliance with all applicable City Codes as part of the review of the corresponding building permit application.

B. All Other New Uses, Buildings, and Structures. All other new uses, buildings, structures, conversions or changes of use, changes or modifications to building facades, and related additions and accessory structures that are not included in Section A herein above shall require the following:

(1) **Major Site Plan.** A Major Site Plan Application is required for the development of a property, the construction of a new building or improvement, the redevelopment of an existing property ~~-(including a significant change in use)~~ where the cost of the alteration of the existing building would equal or exceed fifty percent (50%) of the assessed value of the building, or an amendment or change to a previously approved site plan.

a. Major Site Plan Application - A site plan (including required site plan details and number of copies), application form, and any additional information and details as specified and required by the Zoning Administrator as necessary to determine compliance with all applicable codes and requirements shall be submitted to the Zoning Administrator along with the Major Site Plan Application fee as established by resolution of the City Council.

b. Major Site Plan Review Procedure - The Major Site Plan Application shall

be reviewed by the Zoning Administrator, or their designee, for completeness. Incomplete applications shall be returned to the applicant with a list of the missing items or details. Applications deemed completed shall be distributed to other city departments and other agencies as necessary for review and comment as to its compliance with all zoning regulations and other pertinent city codes, regulations, and policies.

- c. **Major Site Plan Review by Zoning Commission** - Subsequent to review by the Zoning Administrator and other city departments and agencies, the Zoning Administrator, or their designee, shall submit to all members of the Zoning Commission a copy of the Major Site Plan Application along with a written recommendation as to the plan's conformity with the rules and regulations of the city.
- d. The Commission shall subsequently hold a meeting as prescribed by their rules of procedures and review the Major Site Plan Application for conformity with the zoning regulations and standards and may confer with the applicant on changes deemed advisable in such Site Plan.
- e. The Commission shall forward its recommendation to the City Council for approval, approval with conditions, or denial of the Major Site Plan Application within 45 days of the receipt of a Major Site Plan Applicant deemed complete by the Zoning Administrator. If the Commission does not act within the 45 days as prescribed above, the Major Site Plan Application shall be deemed to be recommended for ~~approved~~approval by the Commission unless the applicant agrees to an extension of time.
- f. **Findings for Approval** – In order for the Commission to make a recommendation for approval of a Major Site Plan, the Commission shall make the following findings:
 - i. The proposed use, site improvements, and site plan comply with the minimum requirements of the zoning district in which it is proposed to be located;
 - ii. The property is of adequate size to accommodate the proposed use and site improvements including setbacks, open space, stormwater management, and off-street parking;
 - iii. The proposed use and site improvements will not unduly impact the health, safety, and general welfare of persons residing or working in adjoining property or surrounding area;
 - iv. The proposed use and site improvements shall not unduly increase traffic congestion;
 - v. The proposed use and site improvements will not unduly burden public utilities or increase risk to flooding;
 - vi. The proposed use and site improvements are compatible with the surrounding neighborhood and shall not diminish or impair established property values in adjoining or surrounding property; and,
 - vii. The proposed use and site improvements will not endanger, jeopardize or harm the health, safety or welfare of the properties and the community.

- g. **Major Site Plan Review by City Council** - The City Council, upon receipt of the recommendation of the Commission, shall either approve, approve with conditions, or disapprove the Major Site Plan Application. In order for the Council to approve a Major Site Plan, the Council shall confirm or make the aforementioned findings in subsection f. herein above.

(2) Minor Site Plan. A Minor Site Plan Application may be submitted to the Zoning Administrator for minor changes to an existing developed site or to an approved site plan, including changes or modifications to the building facades and landscape plan or minor changes in use, provided that all code requirements are met and the following:

- i. The application does not include a new building, building expansion, or building addition of more than 2,000 sq. ft., and does not increase the total building gross floor area of the site by more than ~~20% of the%~~ of the existing building gross floor area. Both the 2,000 sq. ft. and the 20% expansion limits for a Minor Site Plan cannot be exceeded by sequential Minor Site Plans.
- ii. The application does not include the expansion or addition of more than 4,000 sq. ft. of paving or impervious area including cumulatively by multiple Minor Site Plans.

iii. As part of a change of use where the cost of the alteration of an existing building is more than thirty percent (30%), but less than fifty percent (50%) of the assessed value of the building.

iii.iv. The application does not increase the total number of dwelling units.

- a. **Minor Site Plan Application** - A site plan (including required site plan details and number of copies), application form, and any additional information and details as specified and required by the Zoning Administrator as necessary to determine compliance with all applicable codes and requirements shall be submitted to the Zoning Administrator along with the Site Plan Application fee as established by resolution of the City Council.
- b. **Minor Site Plan Procedure** - The Minor Site Plan Application shall be reviewed by the Zoning Administrator, or their designee, for compliance with all applicable City Code. In order for the Zoning Administrator to approve a Minor Site Plan, the Zoning Administrator shall make the following findings:
 - i. The proposed use, site improvements, and site plan comply with the minimum requirements of the zoning district in which it is proposed to be located;
 - ii. The property is of adequate size to accommodate the proposed use and site improvements including setbacks, open space, stormwater management, and off-street parking;
 - iii. The proposed use and site improvements will not unduly impact the health, safety, and general welfare of persons residing or working in adjoining property or surrounding area;
 - iv. The proposed use and site improvements shall not unduly increase traffic congestion;

- v. The proposed use and site improvements will not unduly burden public utilities or increase risk to flooding;
 - vi. The proposed use and site improvements are compatible with the surrounding neighborhood and shall not diminish or impair established property values in adjoining or surrounding property; and,
 - vii. The proposed use and site improvements will not endanger, jeopardize or harm the health, safety or welfare of the properties and the community.
- c. Any application which exceeds the prescribed limitations outlined in this section shall require a Major Site Plan Application and review by the Zoning Administrator as prescribed in Subsection a hereinabove.

(3) Site Plans Required for Change of Use- To address special or unique circumstances with an existing site, alternative standards may be requested. The City Council, upon receipt of the recommendation of the Commission, shall either approve, approve with conditions, or disapprove a Site Plan Application with alternative standards, provided the aforementioned findings in subsection 1.f. herein above are satisfied.

Section 14. Section 165.07(1) and (2) of the Code of Ordinances of the City of Indianola, Iowa be and is hereby amended by deleting the stricken language and inserting the underlined language as follows:

1. STATEMENT OF INTENT

It is the intent of this article to prevent traffic congestion and to provide for proper traffic safety by preserving the public thoroughfares for the unimpaired movement of pedestrian and vehicular traffic. In all districts, there shall be provided at the time any new building or structure is erected, off-street parking spaces in accordance with the requirements set forth herein. The requirements of this Article are minimum standards, and in certain uses these requirements may be inadequate. Where review of the site plans and intended land use indicate through the application of proven standards or experienced statistics that the requirements herein are inadequate for the specific land use adaptation, a ~~greater-different~~ requirement for off-street parking may be required or approved to preserve the intent of this ordinance.

2. OFF-STREET LOADING AND PARKING SPACES REQUIRED

A. Off-Street Loading Spaces

- (1) In any district, in connection with every building or part thereof hereafter erected, having a gross floor area of 10,000 square feet or more, which is to be occupied by manufacturing, storage, warehouse, goods display, retail store, wholesale store, market, hotel, hospital, mortuary, laundry, dry cleaning or other uses similarly requiring the receipt or distribution by vehicles of material or merchandise, there shall be provided and maintained on the same lot with such building, at least one off-street

- loading space plus one additional such loading space for each 20,000 square feet, or major fraction thereof, of gross floor area, so used, in excess of 10,000 square feet.
- (2) Each loading space shall be not less than 12 feet in width and 40 feet in length.
 - (3) Such space may occupy all or any part of any required rear or side yard, except where adjoining a residentially zoning property, and shall be setback and screened as required within this chapter and elsewhere within the Zoning Regulations.
 - (4) All loading yards and access drives to loading yards and loading docks shall be paved with asphaltic or Portland cement concrete pavement in accordance with surfacing requirements set forth in this section.

B. Off-Street Parking Spaces

- (1) All parking and storage of vehicles, trailers, recreational vehicles, campers, boats and similar recreation equipment shall occur only upon paved surfaces designed and constructed per the regulations contained herein this Chapter. Unlicensed or inoperable vehicles and equipment shall not be stored outside unless part of an approved storage area on a property located within the M-1 or M-2 zoning districts. In all zoning districts space for parking and storage of vehicles and trailers shall be provided in accordance with the Off-Street Parking Required Table and the standards contained herein this Chapter. Required off-street parking facilities shall be primarily for the parking of private passenger automobiles of occupants, patrons, or employees of the principal use served.
- (2) Off-Street Parking Required Table: The following table identifies the minimum number of parking spaces required for the specified use. In no case shall the parking provided on a site be more than 150% of the minimum that is required. The intent of these standards is to provide the appropriate number of parking spaces on site for the given use and to accommodate changes in uses over time. No off-street parking shall be required in the C-3 Zoning District. At the discretion of the Zoning Administrator, the City may require the amount of parking required for a site be based on the parking standards contained within the latest edition of the ITE Parking Generation manual or by an alternative parking study and analysis.

Section 15. Section 165.07(3)(A)(4) of the Code of Ordinances of the City of Indianola, Iowa be and is hereby amended by deleting the stricken language and inserting the underlined language as follows:

Outdoor Storage

Paving. All driveways, access drives, and off-street parking and loading areas shall be paved with hot mix asphalt (HMA), Portland cement concrete (PCC), or pavers (including permeable pavement and paver systems).

- a. The design and construction of said pavement or pavers shall be of sufficient thickness, reinforcement, and sub-base necessary to provide a durable, dustless surface designed and rated for the traffic it is anticipated to carry.
- b. All paved areas shall be so graded and drained as to dispose of all surface water accumulation within the area and shall be so arranged and marked as to provide for orderly and safe loading or unloading and parking and storage of self-propelled vehicles.

c. On properties zoned agricultural that have a minimum lot size of 15 acres, aggregate may be used for driveways given that the driveway approaches are paved through the right-of-way line.

~~a.d.~~ No vehicles or trailers shall be parked or ~~storage~~stored upon an unpaved surface except as may be permitted within a designated and approved outdoor storage area. See Chapter 165.06, Section 4 for specific design standards.

Section 16. Section 165.09(7)(B) of the Code of Ordinances of the City of Indianola, Iowa be and is hereby amended by inserting the underlined language as follows:

In all zoning districts, with the exception of the M1 and M-2 Zoning Districts, loading docks and overhead doors for delivery, distribution and service, including vehicle repair service bay doors, shall not face a public street. This requirement may be waived by the City Council upon review of a site plan if adequate measures are taken to minimize visual impacts when visible from street views and adjacent residential uses.

Section 17. Section 165.09(7)(B) of the Code of Ordinances of the City of Indianola, Iowa be and is hereby amended by inserting the underlined language as follows:

b. At least one street-facing façade and the façade containing the main building entry, if different from the street façade, shall consist of no less than 20% clear glass fenestrations, shall consist of no less than 20% clear glass fenestrations (windows and full glass doors) on the first level.

Section 18. Section 165.10(3) of the Code of Ordinances of the City of Indianola, Iowa be and is hereby amended by deleting the stricken language and inserting the underlined language as follows:

H. “Blade sign” ~~is a temporary sign constructed of cloth, canvas, plastic fabric, or similar lightweight, non-rigid material and supported by a single vertical pole mounted into the ground or on a portable structure. May also be known as a “feather sign.”~~ see “projecting sign.”

U. “Feather sign” ~~is a temporary sign constructed of cloth, canvas, plastic fabric, or similar lightweight, non-rigid material and supported by a single vertical pole mounted into the ground or on a portable structure. see “blade sign.”~~

Section 19. Section 165.10(8) of the Code of Ordinances of the City of Indianola, Iowa be and is hereby amended by deleting the stricken language and inserting the underlined language as follows:

PERMANENT SIGNS										
BUILDING SIGNS	ZONING DISTRICT									
	A-1	R-1	R-2	R-3	R-4	C-1	C-2	C-3	M-1	M-2
Number of Signs Permitted	1 sign per principal building facing a public street for all permitted multi-family residential and non-residential uses.					Building signs may be located on any side of a building so long as the total sign area does not exceed the total allowed for the building (or building floor, in the case of the C-3 District). The area of all wall, awning, and window signs shall be included in the total building signage area calculation.				
Projecting Sings Permitted	Not permitted.							1 per building entrance. Maximum 24 sq. ft. per sign face.	Not permitted.	
Maximum Sign Area	48 sq. ft.					1.5 sq. ft./lin. ft. 10% of the total sq. ft. of the wall area of a principal building facing a public street. No more than two sides of a building facing a street shall be used to calculate the allowable signage. The sign area of all building signs (including wall, awning, and window signs) shall be calculated using sign area Formula A as defined herein this chapter.				
								In the C-3 District, the total sign area shall <u>not</u> exceed <u>1.5 sq. ft./lin. ft.</u> 10% of the wall area of the building floor on which the sign(s) is/are located		

Section 20. Section 165.10(9)(A)(1) of the Code of Ordinances of the City of Indianola, Iowa be and is hereby amended by inserting the underlined language as follows:

- c. All building signs, including projecting signs but not including awning and window signs, shall consist of solid individual letters and symbols that have a three-dimensional appearance with a minimum dimensional depth of one (1) inch. The dimensional depth may be achieved by individual dimension letters or symbols, cut out, push through, engraved, embossed, pin mounted with stand-offs, or alternative acceptable to the Zoning Administrator. Said individual letters and symbols shall be made of anodized aluminum or similar corrosion-resistant materials or should consist of individual illuminated self-contained letters and symbols made of anodized aluminum or similar corrosion-resistant materials with translucent plastic faces.

