



## CITY OF INDIANOLA COUNCIL MEETING

August 5, 2019

6:00 p.