Section 21. Section 165.10(15) of the Code of Ordinances of the City of Indianola, Iowa be and is hereby amended by deleting the stricken language and inserting the underlined language as follows:

All permanent, free standing and building signs shall be ~~constructed~~ installed or erected by a professional sign contractor licensed to conduct business within the City of Indianola. The licensing application and insurance requirements shall be as determined by the Zoning Administrator. The licensing fee shall be established by resolution of the City Council.

Section 22. Repealer. All ordinances or parts of ordinances in conflict with the provision of this Ordinance are hereby repealed.

Section 23. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed by the City Council on the _____ day of _____, 2024, and approved this _____ day of _____, 2024.

Stephanie Erickson, Mayor

ATTEST:

Jackie Raffety, City Clerk

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

Indianola, Iowa, on _____, 2024, and was published on _____, 2024.

Jackie Raffety, City Clerk



MEMORANDUM

To: Mayor and City Council

From: Charlie Dissell, Deputy City Manager Development and Operations

Date: June 3, 2024

Subject: First consideration of an ordinance amending the Subdivision Regulations of Chapter 170 of the Code of Ordinances of Indianola, Iowa.

Introduction:

Background: Attached are proposed changes to Chapter 170, which are the City's Subdivision Regulations. These proposed changes are part 3 of a multi-year process to update the City's development codes.

Discussion:

Budget Impact:

Recommendation: The Planning and Zoning Commission recommended approval of the amendments, as presented.

Attachments:

1. Subdivision Code Change Ordinance
2. Indianola Subdivision Regs - Chapter 170 - Draft 05-16-2024

ORDINANCE NO. 2024 - _____

**AN ORDINANCE AMENDING THE SUBDIVISION REGULATIONS OF
CHAPTER 170 OF THE CODE OF ORDINANCES OF INDIANOLA,
IOWA.**

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

Section 1. Chapter 170 of the Code of Ordinances of the City of Indianola, Iowa be and is hereby by deleted in its entirety.

Section 2. Chapter 170 of the Code of Ordinances of the City of Indianola, Iowa is hereby added by inserting the language as shown in Attachment A.

Section 3. Repealer. All ordinances or parts of ordinances in conflict with the provision of this Ordinance are hereby repealed.

Section 4. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed by the City Council on the _____ day of _____, 2024, and approved
this _____ day of _____, 2024.

Stephanie Erickson, Mayor

ATTEST:

Jackie Raffety, City Clerk

The foregoing Ordinance No. _____ was adopted by the Council for the City of
Indianola, Iowa, on _____, 2024, and was published on _____, 2024.

Jackie Raffety, City Clerk

CITY OF INDIANOLA, IOWA**CHAPTER 170
SUBDIVISION REGULATIONS**

170.01 Title	170.15 Preconstruction Meeting
170.02 Jurisdiction	170.16 Quality assurance and control verification
170.03 Purpose	170.17 Acceptance of Improvements
170.04 Definitions	170.18 Electric Service
170.05 Procedures	170.19 Charge for Installation of Electrical Service
170.06 Plats Outside Corporate Limits	170.20 Improvements Within the Two-Mile Control Area
170.07 Professional Assistance	170.21 Fees
170.08 Preliminary Plat Requirements	170.22 Waivers by Council
170.09 Final Plat Requirements	170.23 Enforcement
170.10 Design Standards	170.24 Amendments
170.11 Markers	
170.12 Erosion Control	
170.13 Specifications	
170.14 Approval of Plans and Specifications	

170.01 TITLE.

This chapter shall be known and cited as the “Subdivision Ordinance of the City of Indianola, Iowa.”

170.02 JURISDICTION.

This title is adopted by the City of Indianola, Iowa, governing the subdivision of all lands within the corporate limits of the city, and within an area extending two miles beyond the corporate limits, in accordance with Section 354.9 of the Code of Iowa.

170.03 PURPOSE.

The purpose of this chapter is to provide for the harmonious development of the City and adjacent areas through design, improvement, and form. In order to accomplish this purpose, regulations within this chapter are determined to be necessary to preserve the public health, safety, and general welfare; to promote orderly growth and development; to promote open space, conservation and protection, and the proper use of land; and to ensure adequate traffic circulation, utilities, and other services.

170.04 DEFINITIONS.

For the purpose of this chapter, the following terms and words are hereby defined. The word “building” as used herein includes the word “structure.” The definitions for any terms and words not defined herein shall be as defined in Chapter 165.03 of the Zoning Ordinance of the City of Indianola, Iowa.

1. "Aliquot" means a fractional part of a section within the United States public land survey system. Only the fractional parts one-half, one-quarter, or one-quarter of one-quarter shall be considered an aliquot part of a section.
2. "Alley" means a permanent public service way or right-of-way, designed to provide a secondary means of access to abutting property.
3. "Boundary Line Adjustment" means an adjustment in boundary lines between contiguous legal lots that do not result in any additional lots. Also referred to as a '*Lot Line Adjustment*'.
4. "Building line" means a line established on a plat as a restrictive covenant beyond which no building may be placed. The building lines need not correspond to the front, side, or rear yard requirement established in the Zoning Ordinance, and where they do not, the most restrictive requirement will control.
5. "Commission" means the Planning and Zoning Commission of the City.
6. "Cul-de-sac" means a short minor street having one end open to motor traffic, the other end being permanently terminated by a circular vehicular turnaround.
7. "Easement" means authorization by a property owner for the use by another, and for a specified purpose, of any designated part of such owner's property.
8. "Final plat" means the map or drawing on which the subdivision plan is presented in the form which, if approved by the Council and the Commission, will be filed, and recorded with the County Recorder.
9. "Lot" means a parcel of land of at least sufficient size to meet minimum zoning requirements for use, coverage, and area and to provide such yards and other open space as are herein required. Such lot shall have a frontage on a public street unless it is part of a townhouse complex, and may consist of: (i) a single lot of record; (ii) a portion of a lot of record; (iii) a combination of complete lots of record; of complete lots of record and portion of lots of record; or of portions of lots of record; and (iv) a parcel of land described by metes and bounds; provided that in no case of division or combination shall any residual lot or parcel be created which does not meet the requirements of the Zoning Regulations.
10. "Lot line" means a line dividing one lot from another lot or from a street or alley.
 - A. "Common lot line" means a side lot line that is shared between attached structures.
 - B. "Front lot line" means the line which adjoins a public street or private street.
 - C. "Rear lot line" means the boundary which is opposite and most distant from the front lot line. In the case of a corner lot, the rear lot line is opposite the front lot line of least dimension. In case of an interior triangular or gore-shaped lot, it means a straight line ten-feet in length which (in paragraph form) is parallel to the front lot line or its cord and intersects the two other lot lines at points most distant from the front lot line.

- D. "Side lot line" means any lot line not a front lot line or a rear lot line.
 - E. "Street side lot line of a corner lot" means, for a corner lot, the street frontage that is the longest is typically the street side lot line and is perpendicular to the rear lot line.
 - F. "Depth" means the mean horizontal distance between the front and rear lot lines as measured perpendicular to the midpoint of the mean front lot line. In the case of an interior triangular or gore-shaped lot, the depth is the horizontal distance between the midpoints at the front lot line and rear lot lines.
 - G. "Width" means the horizontal distance between the side lot lines as measured perpendicular to the line comprising the lot depth at its point of intersection with the required minimum front yard setback.
11. "Lot of record" means a lot which is part of a subdivision recorded in the Office of the County Recorder or a lot or parcel described by metes and bounds, the description of which has been so recorded. For purposes of the Zoning Regulations, an existing contract of purchase at the time of the effective date of the Zoning Regulations also constitutes a lot of record.
12. "Lot types" are defined as follows:
- A. "Corner lot" means a lot located at the intersection of two or more streets and having the street right-of-way about the front lot lines of the lot.
 - B. "Double frontage or through lot" means a lot, other than a corner lot, with frontage on more than one street or public thoroughfare which do not intersect one another.
 - C. "Flag lot" means a lot that is mostly separated from the street, located behind another lot, and connected to the street by an extension of land that reaches to the street.
 - D. "Interior lot" means a lot, other than a corner lot, having frontage on but one street or public thoroughfare.
 - E. "Outlot" means an unbuildable lot designated on a subdivision plat and intended for future replatting into a buildable lot or lots or intended to be held and owned by a home owner's association, property owner's association, or similar public or private consortium as common space, open space, area for stormwater facilities, shared parking, or similarly shared site improvements or elements.
13. "Lot tie agreement" means an agreement executed by the property owner whereby the property owner agrees that the described lots and/or parcels shall be held under the same ownership and not sold separately unless otherwise approved by the City. Said agreement shall be recorded with the County as a restriction on the subject property.
14. "Plat, Acquisition" means a plat that is prepared for or as the result of a conveyance or condemnation of a parcel of land or other corporal real property by the city; other governmental entity; or other persons having the power of eminent domain.

15. "Plat, Auditor's" means a plat that is prepared by order of a County Auditor or Assessor to clarify boundaries and descriptions of existing real property interests for the purposes of assessment and taxation, and that does not create any new parcels of land or other divisions of real property, except for conveyance to the city or other public jurisdiction.
16. "Plat-of-Survey" means a graphical representation of a survey of not more than two parcels of land, together with a complete and accurate description, that is prepared and sealed by an Iowa licensed professional land surveyor.
17. "Plat, Subdivision" means a division of a lot, tract, or parcel of land into two (2) or more lots, building plots or sites, or other subdivisions of land for the purpose, whether immediate or future, of sale, transfer for building development, right-of-way dedication, or other use, that is prepared and sealed by an Iowa licensed professional land surveyor, provided, however, this definition of a subdivision shall not include divisions of land into forty (40) acres or more in size parcels of land for agricultural purposes.
18. "Plat, Vacation" means a plat this is prepared for or as the result of a conveyance of public street right-of-way that has been vacated by the City or County.
19. "Postage-stamp lot" means a small lot typically contained within an owner's association held common lot or outlot and intended to define the immediate area surrounding the perimeter of an individual townhouse or rowhouse unit or commercial building for ownership purposes. Postage-stamp lots are generally designed to be established no closer than 5-feet from any foundation or building wall, excluding shared walls located along a common lot line. Postage-stamp lots may or may not have public street frontage but shall at a minimum have access to public streets and public utilities via the surrounding outlot.
20. "Preliminary plat" means a study or drawings indicating the proposed manner or layout of the subdivision which is submitted to the Council and the Commission for consideration.
21. "Separate tract" means a parcel of land or a group of contiguous parcels of land under one ownership.
22. "Soils report", also geotechnical soils report, means a report prepared by a licensed geotechnical engineer or a registered civil engineer experienced in soils engineering. A report that provides an understanding of soil conditions affecting the site. The report evaluates projects where foundations are supported by fill, locations with high groundwater tables, steep slopes, or areas within floodplains. When these conditions are present a geotechnical soils report shall be required by the city engineer.
23. "Street" means a right-of-way other than an alley dedicated or otherwise legally established to be accepted for public use, usually affording the principal means of access to abutting property. A street may be designated as a street, highway, thoroughfare, collector, parkway, avenue, road, lane, drive, place, or other appropriate designation.
24. "Arterial street" means a street intended to carry moderate to high-capacity traffic that primarily serves to provide for the movement of through traffic and limit access to adjacent land, as identified in the Comprehensive Plan.

25. "Collector street" means a street intended to carry moderate-capacity traffic that primarily serves to connect the local street network to arterials, as identified in the Comprehensive Plan.
26. "Local street" means a street used primarily for access to abutting property.
27. "Street pavement" means the wearing or exposed surface of the street right-of-way used by vehicular traffic. The pavement width is measured from the back of the curb on one side to the back of the curb on the other side.
28. "Right-of-way" means the area measured between property lines, dedicated to, and accepted for public use and providing access to abutting properties.
29. "Subdivider" means any person who shall lay out, for the purpose of sale or development, any subdivision or part thereof as defined herein, either for said person or others.
30. "Subdivision" means the division of a separate tract of land into three or more lots or parcels for the purpose of transfer of ownership or building development or, if a new road is involved, any division of a parcel of land.
31. "Comprehensive Plan" means the current version adopted by the City Council of the Comprehensive Plan and Master Street Plan.

170.05 PROCEDURES.

1. Preliminary Plat Application Required.

- A. Pre-Application Meeting. Prior to the submission of any preliminary plat application, the applicant shall request a pre-application meeting with the Zoning Administrator to review the plat proposal and confirm the appropriate process and application requirements. For preliminary plats within two miles of the corporate limits of the City, a plat application should first be submitted to the County and then to the City. The applicant may request a joint pre-application meeting be held with the City and Warren County to coordinate platting requirements, conditions, and timing of the review and approval process.
- B. Application and Review. Whenever the owner or their designee of any tract or parcel of land within the jurisdiction of this chapter wishes to subdivide or plat the same into two (2) or more lots, said owner shall cause to be prepared a preliminary plat of said subdivision, and shall submit to the Zoning Administrator a completed preliminary plat application form, required number of copies of the preliminary plat, preliminary plat application fee, and any other information and details as specified and required by the Zoning Administrator as necessary to determine compliance with all applicable codes and requirements. The preliminary plat shall contain such information and data as is outlined in herein this chapter.

The Zoning Administrator or their designee shall examine said preliminary plat application as to its completeness. If determined incomplete, the application shall be returned to the owner or their designee with a list of missing information and items. If determined complete by the Zoning Administrator or their designee, the application shall be distributed to applicable City departments and utility companies for review and comment to its completeness. The Zoning

Administrator or their designee shall compile all City and utility comments and complete a review of the plat as to its compliance with these Subdivision Regulations, the Zoning Ordinance, the Comprehensive Plan and Future Transportation Network map, and other local, state, and federal requirements and shall provide the findings to the subdivider. If determined incomplete, the application shall be returned to the owner or their designee with a list of missing information and items.

At the request of the owner or designee, the preliminary plat shall be forwarded to the Commission for its review, regardless of the Zoning Administrator's determination that the preliminary plat is complete.

- C. Review by Planning Commission. Once the preliminary plat has been deemed complete by the Zoning Administrator or their designee, or if the owner or their designee has requested the preliminary plat be forwarded to the Commission, the Zoning Administrator or their designee shall provide a written report to the Commission within thirty (30) days. After receiving the Zoning Administrator's report, the Commission shall review the preliminary plat and other material for conformity to regulations. The Commission may confer with the subdivider on changes deemed advisable and the kind and extent of such improvements to be made.

Before reviewing a preliminary plat, notice of the Commission's meeting shall be given to property owners within 200 feet of the plat by sending notices to affected property owners by first class mail or by posting notices on the tract.

- D. Review by City Council. The Commission shall submit a report to the City Council with recommendations for approval, approval with conditions, or rejection of such preliminary plat within thirty (30) days after the date of review of said plat to the Commission. Upon receiving recommendations from the Commission, the Council shall consider the same and if the plat is found to conform to the provisions of this chapter, the Council may then approve or deny the preliminary plat.

If the preliminary plat is rejected, the Council will advise the owner or developer of any changes which are desired or should have consideration before approval will be given. Upon making such changes, the developer may resubmit the preliminary plat for approval by the Commission and the Council.

Approval of the preliminary plat by the Council shall constitute approval to proceed with the preparation of the final plat but shall not be deemed approval of the subdivision.

- E. Preliminary Plat Expiration. The approval of the preliminary plat by the Council shall be null and void unless the final plat is presented to the Council within two (2) years after the date of said preliminary plat approval by the Council, unless an extension is approved by resolution of the City Council. In the case of a subdivision that is proposed to be platted and developed in multiple phases, final plat applications for all phases must be presented to the Council within four (4) years of the date of approval of the final plat for the first phase. The preliminary plat for phases not submitted within this time frame shall become null and void, unless an extension is approved by resolution of the City Council.

The preliminary plat application, if not presented to the Commission and Council for review within one (1) year from the date of its initial submittal due to a lack of response by the applicant, shall be deemed withdrawn by the applicant and the application fees forfeited.

- F. Modifications to an Approved Preliminary Plat. Any significant modifications to an approved preliminary plat as determined by the Zoning Administrator, including an increase in number of lots, shall require the application and approval of a revised preliminary plat following the preliminary plat application process as detailed herein above. Minor changes to the preliminary plat may be administratively approved by the Zoning Administrator at their sole discretion.

2. **Final Plat Application Required.**

- A. Application and Review. Upon receipt of a final plat application form, required number of copies of the final plat, final plat application fee, and any other information and details as specified and required by the Zoning Administrator as necessary to determine compliance with all applicable codes and requirements. The Zoning Administrator or their designee shall examine said final plat application as to its completeness. If determined incomplete, the application shall be returned to the owner or their designee with a list of missing information and items. If determined complete by the Zoning Administrator or their designee, the application shall be distributed to applicable City departments and utility companies for review and comment to its completeness. The Zoning Administrator or their designee shall compile all City and utility comments and complete a review of the plat as to its compliance with these Subdivision Regulations, the Zoning Ordinance, the Comprehensive Plan and Future Transportation Network map, and other local, state, and federal requirements and shall provide the findings to the subdivider. If determined incomplete, the application shall be returned to the owner or their designee with a list of missing information and items.

At the request of the owner or designee, the final plat shall be forwarded to the Council for its review, regardless of the Zoning Administrator determination that the final plat is complete.

- B. Review by City Council. Once the final plat has been deemed complete by the Zoning Administrator or their designee, or if the owner or their designee has requested the final plat be forwarded to the Council, the Zoning Administrator or their designee shall provide a written report to the Council within thirty (30) days. Upon receiving a report and recommendations from the Zoning Administrator or their designee for approval or rejection of the final plat, the City Council shall review and consider the final plat. Approval of the final plat and final acceptance of improvements shall be given by resolution of the Council which shall be affixed to the plat. Procedure for approval of the final plat shall be as outlined herein this chapter.
- C. Recordation of Final Plat. Within ten (10) days of approval of the final plat by the Council, the Zoning Administrator shall schedule a time with the owner or designee to record the original copies of the final plat, attachments to subdivision plats required by Section 354.11 of the Code of Iowa, deeds, easements and covenants in the Office of the Recorder of Warren County, Iowa. An approved final plat shall be recorded with the County within 30-days of the date of its approval by the City Council or it shall become null and void.

- D. Plats Not Recognized. The City shall not recognize any plat recorded after the effective date of this chapter that is within the jurisdiction of City of Indianola but for which City approval as required herein this chapter has not been obtained. No permits shall be issued or approved for any property within said plat.

3. **Exceptions.**

The following exceptions to the Preliminary Plat and Final Plat procedures shall apply.

- A. Acquisition and vacation plats required by the City or County for the acquisition or disposal of land or right-of-way.
- B. Auditor's plats required by the County Auditor.
- C. Replats, the replatting of an existing subdivision plat, may be approved provided there are no new lots being created, no public improvements are required, and all other zoning and subdivision requirements are met. The review and approval process shall be the same as for a Final Plat.
- D. The division of a single lot, parcel, or tract into no more than two (2) lots or the minor adjustment of lot lines between adjoining parcels may be done by a plat-of-survey, and may be administratively approved by the Zoning Administrator, provided there are no public improvements required and all other zoning and subdivision requirements are met. The Zoning Administrator, at their discretion, may forward any plat-of-survey to the Planning Commission and/or City Council for review and approval.
- E. Merging or combining existing parcels or lots may be approved, subject to execution of a recorded lot tie agreement with the City. The Zoning Administrator shall forward any such request to the City Council for review and approval.
- F. A Preliminary Plat application can be waived by the Zoning Administrator for a subdivision plat containing five (5) or fewer lots provided there are no required public improvements and all other subdivision requirements are met.
- G. The subdivider may appeal the determination or decision of the Zoning Administrator related to any of the aforementioned exceptions and related administrative approvals to the City Council.

170.06 PLATS OUTSIDE CORPORATE LIMITS.

The procedure for approval of plats of survey, preliminary plats and final plats of land within two miles of the corporate limits shall be the same as set out in Section 170.05 above, except the Zoning Administrator may, after receipt of a request by the applicant, waive the City's review of any plat not located within a priority annexation area as identified within the adopted Comprehensive Plan.

170.07 PROFESSIONAL ASSISTANCE.

The City Council, the Planning and Zoning Commission, or Zoning Administrator may request professional assistance as deems necessary to properly evaluate any plat submitted. The owner or developer shall reimburse the City for the reasonable expenses incurred by the City for all contracted professional engineering and/or consulting services. The Council shall not give final approval of a plat until the City has been reimbursed for the expenses.

170.08 PRELIMINARY PLAT REQUIREMENTS.

A preliminary plat is not intended to serve as a record plat and shall be submitted for review separately and prior to the submission of the final plat. Its purpose is to show on a map all facts needed to enable the Planning Commission and City Council to determine whether the proposed layout of the land in question is satisfactory from the standpoint of the public interest. The preliminary plat shall comply with the following:

1. **Scale and Map Size.** The preliminary plat of the subdivision shall be drawn to the scale of 50-feet to 1-inch. The page sizes shall be 11-inch by 17-inch, if legible, or 24-inches by 36-inches. Multiple pages shall be used, with match lines clearly shown, as necessary to maintain legibility.
2. **Contents of the Plat.**
 - A. Areas proposed for public use.
 - B. Boundaries of the proposed subdivision shall be labelled and indicated by a heavy line.
 - C. Both existing and proposed grades of streets shall be shown.
 - D. Cross-section of the proposed streets showing the roadway location, type and width of surfacing, the type of drainage and other improvements to be installed.
 - E. Construction Site Erosion and Sediment Control Permit as required.
 - F. Contours lines at vertical intervals of not more than two feet, based upon City datum, except that where the slope of the land exceeds 25 percent, 5-foot intervals shall be sufficient.
 - G. Districts in which the land to be subdivided is located, including, but not limited to, zoning districts, utility districts, and watershed districts.
 - H. Established boundaries of current floodway, floodway fringe, and floodplain overlay lines.
 - I. Include the following notation: "All new lots shall require an address for inhabited structures, including residences and businesses, telecommunication towers and facilities, and for any public assembly area including open-air, outdoor activities. Addresses shall be assigned by the Zoning Administrator."
 - J. Labeling of lot and outlot purposes.
 - K. Letter of consent from all persons having an interest in the land to be subdivided, that they consent to the subdivision of the land.

- L. Location of existing lot lines, streets, public utilities, water mains, sewers, drainpipes, culverts, bridges, railroads, and buildings in the proposed subdivision.
- M. Location of areas containing heavy/dense woodlands, bodies of water and watercourses.
- N. Location and widths, other dimensions and names of the proposed streets, utility easements and other open spaces or reserved areas.
- O. Location and widths of existing and proposed accessways and driveways.
- P. Location of proposed wells and/or water mains and sewage disposal system if a public or community system is used.
- Q. Location and dimension of sidewalks to be installed.
- R. Lot lines with approximate dimensions, lot numbers building setback lines for frontage and side streets, street lot letters, and outlot letters.
- S. Master Plan. At the full discretion of the Zoning Administrator, a master plan of the undeveloped areas surrounding a proposed plat may be required to plan future street, sewer, watermain, trail, stormwater drainage extensions and corridors.
- T. Name of subdivision, legal description, date, compass point, scale, and acreage of the property being platted.
- U. Name and address of recorded owner and/or developer. Name and address of engineer and surveyor.
- V. Names of adjacent subdivisions and tract lines of acreage parcels together with the names of record owners of parcels of land immediately adjoining the proposed subdivision.
- W. NPDES Permit and those issued by the Army Corps of Engineers (USACE), if required.
- X. Plans for Wastewater. All sewers shall be designed by a registered professional engineer and sized with capacity to permit ultimate development of the sewer service area. All areas being platted shall connect to public sanitary sewer service, as required by Chapter 95 of City Code. However, should the City Council at their full discretion, decide to approve a plat that cannot reasonably be served by public sanitary sewer, the subdivider shall adhere to Chapter 98 of City Code and show results of soil percolation tests made by the engineer preparing the plat. Such tests shall be made in accordance with specifications approved by the Warren County Board of Health. Where applicable, provisions for a Homeowners Association within the subdivision which, pursuant to covenant satisfactory to the City, will be bound to provide for the maintenance of the proposed common structures and uses. Any plat so desired to be approved by the City Council that can reasonably be served by public sanitary sewer at some point in the future, may be required by the City to either construct dry-sewers for future connection or provide a plan and agreements for future sanitary sewer service. The subdivider shall provide easements and agreements for future sewer design, installation, and connection and an agreement to annex, as required by the City.

- Y. Spot elevations and drainage slope percentages where stormwater drainageways and swales cross lot lines.
- Z. Statement concerning the location and approximate size, or capacity of utilities proposed to be installed.
- AA. Statement that the subdivision will comply and conform to all requirements and regulations of the city and to platting procedures and conditions.
- BB. Stormwater management plan and calculations, including proposed storm sewers, ditches, culverts, bridges, and other structures.
- CC. Stormwater pollution prevention plan.
- DD. Tract boundary lines showing dimensions, bearings, angles, and references to known lines or benchmarks.
- EE. Vicinity sketch and an outline of the area to be subdivided.
- FF. Zoning classification and corresponding bulk zoning regulations. Buffer easement and method where required.
- GG. A certified geotechnical soils report, by a city approved geotechnical engineering firm, may be submitted during the preliminary plat process but it must be completed prior to submitting the construction drawings.
- HH. Any other pertinent information, including, but not limited to, traffic reports, or more detailed soils reports, as specified by the city engineer.

170.9 FINAL PLAT REQUIREMENTS.

Following approval of a preliminary plat, and prior to its expiration, a final plat shall be submitted that includes all or a portion of the preliminary plat area. The final plat shall comply with the following:

1. **Scale and Map Size.** The final plat of the subdivision shall be drawn to the scale of 50-feet to 1-inch for small subdivisions and 100-feet to 1-inch for large subdivisions. The page sizes shall be 11-inch by 17-inch, if legible, or 24-inches by 36-inches. Multiple pages shall be used as necessary to maintain legibility.
2. **Contents of the Plat.**
 - A. Accurate boundary lines, with dimensions and angles, which provide a survey of the tract, closing with an error of not more than one foot in 3,000 feet.
 - B. Accurate references to known or permanent monuments, giving the bearing and distance from some corner of a congressional division of the county of which the subdivision is a part.
 - C. Accurate locations of all existing and recorded streets intersecting the boundaries of the tract.

- D. Accurate metes and bounds description of the boundary.
 - E. Accurate locations and descriptions of easements for utilities and any limitations on such easements.
 - F. Addresses as provided by the Zoning Administrator.
 - G. Areas dedicated for public use, such as schools, parks, playgrounds, pedestrian, and bicycle trails.
 - H. Building setback lines and dimensions.
 - I. Certification by a registered land surveyor of the State of Iowa.
 - J. Complete curve notes for all curves included in the plat.
 - K. Established boundaries of current floodway, floodway fringe, and floodplain overlay lines.
 - L. Lot numbers and dimensions.
 - M. Location and accurate dimensions for any property to be dedicated or reserved for public, semi-public or community use, and sidewalks and trails to be installed prior to occupancy of a developed lot.
 - N. Location of areas containing heavy/dense woodlands, bodies of water and watercourses.
 - O. Location, type, material and size of all monuments and markers.
 - P. Name of the subdivision.
 - Q. Name and address of recorded owner and/or developer.
 - R. Name and address of engineer and surveyor.
 - S. North point, scale, and date.
 - T. Street names.
 - U. Street right-of-way lines with accurate dimensions in feet and hundredths of feet with angles to right-of-way lines and lot lines.
3. The final plat shall be accompanied by the following:
- A. Record Drawings. Upon the completion of all public improvements constructed and installed, and prior to requesting the City for a final inspection of any completed site that is required for final plat approval, the City shall be provided, at no charge, with PDF and CAD file record drawings. These record drawings should show detailed as-built locations and elevations of all public infrastructure improvements and must be certified by a licensed professional engineer and/or licensed surveyor registered in the State of Iowa, who shall stamp and sign the

information. All surveys, plats, construction drawings, GIS, and CAD files shall use survey feet based on the State Plane Iowa South Coordinate System. All survey elevations and construction drawings shall be based on benchmarks established on the North American Vertical Datum of 1988 (NAVD 1988). All CAD files shall be submitted to the City in .dwg or .dxf format on standard storage media approved by the City and shall only include utilities, roadway, and property lines. The record drawing files shall include the actual location for the following information, at minimum:

- (1) For Roads: Centerline elevations at all Point of Inflection (POI) and at all intersections.
 - (2) For sanitary and storm sewer utilities: pipe flowline and rim elevations, pipe slopes, materials, and sizes.
 - (3) For water utility: water main pipe and service pipe material and size at each surveyed location. Location, size, and degree of bend for each bend, valve location and size, corporation stop location and size, stop box location and size, and meter pit locations.
 - (4) For stormwater management system and improvements, which includes but is not limited to detention and retention ponds: As-built spot elevations and drainage slope percentages meeting or exceeding slope design requirements where stormwater drainageways and swales cross property lines and for all stormwater management facilities certifying design volume, overflow elevations and outlet structures.
- B. A letter from the owner's engineer designing the public improvement stating that all public improvements completed have been made or installed in accordance with City Specifications as shown on the as-built plans.
- C. All required bonds per Section 170.17 of this Chapter.
- D. Signed originals of the attachments to subdivision plats required by Section 354.11 of the Code of Iowa.
- E. A signed original of any protective covenants or restrictions to be imposed upon the plat shall be submitted for approval.
- F. Deeds to the City. A deed to the City, properly executed, for all streets intended as public streets, and for any other property intended for public use.
- G. Easement(s), including, but not limited to, Overland Drainage and/or Public Storm Sewer, Public Sanitary Sewer, and Public Water is required by and shall be in a form approved by the City.
- H. Parkland Dedication. The subdivider shall provide the required deeds, easements, and agreements as necessary to comply with the requirements of the City's Parkland Dedication Ordinance including any required performance surety.
- I. Post-Construction Stormwater Management. The subdivider shall provide a post construction stormwater management and maintenance agreement, easement, and/or covenant as may

be required by the City Engineer.

- J. Stream Buffers. The subdivider shall provide the required deeds, easements, and agreements as necessary to comply with the requirements of the City's Stream Buffer Protection Ordinance.
- K. Payment of Connection Fees and Fee District Charges.
- L. Other submittal requirements as defined by the Community Development Department.

170.10 DESIGN STANDARDS

Design of the subdivision shall comply with the minimum standards outlined below, provide for the orderly growth and development of the city, demonstrate consistency with the Indianola comprehensive plan, zoning ordinance, and any specific adopted district plans, and take into consideration the natural features of the site and patterns of adjacent development.

1. Streets.

- A. SUDAS. Street design must comply with the Statewide Urban Design and Specifications Standards for Public Improvements ("SUDAS"), as adopted, and amended by the city and all other applicable city and state regulations, except as amended herein below.
- B. Consistency to Community Visioning Plans. All proposed plats and subdivisions shall conform to the City of Indianola Comprehensive Plan, the Future Transportation Network map, and other adopted Community Visioning Plans.
- C. Continuation of Existing or Planned Streets. Proposed streets shall provide for continuation or completion of any existing streets (constructed or recorded) or any streets which are a part of an approved preliminary subdivision plat, in adjoining property, at equal or greater width, and in similar alignment, unless variations are recommended by the Commission and approved by the Council.
- D. Paved Access Required. All subdivisions shall be connected to a paved street. The City Council may require a subdivider pave or reconstruct all or part of any unimproved or gravel streets adjoining the proposed subdivision.
- E. Circulation. The street pattern shall provide ease of circulation within the subdivision as well as convenient access to adjoining streets, trailways, thoroughfares, or unsubdivided land as may be required by the Council.
- F. Temporary Dead-Ends. In a case where a street will eventually be extended beyond the plat but is temporarily dead-ended for no more than a 24-month time period, a temporary turnaround with a 45-ft radius and designed and constructed to support 75,000 lbs. gross vehicle weight may be permitted. If the length of the dead-end segment of street is less than 150-ft and contains no driveways, this temporary turnaround requirement may be waived by the City Council. Temporary dead-end lengths shall not exceed 500 feet.

- G. Street Intersections. Street intersections shall intersect at ninety degrees or as closely thereto as possible, and in no case shall streets intersect at less than seventy-five degrees.
- H. Street Access and Frontage Required. The street and alley layout shall provide access to all lots and parcels of land within the subdivision.
- I. Street jogs of less than 300 feet shall be avoided.
- J. Cul-de-sacs and other roadways with a single point of access should be avoided. Cul-de-sacs will be considered where it can be clearly demonstrated that environmental constraints, existing development, access limitations along arterial streets, or other unusual features prevent the extension of the street to the property line or to interconnect with other streets within or abutting the subdivision or to create lots in conformance this chapter and the Zoning Code regulations. In such situations cul-de-sacs should not exceed 700 feet in length and additional public sidewalks or trail connections may be required to ensure adequate pedestrian and bike circulation.
- K. Street knuckles and eyebrows (a widening of the street at a corner or bend that is not required by a design standard) shall be prohibited.
- L. New subdivisions shall make provisions for continuation and extension of thoroughfares and collector streets and roads.
- M. Arterial and collector streets in a subdivision shall extend through to the boundaries thereof, unless a terminal point within the subdivision is shown in the Future Transportation Network map in the adopted Comprehensive Plan.
- N. Alleys shall be discouraged in residential areas but may be provided in commercial and industrial areas unless other suitable public or private access to loading and service areas is provided.
- O. Intersection of more than two streets at a point shall not be permitted.
- P. Where parkways or special types of streets are proposed, the City Council may apply special standards for the design of such parkways or streets.
- Q. Proposed streets that are extensions of or in alignment with existing streets shall bear the name of the existing street. Names of new streets shall avoid duplication of or similarity to existing names of streets, or public and semi-public buildings and areas.
- R. Streets, avenues, places, and courts shall be named in the following manner:

General Direction	Long Streets	Short Streets
north and south	streets	courts
east and west	avenues	places
diagonal	roads	ways
curving	drives	lanes

- S. Minimum Standards for Street Rights Of Way are summarized in the following table. The information in this table is intended to provide guidance for the design of the street network within a subdivision. When designing a subdivision, street types should be chosen based on the intended function of the street and anticipated level of traffic. The city will review the proposed streets and determine the appropriate street type based on the factors set forth in this section.

Functional Classification	Minimum Right-of-Way Width	Pavement Width	Sidewalk Width	Recreational Trail Width
Arterial	100'	31'	5'	10'
Collectors	80'	31'	5'	10'
Residential	66'	26'	5'	10'
Cul-de-sac	110'	96'	5'	10'
Alleys	20'	16'	N/A	N/A
Functional Classification	Number Travel Lanes	On Street Parking	Maximum Grade	
Arterial	2	No	6%	
Collectors	2	One Side	8%	
Residential	2	One Side	10%	
Cul-de-sac	2	One Side	10%	
Alleys	2	No	12%	

Note: Pavement widths are measured from back-to-back of curbs.

- T. **Paving.** All paving of roadways constructed for public use will be installed in accordance with the Statewide Urban Design and Specifications (SUDAS), as adopted and amended by the city and all other applicable city and state regulations, and all roadways shall be constructed with curb and gutter unless an alternative design is approved by the City Council.
- U. A certified geotechnical soils report, furnished by a city approved geotechnical engineering firm, may be submitted during the preliminary plat process but it must be completed prior to submitting the construction drawings. All costs for said soils report shall be paid by the developer, including, but not limited to, the cost of employee salaries and benefits, administrative costs and laboratory testing fees or charges.
2. **Private Streets.** Private streets may be permitted for single-family attached, multi-family residential, commercial and office developments subject to the following requirements:
- A. Minimum width of 26-feet from back of curb to back of curb must be used where access is provided.

- B. A private street which is closed at one end shall be no longer than 600-feet and shall be provided at the closed end with a cul-de-sac or hammerhead turnaround.
- C. When considering the permitting of private streets, the city will consider whether the development area can and should be connected to adjacent property. If such is the case, public streets should be required.
- D. Public infrastructure construction specifications for street pavement thickness, grades, alignment, geometry, maximum cross-slopes, sidewalks, and drainage shall be required for all private street improvements and such improvements shall be subject to the same inspection process as public streets.
- E. Private street signage including all street signs shall be different than that of public street signage so residents can identify that they have entered a private street. Signage design shall be approved by the Zoning Administrator or their designee.
- F. Ingress/Egress easements or outlots owned by the association will be required at a design size allowing for the installation of sidewalks, and utilities. All private infrastructure is the sole responsibility of the association.

3. Blocks.

- A. The length of blocks shall be not less than 300 feet and not more than 700 feet in length. Longer block lengths may be allowed in cases of large lot commercial, industrial, or rural residential development, or where topography, water features, or existing development prevents shorter block lengths, although midblock pedestrian connections may be required. Block lengths are measured from centerline to centerline.
- B. Blocks shall be of sufficient width to permit two tiers of lots of appropriate depth and in no case shall the width be less than 240 feet, except where a single tier of double frontage lots parallels a limited access highway, a thoroughfare, drainage course, railroad or other barrier, the width shall be not less than 50 feet.
- C. Midblock pedestrian paths shall be required in blocks over 700 feet long or in areas where curbed streets require excessive out of the way travel, to provide an interior pedestrian walkway for the purpose of access to schools, commercial areas, places of worship, parks, and other public or community facilities. If required, they shall be constructed by the developer. Right-of-way for midblock pedestrian paths shall not be less than 15 feet for sidewalks and 20 feet for recreational trails.

4. Lots.

- A. All lots shall abut on a public street or private street that is commonly held by easement or outlot by a homeowner's association as part of a planned development. Corner lots which abut on a thoroughfare or collector street shall have a minimum radius of 25 feet at the intersection.

- B. Sidelines of lots shall approximate right angles to straight street lines and radial angles to curbed street lines except where a variation will provide better lot layout.
- C. Lots with double frontage shall be avoided, except in specific locations where good planning indicates their use, in which case a ~~planting screen~~ landscape buffer in accordance with Section 165.08 of the City of Indianola Zoning Regulations, shall be provided along the rear of the lot.
- D. Flag lots shall be prohibited, unless approved by the Zoning Administrator under specific and extreme situations and conditions exist for the site.
- E. No lot shall have less area than required by the Zoning Ordinance for the district in which it is located.
- F. Street Access. Each lot, including postage stamp lots, shall have a minimum access of twenty (20) feet to an existing, paved public street, by means of frontage or easement.
- G. Lots shall be designed to lessen impact on critical natural resources, including heavy woodlands, streams, creeks, and wetlands.

5. Easements.

- A. Easements shall be provided as needed for all public sanitary sewers, water mains, storm sewers, and stormwater overland flowage in accordance with SUDAS.
- B. Public Utility Easements (PUE's) not less than 15 feet in width shall be provided along each side of the front yard lot lines of all lots, and in the case of corner lots, the side street yard, and along such other lot liens as may be required by public and private utility companies.
- C. The minimum width for storm and sanitary sewer easements shall not be less than 30 feet. Easements of greater width may be required for trunk lines, pressure lines, open drainage courses or high voltage lines and shall be provided as determined by the utility or Council.
- D. Utility easements shall convey to the City, its successors and assigns, the perpetual right within the areas shown on the plat and described in the easement, to construct, reconstruct, operate and maintain electric lines consisting of poles, wires, cables, conduits, fixtures, anchors and other similar equipment, including the right to trim or remove trees within such areas where necessary to secure a clearance of four feet from the wires or poles, together with the right to extend to any telephone, telegraph, electric or power company, the right to use separately or jointly with the City, the areas included in the easement for the purposes above enumerated.

6. Improvements.

- A. General. The subdivider shall install and construct all improvements required by this chapter. All required improvements shall be installed and constructed in accordance with Statewide Urban Design and Specifications (SUDAS) as adopted and amended by the city; and all other applicable city and state regulations. Inspection may be provided by the City, at the subdivider's expense, as deemed necessary to assure quality workmanship of all portions of

the construction to be dedicated to the City. Said inspection costs shall be paid by the subdivider before final approval will be given.

- B. Sidewalks. Sidewalks shall be constructed in accordance with Chapter 136 of the City Code with ADA standards on both sides of all streets publicly or privately owned and being dedicated for public use. Sidewalks shall be a minimum of five (5) feet in width and shall be constructed of Portland cement concrete in accordance with SUDAS. Sidewalks on corner lots shall be built to the curb line on both frontages in accordance with ADA standards. Sidewalk location shall allow for a five feet (5') separation between the curb and the sidewalk.
- C. Trails and Parkland Dedication. The proposed development shall include pedestrian and bicycle trails for transportation and recreation according to the Comprehensive Park and Recreation Trails Plan and parkland as required by the Parkland Dedication ordinance. As part of the Parkland Dedication, new residential subdivisions may be required to construct and dedicate one or more trail connections to any existing or future regional trail system that adjoins the subdivision. The number and location of connections shall be determined by the Zoning Administrator.
- D. Construction Site Erosion and Sediment Control and Post-Construction Stormwater Management. The proposed development shall comply with all State and local requirements for erosion and sediment control.
- E. Stream Buffers. The proposed development shall include adequate stream buffers as required by the Stream Buffer Protection and Management ordinance.
- F. Natural Drainage Courses. Whenever a stream or important surface drainage course is located in an area which is being subdivided, the subdivider shall provide an adequate easement along each side of the stream for the purpose of widening, deepening, sloping, improving, or protecting the stream or drainage course.
- G. Water and Sewer Service Required. Water mains, sanitary sewer lines, storm sewers, and their appurtenances shall be constructed and installed in accordance with SUDAS, and the plans and specifications adopted by the Council. Water and sewer lines shall be made accessible to each lot. Utility tap locations shall be marked on the street curb in front of each platted lot.
- H. Sanitary Sewer Service. The subdivider shall at the subdivider's expense provide the subdivision with a complete sanitary sewer system including all necessary pumping stations, force mains, pumping equipment and other appurtenances, which shall connect with a sanitary sewer outlet or treatment facility approved by the Council. The sewers shall extend to the subdivision boundaries as necessary to provide for the extension of the sewers by adjacent property.
- I. Water Service. The subdivider shall at the subdivider's expense provide the subdivision with a complete water main supply system including hydrants, valves and other appurtenances which shall be extended into and through the subdivision to the boundary lines, and which shall provide a water connection for each lot, and shall be connected to the City water system. Fire hydrants shall be uniform throughout the subdivision and shall meet the standards and design approved by the Fire Chief and Utilities Board of Trustees. Water mains shall extend to

the boundaries of the subdivision to provide for extension by adjoining properties.

- J. Stormwater. The subdivider shall, at the subdivider's expense, provide the subdivision with a storm sewer system to adequately handle a five-year rainstorm. The system shall include basins, culverts, ditches, intakes, manholes, or any structure deemed necessary. All such structures shall meet the City of Indianola Standard Specifications. In addition, the subdivider shall, at the subdivider's expense, provide the subdivision with overland drainage courses and easements to adequately handle stormwater in excess of a five-year rainstorm and up to a 100-year rainstorm, in accordance with the provisions of Iowa Code Section 364.3(18). For any subdivision containing new streets, the system shall be designed by a licensed engineer registered to practice in the State of Iowa.
- (1) Each lot shall be provided with minimum six-inch diameter storm sewer service line that is a minimum of four feet below ground level, stubbed to the property line, unless the Zoning Administrator determines that sump lines can be taken to an existing overland drainage area. The sump pump line shall be a minimum of one and one-half inches in diameter.
 - (2) The storm sewer system line shall be made of reinforced concrete pipe or polyvinyl chloride (PVC) pipe. The sump pump lines shall be made of PVC, PVC Truss, or PVC corrugated pipe. All structures shall be built in accordance with City of Indianola Standard Construction Specifications for Subdivisions.
 - (3) The storm sewer system shall be large enough to provide for anticipated extension of use to serve additional areas, as set out in Indianola Comprehensive Plan.
 - (4) Storm sewer service lines shall be connected to the City storm sewer system at intakes, manholes, or directly into the City storm sewer pipe.
 - (5) Tapping storm sewer service lines into the City storm sewers shall be by using approved methods. Should it not be possible to install a storm sewer service, as described above, alternative plans may be submitted for review by the City. No stormwater, surface water, ground water, roof runoff, swimming pool, subsurface drainage, cooling water or unpolluted water shall be discharged into the City sanitary sewer system. Any such discharge into the City sanitary sewer system shall be deemed a public nuisance and a municipal infraction.
- K. Grades. All streets, alleys, and sidewalks within the platted area which are dedicated for public use shall be brought to the grade per SUDAS and approved by the Council after receiving the report and recommendations of the Zoning Administrator or their designee. The minimum percent slope of all stormwater drainageways and swales shall be two percent (2%).
- L. Public Streetlights. The proposed development shall provide a streetlight plan for review and approval by the electrical utility with jurisdiction. The subdivider shall coordinate with and pay said utility for the cost of the installation of public streetlights.
- M. Traffic Control Signs and Street Name Signs. The proposed development shall be responsible for the installation and cost of traffic control signs and street name signs as required by the

City.

- N. US Postal Service Cluster Mailboxes. The proposed development shall install cluster mailboxes as required by the US Postal Service.
 - O. Underground Utilities. Improvements such as cable TV, telephone and electric lines, streetlights, gas mains, and similar facilities in any subdivision shall be installed underground outside the street pavement limits. The subdivider shall be responsible for making the necessary arrangements with the utility companies for installation of such facilities. Said utility lines shall be installed in accordance with SUDAS and in such a manner so as not to interfere with other underground utilities and in no case shall be buried less than 18-inches below the surface. Underground utility lines which cross underneath the right-of-way of any street, alley or way shall be installed prior to the improvement of any such street, alley, or way in the subdivision. Incidental appurtenances, such as transformers and their enclosures, pedestal mounted terminal boxes, meters and meter cabinets may be placed above ground but shall not be located within any street or driveway clear vision area as defined within Chapter 135 of the City Code.
 - P. Homeowners Association. A Homeowners Association shall be created for any development with privately owned streets, utilities, open space, buffers, stormwater facilities, storm sewer, drainage tile, or other private service which is utilized by more than one homeowner. The covenants of the Homeowners Association shall properly identify how maintenance of the private infrastructure is handled in the event the Homeowners Association dissolves. Any changes in the responsibilities of the Homeowners Association shall require approval of City Council.
 - Q. Timing of Installation. All underground utilities, water lines, sanitary sewers, and storm drains installed in streets, shall be constructed before the streets are surfaced. Connections to all underground utilities, water lines, and sanitary sewers from approved parcels shall be laid to sufficient lengths, as determined by the city engineer, to avoid the need for disturbing the street improvements when service connections are made.
7. **Planned Unit Developments**. As part of a Planned Unit Development (PUD) approval process, as outlined in Chapter 165.05, section 1, subsection K, the City Council may, after receiving a recommendation from the Planning and Zoning Commission, approve innovative concepts in the subdivision design, layout and development that allow for cluster development techniques, for the purpose of preservation of natural areas, provision of parks or open space, or urban agricultural neighborhoods. It is not the intent of this provision to lessen the number, size, extent, or type of infrastructure improvements required by this chapter, but to permit the reasonable and necessary modification of the design requirements in order to allow development of subdivisions which do not utilize a conventional layout for blocks, lots, streets and other features. It is the intent of this provision that any such modification or change in requirements be in harmony with the purpose and intent of this chapter and the adopted Comprehensive Plan.

170.11 MARKERS.

The subdivider shall at the subdivider's expense place an iron rod not less than one-half inch in diameter and 24 inches in length as follows:

1. Set in concrete three feet deep at the intersection of all lines forming angles in the boundary of the subdivision, and at all street intersections.
2. At lot corners and changes in direction of block and lot boundaries.

170.12 EROSION CONTROL.

The subdivider shall be responsible for controlling soil erosion and surface water runoff within the subdivision during its construction and development and shall provide erosion and runoff control measures as work progresses on site grading, the installation of sewers or other improvements or phases of work. Insofar as practical, erosion control measures shall be undertaken prior to any other development within the subdivision which will contribute to runoff or erosion.

170.13 SPECIFICATIONS.

The type of construction, the materials, the methods, the standards of subdivision improvements and the maintenance bonds shall be in accordance with the specifications found in a bound volume which is entitled Iowa Statewide Urban Design and Specification for Public Improvements which is on file in the Clerk's office. The Council may from time to time amend by resolution the standard construction specifications for subdivisions found in the volume. The Clerk shall keep a record of all amendments made to the specifications. Plans and specifications for subdivisions shall be submitted to the Community Development Department for approval prior to construction, accompanied by a fee as set by resolution of the City Council, and construction shall not be started until the plans and specifications have been approved. (Ord. 1646 - Sep. 20 Supp.)

170.14 APPROVAL OF PLANS AND SPECIFICATIONS.

The approval of plans and specifications relative to improvements required by this chapter shall be effective for a period of two years after the approval. This time period may be extended by the City Engineer, at their sole discretion. If the required improvements are not in place and accepted by the City within the times specified, the approval shall lapse, and construction shall not be started and construction under way shall cease until resubmitted plans and specifications have been approved. The City shall have the right, at the time of the new request for approval, to require the subdivider to use the type of construction, the materials, the methods and standard of subdivision improvements equal to the specifications of the City for like work which are in effect at that time. The City may also require that the subdivider comply with any amended ordinance or ordinances relative to improvements under this chapter or any successor chapter relative to subdivision improvements which have been adopted between the time of initial approval and the renewed approval as herein required. The reapproval as required by this section specifically applies only to the plans and specifications relative to subdivision improvements and has no application as to lot sizes, setbacks, lot boundaries, street location or other platting requirements which shall be final on Council approval unless changed by some other method permitted by law.

170.15 PRECONSTRUCTION MEETING.

Prior to the beginning of construction of any improvements, the applicant shall request a pre-construction meeting with the Zoning Administrator to review the approved plans, requirements, conditions, and timing for improvement construction. For developments within two miles of the

corporate limits of the City, a joint pre-application meeting shall be held with the City and Warren County to coordinate approved plans, requirements, conditions, and timing of the improvement construction.

170.16 QUALITY ASSURANCE AND CONTROL VERIFICATION.

All public improvements which at any time shall be deeded to the City, including all streets, alleys, sanitary or storm sewers or water works, shall be subject to quality assurance and control (QAQC) verification prior to acceptance. Such QAQC verification shall be performed by an engineering firm, furnished by the City, to ensure that such improvements are in compliance with the approved subdivision plans and specifications; Statewide Urban Design and Specifications (SUDAS) as adopted and amended by the city; and all other applicable city and state regulations. All costs for said QAQC verification shall be paid by the developer, prior to approval of the final plat, including, but not limited to, City contractors and subconsultants, the cost of employee salaries and benefits, administrative costs and laboratory testing fees or charges. The engineer, employed by the engineering firm and furnished by the City, shall certify to the City that the improvement was constructed in accordance with the plans as approved by the City. Said engineer shall furnish all inspection reports and record drawings for the improvements for use in locating sanitary or storm sewers and water lines in the future. Inspection reports and record drawings include, but are not limited to:

1. Laboratory and field tests taken in accordance with SUDAS as adopted and amended by the city, and in addition thereto whenever deemed necessary by the engineer to determine compliance with city specifications and with professional standards.
2. Record Drawings requirements per Section 170.09(3) of this Chapter. An improvement shall not be accepted or approved for public use if improvement has not been properly verified using QAQC processes; or is otherwise determined by the engineer to potentially not be fully compliant with the approved subdivisions improvement plans and specifications, SUDAS as amended and adopted by the city, this Code, or other required standards and specifications. It shall be the developer's duty to document and demonstrate, by whatever means may be necessary that the improvement in question does in fact fully comply with this Code and all other applicable codes and regulations.

Should improvements be found deficient or defective, Owner of development, prior to acceptance, will correct all said deficiencies or defects in order to be in compliance with approved subdivision plans and specifications; Statewide Urban Design and Specifications (SUDAS) as adopted and amended by the city; and all other applicable city and state regulations. The Owner of the Development will be notified in writing by City staff of the specific deficiencies or defects. Within 30 calendar days of the City's notice, the Owner of the Development must submit a written plan and schedule outlining steps to correct said deficiencies or defects.

170.17 ACCEPTANCE OF IMPROVEMENTS.

1. **Construction of Improvements or Posting of Bond.** Before the Council approves the final plat, all of the foregoing improvements shall be constructed and accepted by formal resolution of the Council. Before passage of said resolution of acceptance, the City Engineer or their designee shall report that said improvements meet all City specifications and ordinances or other requirements. The requirement for the construction of all improvements may be waived if the subdivider will

post a performance bond or certified check guaranteeing that said improvements will be constructed within a period of one (1) year from final acceptance of the plat. However, if a performance bond is posted, final acceptance of the plat will not constitute final acceptance by the City of any improvements to be constructed. Improvements will be accepted only after their construction has been completed all in accordance with the rules above outlined. No maintenance work will be done by the City and no public funds will be expended in the subdivision until such improvements have been completed and accepted by the City.

Performance bond or certified check shall be for an amount equal to one and one-half times the cost estimated to complete the improvements as certified by the subdivider's engineer or as otherwise may be estimated by the City Engineer.

2. **Maintenance Bonds.** The developer shall warrant the design, material, workmanship, installation and construction of all of the public improvements for a minimum of four years from and after satisfactory completion and City Council acceptance of roadway payment, sanitary sewers, storm sewers and other improvements that are related to drainage, and park infrastructure, and shall cause the warranty to be ensured by independent bond or by other collateral that is found to be acceptable by City Legal Counsel (herein "bond"). The bond shall specifically ensure the expedient repair or replacement of any and all improvements that the City finds to be defective following completion and acceptance and shall indemnify and hold the city harmless from any and all costs or losses resulting from, attributed to, or otherwise arising from the defective improvements.

170.18 ELECTRIC SERVICE.

When inside Indianola Municipal Utilities Electrical territory, Indianola Municipal Utilities shall extend electric service to the subdivision and shall make electric service available to each lot in the subdivision that is within Indianola Municipal Utilities' assigned area of service pursuant to Code of Iowa Chapter 476. The City, by and through Indianola Municipal Utilities, shall install street lighting that is within Indianola Municipal Utilities' assigned area of service pursuant to Code of Iowa Chapter 476 to current Indianola Municipal Utilities' standards and specifications. In residential subdivisions, all electric lines, including individual house service lines installed by the owner or developer, shall be placed underground.

170.19 CHARGE FOR INSTALLATION OF ELECTRICAL SERVICE.

Indianola Municipal Utilities reserves the right to make a reasonable charge to be paid by the developer, builder or owner for any service extended as provided by Section 170.33 above. Said charges may be changed from time to time but shall be in accordance with a schedule of charges set by the Indianola Municipal Utilities Board of Trustees.

170.20 IMPROVEMENTS WITHIN THE TWO-MILE CONTROL AREA.

1. Improvements in the two-mile control area shall be the same as required above, provided they are not less than that required by the County subdivision policy, and provided further that all road and drainage construction plans shall be approved by the County Engineer, and completed roads shall be accepted by the Board of Supervisors for Public Maintenance. This subsection does not apply to plats of survey.

2. Where the subdivision contains sewers, sewage treatment plants, water supply systems, park areas, street trees or other physical facilities necessary or desirable for the welfare of the area and which are of common use or benefit and are not or cannot be satisfactorily maintained by an existing public agency, provision shall be made by trust agreements, made a part of the deed restrictions acceptable to any agency having jurisdiction over the location and improvement of such facilities, for the proper and continuous maintenance and supervision of such facilities. This subsection does not apply to plats of survey.
3. In situations where the County does not agree to accept the dedication of right-of-way by fee title for a proposed public street or future public street corridor, the City shall request a public street easement be executed for the benefit of both the County and the City. The City shall further request the executing of easements for future public utility corridors as may be necessary to ensure the provision of services in area likely to be annexed into the City at some point in the future.

170.21 FEES.

Each plat of survey, preliminary plat and final plat submitted for approval shall be accompanied by a fee as set by Resolution of the City Council.

170.22 WAIVERS BY COUNCIL.

Where the strict application of standards or requirements established by this chapter would cause substantial hardship or impose unreasonable restrictions on the development of a tract of land because of natural or physical conditions or limitations not created by the owner or developer, the Commission may recommend and the Council may grant such waivers from these standards or requirements as may be necessary to permit the reasonable development of the land while preserving the intent of this chapter.

170.23 ENFORCEMENT.

In addition to other remedies and penalties prescribed by law, the provisions of this chapter shall not be violated subject to the following:

1. No plat of survey, plat or subdivision in the City or within two miles thereof shall be recorded or filed with the County Auditor or County Recorder, nor shall any plat or subdivision have any validity until it complies with the provisions of this chapter and has been approved by the Zoning Administrator or City Council as prescribed herein.
2. No more than two building permits for principal structures issued for each separate tract existing at the effective date of this chapter unless the tract shall have been platted in accordance with the provisions contained herein except planned multiple-family, commercial or industrial complexes under a common ownership and constructed in accordance with an overall site development plan.
3. No public improvements over which the Council has control shall be made with City funds, nor shall any City funds be expended for street maintenance, street improvements, or other services in any area that has been subdivided after the adoption of the regulations in this chapter unless

such subdivision and streets have been approved in accordance with the provisions of this chapter and the street accepted by the Council as a public street.

4. Any persons who shall dispose of or offer for sale or lease any lots in the City, addition thereto, or within one mile thereof until the plat shall have been approved, acknowledged and recorded as provided by this chapter and Chapter 354, Code of Iowa, shall forfeit and pay \$50.00 for each lot or part thereof sold, disposed of, leased, or offered for sale.
5. No occupancy compliance certificate required by the Zoning Ordinance shall be issued until and unless all improvements required by this chapter have been made in accordance with the City's plans and specifications and accepted by the Council or as may otherwise be provided for elsewhere in this chapter.

170.24 AMENDMENTS.

Proposed amendments to this chapter shall first be submitted to the Commission for study and recommendation. The Commission shall report within 30 days, after which the Council shall give notice of and hold a public hearing on the proposed amendment. The amendment shall become effective from and after its adoption and publication as required by law.



MEMORANDUM

To: Mayor and City Council

From: Charlie Dissell, Deputy City Manager Development and Operations

Date: June 3, 2024

Subject: First consideration of an ordinance adding Chapter 171, Parkland Dedication, to the Code of Ordinances of Indianola, Iowa.

Introduction:

Background: Attached are proposed additions to the Code of Ordinances, creating Chapter 171, Parkland Dedication. These proposed additions are part of a multi-year process to update the City's development codes.

Discussion:

Budget Impact:

Recommendation: The Planning and Zoning Commission recommended approval of the amendments, with a minor addition which is reflected in the attached document.

Attachments:

1. Parkland Dedication Ordinance
2. Parkland Dedication - Chapter 171 - Draft 05-30-2024

ORDINANCE NO. 2024 - _____

**AN ORDINANCE ADDING CHAPTER 171, PARKLAND DEDICATION,
TO THE CODE OF ORDINANCES OF INDIANOLA, IOWA.**

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

Section 1. Chapter 171 of the Code of Ordinances of the City of Indianola, Iowa is hereby added by inserting the language as shown in Attachment A.

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

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

Passed by the City Council on the _____ day of _____, 2024, and approved
this _____ day of _____, 2024.

Stephanie Erickson, Mayor

ATTEST:

Jackie Raffety, City Clerk

The foregoing Ordinance No. _____ was adopted by the Council for the City of
Indianola, Iowa, on _____, 2024, and was published on _____, 2024.

Jackie Raffety, City Clerk

CITY OF INDIANOLA, IOWA**CHAPTER 171
PARKLAND DEDICATION**

171.01 Title	171.06 Alternatives to Dedication of
171.02 Purpose	Parkland
171.03 Application	171.07 Parkland Dedication Credit
171.04 Standards for Public Parkland Per	171.08 Parkland Dedication
Resident	Agreement and Surety
171.05 Parkland Dedication Minimum	171.09 Exemptions
Design Standards	

171.01 TITLE.

This chapter shall be known and cited as the “Parkland Dedication Ordinance of the City of Indianola, Iowa.”

171.02 PURPOSE.

The purpose of this Parkland Dedication ordinance is to ensure that new developments support the health, safety, and welfare of future residents by providing land for public parks within the City and within areas being newly developed or redeveloped for residential purposes.

171.03 APPLICATION.

When a preliminary plat for new single-family development (detached or semi-detached), two-family, and/or townhouse development is proposed or a site plan or building permit is submitted for a new multi-family residential development, including manufacture housing community, parkland dedication in a manner consistent with this ordinance shall be required.

Any developer who, after the effective date of the ordinance seeks to develop land for residential purposes within the City shall be required to dedicate public parkland as prescribed herein. No new plats or site plans for residential development shall be approved unless and until the provisions of this chapter are complied with.

171.04 STANDARD FOR PUBLIC PARKLAND PER RESIDENT.

The standard for the amount of neighborhood parkland required is 16-acres per 1,000 residents or 0.016 acres per resident. Based on the estimated persons per household number, as determined by the last decennial census, the following calculations shall be applied for new residential developments.

Number of lots or dwelling units) x (Census estimated persons per household) x (0.016 acres/resident) = required parkland dedication (Decimals rounded up the nearest hundredth)

Examples (assuming 2.4 estimated persons per household):

*a) A 100-lot single family subdivision would be required to dedicate 3.84 acres of parkland.
(100 lots) x (2.4 residents) x (0.016 acres/resident) = 3.84 acres*

*b) A 120-unit apartment complex would be required to dedicate 4.61 acres of parkland
(120-units) x (2.4 residents) x (0.016 acres/resident) = 4.61 acres*

171.05 PARKLAND DEDICATION MINIMUM DESIGN STANDARDS.

1. Land dedicated for parkland shall be located within ½ mile of the proposed development. The specific location of the land to be dedicated shall be acceptable to the City and shall be located and planned with future parkland dedications to create a neighborhood park site that will be no less than 1 acre in size.
 - a. Public Recreational Trail corridors deeded to the City or dedicated by easements may be included in this calculation of land dedication.
2. All land to be dedicated to meet this parkland dedication requirement shall be useable park space and shall not be located within any floodway, delineated wetlands, shall not contain any areas for storm water detention, and shall have cross slopes no greater than 5%. An exception may be granted by the City Council to accept parkland that includes wetlands, ponds, and/or storm water retention areas that provide a recreational benefit.
3. The dedicator of parkland shall be responsible for rough grading, stabilization, and seeding of the parkland and providing paved public street access, sanitary sewer services, and water service to the property.
4. The developer shall designate on the plat map or site plan the proposed number of dwelling units by type. Designation shall be for park dedication calculation purposes only.
5. The developer shall be required to prepare the parkland prior to dedication in a manner acceptable to the City. This includes:
 - a. The site shall be located adjacent to an improved street with sidewalks and utilities, as required by the City. The site shall have access to such a fully improve street across at least ten (10) percent of the distance of its perimeter. Any access route shall be at least thirty (30) feet wide for trails and fifty (50) feet for roadway access.
 - b. On-site drainage patterns shall be designed and constructed by the developer with the approval of the City.
 - c. Grading shall comply with approved plans.
 - d. Top-soil shall be spread evenly and lightly compacted to an adequate depth for turf growth.
 - e. Seeding shall occur during the fall or spring, in accordance with standard specifications of the City. A maintainable stand of grass shall be established prior to acceptancy by the city.

171.06 ALTERNATIVES TO DEDICATION OF PARKLAND.

1. When all or a portion of the required parkland cannot be dedicated, the developer shall construct or otherwise complete park improvements and/or trail improvements within ½ mile of the proposed development. The value of the improvements shall be equal to the value of the required parkland dedication. The value of these improvements shall be based on the fair market value of the land to be dedicated. Subject to approval by the City, park improvements may include construction and installation of trails, parking lots, playground equipment, park shelters, tennis courts, basketball courts, ball fields and appurtenances, and landscaping and the dedication of land or easements necessary for planned trails. The developer shall provide written proof of the land's value and written estimates of the costs of the park improvements.
2. The City may further allow a portion of the parkland dedication requirement be satisfied by the dedication of greenways and stream buffers as may be desired by the City. Because this land has a reduced value as neighborhood park space, the following dedication conversation rate should be applied: 1-acre of greenway or stream buffer dedicated to the City shall be equivalent and worth 0.10-acre of required parkland.
3. In lieu of dedicating parkland, the developer may request the ability to make a cash payment into a fund to be used for future park improvements or park land acquisition **for a park facility that is within ½ mile of the proposed development**. The City Council shall evaluate this request giving due consideration to all of the factors listed in Section 171.05. The donation shall be no less than the minimum number of acres required. A mutually appointed Appraiser will determine parkland Fair Market Value. The Developer shall pay any expenses accrued in the determination of the payment amount. Payment in lieu shall be completed prior to development recording or issuance of building permits.

171.07 PARKLAND DEDICATION CREDIT,

Should a new development desire to dedicate more parkland than is required, the dedicator may sell or transfer the parkland credit to another developer or apply as credit for a current or future parkland dedication requirement. Written notice and copies of a transfer agreement shall be provided to the City as record of all credits transferred or sold to another party.

171.08 PARKLAND DEDICATION AGREEMENT AND SURETY.

At the time of development, the developer shall enter into a written agreement with the City to detail the parkland dedication and/or park improvement. Depending on the timing of the dedication or park improvement, the developer may propose, and/or the City may require the developer to provide adequate surety to the City to ensure completion of the dedication or improvement. The form and amount of surety shall be determined by the City at its full discretion.

172.09 EXEMPTIONS.

The following shall be exempted from the requirements this chapter:

1. The construction of any non-residential building or structure.
2. Alterations or expansion of an existing building where no additional residential units are created.
3. The construction of an accessory dwelling unit.
4. The replacement of a destroyed or partially destroyed building or structure with a new building or structure where there are no additional residential units created.
5. The installation of a replacement mobile home.
6. The division of a parcel into no more than two (2) lots.
7. The replat of an existing subdivision where no additional residential lots are created.
8. Any claim of exemption shall be made no later than the time of application for a preliminary plat approval. Any claim not so made shall be deemed waived.



MEMORANDUM

To: Mayor and City Council

From: Charlie Dissell, Deputy City Manager Development and Operations

Date: June 3, 2024

Subject: First consideration of an ordinance adding Chapter 172, Stream Buffer Protection, to the Code of Ordinances of Indianola, Iowa.

Introduction:

Background: Attached are proposed additions to the Code of Ordinances, creating Chapter 172, Stream Buffer Protection. These proposed additions are part of a multi-year process to update the City's development codes.

Discussion:

Budget Impact:

Recommendation: The Planning and Zoning Commission recommended approval of the amendments, as presented.

Attachments:

1. Stream Buffer Ordinance
2. Stream Buffer Regs 05-30-2024
3. Stream Buffer Map

ORDINANCE NO. 2024 - _____

AN ORDINANCE ADDING CHAPTER 172, STREAM BUFFER PROTECTION, TO THE CODE OF ORDINANCES OF INDIANOLA, IOWA.

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

Section 1. Chapter 172 of the Code of Ordinances of the City of Indianola, Iowa is hereby added by inserting the language as shown in Attachment A.

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

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

Passed by the City Council on the _____ day of _____, 2024, and approved this _____ day of _____, 2024.

Stephanie Erickson, Mayor

ATTEST:

Jackie Raffety, City Clerk

The foregoing Ordinance No. _____ was adopted by the Council for the City of Indianola, Iowa, on _____, 2024, and was published on _____, 2024.

Jackie Raffety, City Clerk

CITY OF INDIANOLA, IOWA**CHAPTER 172
STREAM BUFFER PROTECTION**

172.01 Title	172.06 General Provisions
172.02 Purpose	172.07 Buffer Management and Maintenance
172.03 Definitions	172.08 Enforcement
172.04 Application	172.09 Exemptions
172.05 Buffer Standards and Design	

172.01 TITLE.

This chapter shall be known and cited as the "Stream Buffer Protection Ordinance of the City of Indianola, Iowa."

172.02 PURPOSE.

In order to help reduce the impact from flooding and erosion, the City has adopted these regulations to ensure new homes and structures are not built near streams and waterways. In addition to periodic flooding, streams and waterways can experience streambank erosion and stream channels can move impacting structures and site improvements. Providing a minimum setback or buffer from streams and waterways can lessen these risks while also preserving open space and natural greenways. Stream buffers may be privately owned or dedicated to the City as a public greenway.

172.03 DEFINITIONS.

1. **Best Management Practices (BMP's)** means a schedule of activities, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the United States. Common BMPs are described in the Iowa Stormwater Management Manual and SUDAS. The BMPs covered are not meant to be a comprehensive list of acceptable BMPs.
2. **Buffer** is a vegetative area, including trees, shrubs, and herbaceous vegetation, that exists or is established to protect a stream system, lake, or reservoir area. Alteration of this natural area is strictly limited.
3. **Floodway** are mapped streams within the boundaries of the City of Indianola that are identified as 'floodway' on the City's Flood Insurance Rate Map.
4. **Streams** are perennial and intermittent watercourses identified through site inspection and United States Geological Survey (USGS) maps and further defined and categorized as follows:
5. **Type I Streams** are defined as perennial streams shown as solid blue lines on the United States Geological Survey seven and one-half minutes series topological map and have a drainage area of greater than 50 acres.

6. **Type II Streams** are defined as intermittent streams shown as dashed blue lines on the United States Geological Survey seven and one-half minutes series topological map and have a drainage area of greater than 50 acres.
7. **Stream Bank** is the area between the stream channel and the break in the stream bank slope or the highest point of the stream channel.
8. **Stream Channel** is part of the watercourse either naturally or artificially created that contains an intermittent or perennial base flow of groundwater origin. Base flows of groundwater origin can be distinguished by any of the following physical indicators:
 - A. Hydrophytic vegetation, hydric soil, or other hydrologic indicators in the area(s) where groundwater enters the stream channel in the vicinity of the stream headwaters, channel bed, or channel banks.
 - B. Flowing water not directly related to a storm event.
 - C. Historical records of a local high groundwater table, such as well and stream gauge records.
9. **SUDAS** means the current Standard Urban Design and Specifications Manual, as locally amended, that specifies the stormwater guidelines and stormwater controls deemed by SUDAS to meet the goals of the U.S. Environmental Protection Agencies NPDES permit program administered by the Iowa Department of Natural Resources.
10. **Wetland** is defined as areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

172.04 APPLICATION.

This chapter shall apply to proposed improvements associated with all land development activity requiring a site plan, construction drawings, or subdivision on property containing a stream, near a stream, or drainage swale draining greater than 50 acres. These requirements are in addition to, and do not replace or supersede, any other applicable buffer requirements established by other regulatory avenues.

172.05 BUFFER STANDARDS AND DESIGN.

1. A stream buffer for a stream system shall consist of a native vegetative strip of land extending along both sides of a stream and its adjacent wetlands, floodplain, or slopes. The stream buffer width shall be adjusted to include contiguous sensitive areas, such as steep slopes or erodible soils, where development or disturbance may adversely affect water quality, streams, wetlands, or other water bodies.
2. The required base width for all buffers shall be determined based on the type of stream being protected, as specified herein below:

- A. Streams with floodways as identified by FEMA Flood Insurance Rate Maps (FIRM) should have a buffer that is 50-ft wide on each side of the floodway boundary.
 - B. USGS identified Type I Streams with no identified floodway should have a buffer that is 50-ft wide on each side of the stream's total width.
 - C. USGS identified Type II Streams with no identified floodway should have a buffer that is 30-ft wide on each side of the centerline of the stream's channel.
3. A comprehensive map of all existing stream buffer areas within the jurisdiction of the City of Indianola has been established and is on file with the City Clerk.
 4. The Zoning Administrator or their designee may consider buffer design modifications in unique cases of topography or other hardship provided that the project can meet the goals outline in the purpose and intent of this chapter.
 5. A stream buffer shall not be required for the portions of a stream that are enclosed within a pipe or box structure.
 6. Impervious surfaces, septic systems and all associated equipment are prohibited within the buffer.
 7. Dominant vegetation shall consist of existing or seeded/planted native trees, shrubs, perennial grasses and forbs suited to the soil and hydrology of the site and the intended purpose. No single species shall make up more than 50% of the total number of species planted. Turf grass (lawn) is not permitted.
 8. Overland flow through the stream buffer area will be maintained as sheet flow.

172.06 GENERAL PROVISIONS.

1. Buffer Dedication. At the full discretion of the City, any stream buffer may be required to be deeded to the City as part of the final plat or site plan approval process, and/or park land dedication requirement. In special circumstances, the City may accept a permanent easement for the purpose of protecting the land in and around the established stream buffer and impose any and all restrictions as determined in this chapter.
2. Limitations of Public Access, Responsibility, and Maintenance. The dedication of a stream buffer area in any form to the City of Indianola shall not be interpreted to mean that this automatically conveys to the general public the right of access to this area. Furthermore, the City of Indianola shall only be responsible for the management and maintenance of City-owned stream buffers.
3. The following structures, practices, and activities are permitted in the stream buffer, with specific design or maintenance features, subject to the review of the City:

- A. Roads, bridges, paths, and utilities:
 - (1) The right-of-way should be the minimum width needed to allow for maintenance access and installation.
 - (2) The angle of the crossing shall be as close to perpendicular as feasible to the stream or buffer in order to minimize clearing requirements.
 - B. Stream restoration projects, facilities and activities approved by the City are permitted within the buffer.
 - C. Water quality monitoring and stream gauging are permitted within the stream buffer, as approved by the City.
4. The following practices and activities are prohibited within the buffer, except with approval by the City:
- A. Clearing of existing vegetation.
 - B. Grading, stripping, or other soil disturbing practices.
 - C. Filling or dumping.
 - D. Draining the buffer area by ditching, underdrains, or other systems.
 - E. Use, storage, or application of pesticides, except for the spot spraying of noxious weeds or nonnative species consistent with recommendations of the Warren County Soil and Water Conservation District.

172.07 BUFFER MANAGEMENT AND MAINTENANCE

1. Management Plan Required. As part of establishing any stream buffer, a basic management plan shall be developed along with details on ownership (private individual, homeowner's association, or City) and easements or agreements to ensure that it is properly managed and maintained. This may include a plan to armor eroding banks, construction of let-down structures to maintain a stable stream slope and bank, restoring or preserving natural vegetation, and constructing or planning the construction of trails.
2. A buffer management plan shall be submitted in conjunction with the required grading plan for any development, and the buffer should be clearly delineated on the final grading plan.
3. Boundary markers will be installed by the applicant prior to commencing clearing and grading operations. Markers will be placed at the outside edge of the buffer prior to the start of any activity adjacent to the buffer. Markers shall be clearly visible and shall be spaced at a maximum of 100 feet. The markers may be joined by marking tape or fencing.

4. The plan shall contain an informative, conceptual, and schematic representation of the proposed development activity by means of maps, graphs, charts, or other written or drawn documents so as to enable an informed decision regarding the proposed development activity.
5. The plan shall be developed by an Iowa licensed Professional Engineer or Iowa licensed Landscape Architect.
6. The plan shall outline the maintenance procedures established by the owner, to ensure the proper management of the stream buffer.
7. If a maintenance procedure consists of a controlled burn, an approved burn plan for the native areas shall also be included in the management plan.
8. The plan shall contain the following specific information:
 - A. A location or vicinity map to include maximum two feet contour intervals and scale of no greater than one-inch equals 100 feet.
 - B. Field delineated streams, springs, seeps, bodies of water, wetlands, and waterway buffer.
 - C. Stream buffer ownership information and information on the entity responsible for buffer maintenance.
 - D. The location and general measurements of established stream buffer and maintenance easements.
 - E. A list of prohibited activities, uses, or items within the buffer.
 - F. Language addressing the existing and planned vegetation maintenance within the buffer.
 - G. A general maintenance timeline of the stream buffer.
 - H. Information explaining the location and right of access for stream buffer maintenance including maintenance access points and routes.
 - I. Information on easement or access rights in and around stream buffer.
9. All plans prepared for recording and all right-of-way plans shall clearly:
 - A. Show the extent of any stream buffer on the subject property.
 - B. Label the stream buffer.

- C. Provide a note to reference any stream buffer stating: "There shall be no clearing, grading, construction or disturbance of vegetation except as permitted by the City of Indianola."

172.08 ENFORCEMENT.

1. The Zoning Administrator or their designee is authorized and empowered to enforce the requirements of this chapter in accordance with the procedures of this section.
2. If, upon inspection or investigation, the Zoning Administrator or their designee is of the opinion that any person has violated any provision of this chapter, they shall with reasonable promptness issue a notice of the violations identified while conducting an inspection or investigation. Each notice shall be in writing and shall describe the nature of the violation, including a reference to the provision within this chapter that has been violated. In addition, the notice shall set a reasonable time for the abatement and correction of the violation.
3. If the property owner fails to take corrective action, following notice prescribed for the service of civil process by the Iowa Rules of Civil Procedure, the City may do so by its own crews or by persons under its hire and assess against the property owner the City's cost therefore. The cost shall include the salaries and benefits earned by the City employees during such corrective action, a charge for City machinery used and such other costs and expenses as the City actually incurred. To the extent allowed by Iowa law, such costs and expenses may be assessed against the property owner and collected in the same manner as a property tax.
4. Each day that a municipal infraction occurs and/or is permitted to exist constitutes a separate offense.

172.09 EXCEPTIONS.

1. Any existing use that does not change use, zoning district or size is exempt from requirements but shall meet the requirements for compliance for any new development requiring a site plan or subdivision.
2. A perpendicular stream crossing by a driveway, street, or utility lines.
3. A street or driveway where buffer intrusion is the only option to provide access to a property.
4. Paved and unpaved trails and paths for public use.
5. Public water supply intake or public wastewater outfall structures.
6. Public access facilities that must be on the water including boat ramps, docks, foot trails leading directly to the river, fishing platforms and overlooks.

7. Utility lines and easements running parallel with the stream, except that all easements (permanent and construction) and clearing and grading shall recognize the sensitivity of the streams and use Best Management Practices to limit and repair the disturbance within the buffer area. This includes such impervious cover necessary for the operation and maintenance of the utility, including but not limited to manholes, vents and valve structures.
8. Land development activities within a dedicated street right-of-way existing as of the effective date of this chapter.
9. Minor land disturbing for the intent of emergency erosion control and bank stabilization activities (i.e. for the purposes of corrective maintenance; measures for health, safety and welfare; post storm; or other disaster relief) if the City is notified about the activity and the disturbance area is less than 5,000 square feet.
10. The requirements herein this title may be reduced or waived by action of the City Council.

Stream Buffer Map - Indianola, Iowa

MAP LEGEND

Indianola City Limits

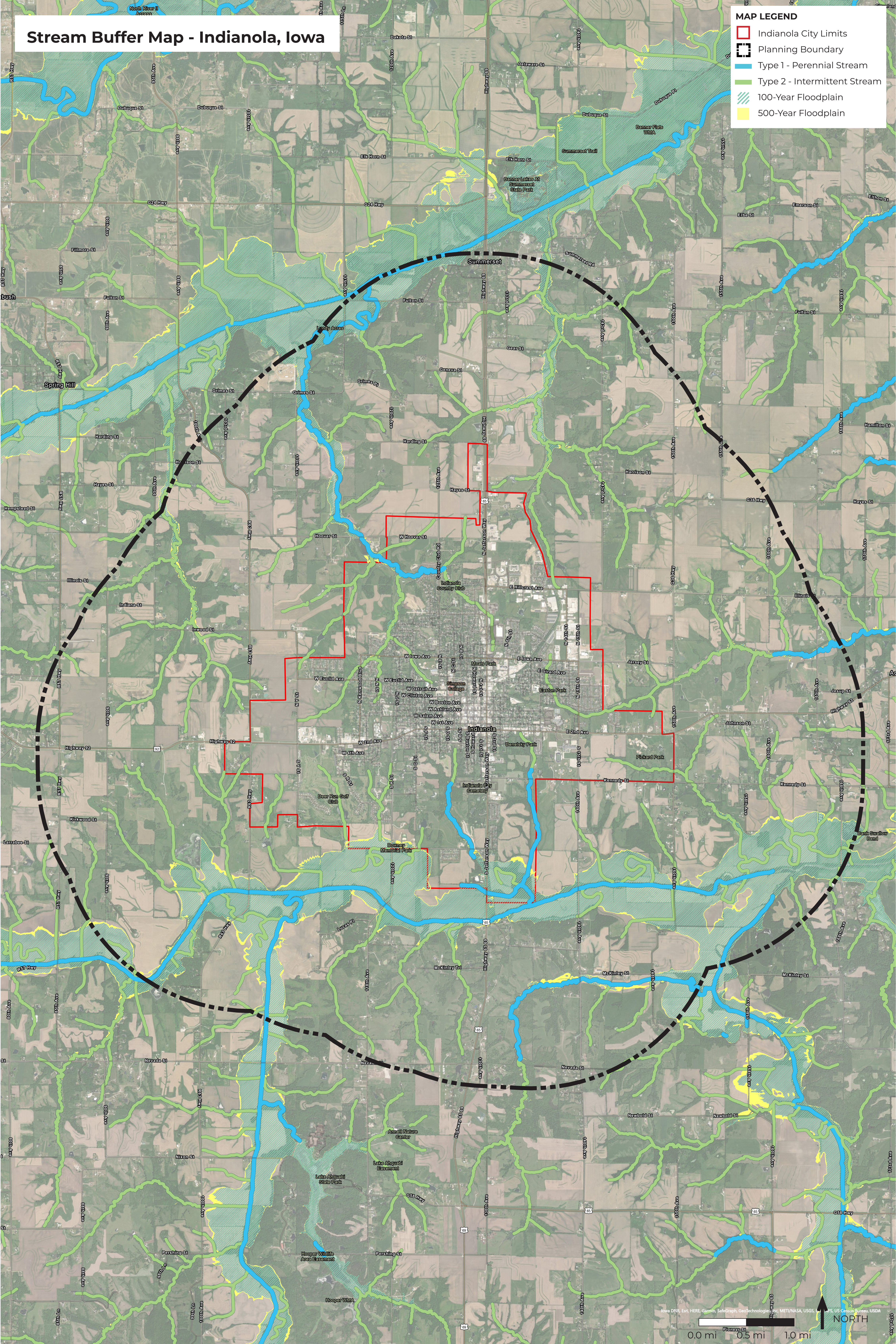
Planning Boundary

Type 1 - Perennial Stream

Type 2 - Intermittent Stream

100-Year Floodplain

500-Year Floodplain





MEMORANDUM

To: Mayor and City Council

From: Charlie Dissell, Deputy City Manager Development and Operations

Date: June 3, 2024

Subject: Resolution approving a Public Right-of-way Lease with The Concession Stand, located at 201 North Buxton Street.

Introduction: Ladd Concession Group, LLC dba The Concession Stand, is requesting approval to install outdoor seating over two parking spaces and partial use of the sidewalk along Ashland Avenue, to the south of their restaurant, noting that additional seating would benefit their business and possibly others around the Square. The terms of the attached agreement would allow the deck to be installed and operational from April 1–Oct 31 annually.

Background:

Discussion: The Downtown Square Commission considered a recommendation to Council at their May 21, 2024 meeting. A motion to approve a recommendation to Council to allow the lease failed on a 2-2 vote.

Budget Impact:

Recommendation: Roll call is in order.

Attachments:

1. Email
2. Pictures_Concession Stand Agenda Item
3. Res 2024- Approving Concession Stand Lease Agreement
4. The Concession Stand Agreement 5 year term_2024-2029

From: Stus BBQ <stusbbqconcessions@gmail.com>
Sent: Friday, May 3, 2024 12:01 PM
To: Charlie Dissell <cdissell@indianolaiowa.gov>
Subject: Outdoor Seating

You don't often get email from stusbbqconcessions@gmail.com. [Learn why this is important](#)

Charlie,

Thank you for your time and help. I am asking for approval to install outdoor seating for The Concession Stand at 201 North Buxton Street.

I would like to have something similar to the deck at Brickhouse. I am asking for two parking spaces and partial use of the sidewalk along Ashland avenue on the south side of the building.

I believe additional seating outdoors would improve business in many ways. When expanding the dining area I would be able to serve more guests, create additional revenue and add more jobs to the Indianola Square. The area would keep people on the square for longer and potentially draw more business to the neighboring businesses. This area would also give The Concession Stand a larger footprint to be seen from neighboring businesses on the square. Lastly, I think this would positively impact the visual aspect of the square.

The reasons for installing this particular type of deck are:

Easily removable for winter/whenever the lease provided by the city and commission states.

Finished metal can be cleaned and sanitized easily.

Strongest support to protect patrons from passing vehicles.

I recently spoke with Amanda Ripperger from The Sports Page. She explained they had the outdoor seating area fabricated by Pierce Brother Repair, I currently use them for all of my fabrication work on my smokers, They built the one here in the parking lot about 30 years ago. I would use them as well, keeping that business for the outdoor area local as well.

Attached are pictures of the two parking spaces I would like to lease and a picture of the seating area outside of Brickhouse for examples.

Thank you for your consideration.

Ely Ladd
Ladd Concession Group
515-770-1463





City of Indianola
RESOLUTION NO 2024-

**RESOLUTION APPROVING PUBLIC RIGHT-OF-WAY LEASE AGREEMENT
BETWEEN THE CONCESSION STAND AND THE CITY OF INDIANOLA**

WHEREAS, the City of Indianola, Iowa is desirous of leasing a portion of real estate immediately adjacent to the sidewalk on the southside of 201 N Buxton Street to Ladd Concession Group, dba The Concession Stand for an outdoor seating area; and

WHEREAS, the parties desire to enter into a lease agreement from June 3, 2024 – October 31, 2024, that shall be automatically renewed for five years, in the form attached hereto; and

WHEREAS, the City Council of the City of Indianola, Iowa believes it is in the best interest of the City to enter into the lease agreement.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Indianola, Iowa, that the lease agreement in the form attached is hereby approved and shall be automatically renewed annually, up to five years, unless otherwise terminated or defaulted upon.

BE IT FURTHER RESOLVED by the City Council of the City of Indianola, Iowa that the Mayor and City Clerk are directed to execute the lease agreement.

Dated this 3rd day of June 2024.

Stephanie Erickson, Mayor

ATTEST:

Jackie Raffety, City Clerk

THE CONCESSION STAND PUBLIC RIGHT-OF-WAY LEASE AGREEMENT

THIS LEASE made and entered into this ____ day of _____, 2024, by and between the City of Indianola, Iowa, a municipal corporation (hereinafter referred to as “City”) and Ladd Concession Group, LLC dba The Concession Stand (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 an outdoor seating area; 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 8’ x 16’ immediately adjacent to the sidewalk on the southside of 201 N Buxton St.
2. TERM. Unless sooner terminated as herein provided, the term of this Lease shall be from June 3, 2024, to and including October 31, 2024. The term shall be automatically renewed annually unless written notice is provided. Automatic renewals shall not exceed five, one-year renewals. All renewals shall begin on April 1, but otherwise on the same terms and conditions as set forth herein.
1. CONSIDERATION. Lessee shall pay to the City for the use of the Leased Premises, a rental of \$0.50 per square foot (8 feet x 16 feet) per month. The rental shall be paid annually on or before the beginning of each lease term at the office of the City Clerk, City Hall, 110 N. First Street, Indianola, Iowa 50125.
2. USE OF PREMISES. Lessee may use the Leased Premises for purposes of a patio, 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, including any accumulation of trash and debris under the outdoor café.
 - 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 November 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.
3. 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 including repairing any damage due to snow removal completed by Lessor or Lessee 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.

4. 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.
5. 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.
6. 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.
7. 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.
8. 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. Lessee shall also save and hold harmless the City from and against any and all liability, losses, and damages to property that may arise from snow removal operations completed by Lessor or by Lessee.
9. 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 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.

10. 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.
11. 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.
12. 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 Daniel T and Andrea Palmer, d/b/a The Local Vine, 126 West Ashland Avenue, Indianola, Iowa, 50125.

13. 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.
14. 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: _____
Stephanie Erickson, Mayor

ATTEST:

Jackie Raffety, City Clerk

Ladd Concession Group, LLC

By: _____



MEMORANDUM

To: Mayor and City Council

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

Date: June 3, 2024

Subject: Set a special meeting date and time for year-end claims and transfers.

Introduction: The Indianola City Council is asked to set a special meeting towards the end of the fiscal year to approve year-end claims and transfers.

Background: This meeting is typically held the last Wednesday or Thursday in June, at various times of the day.

Discussion: Due to the timing of the Planning and Zoning Commission meeting in June, there may be a need to add items to this agenda for approval prior to July 1, 2024.

Budget Impact:

Recommendation: Staff is recommending a meeting on Wednesday, June 26.

Attachments: None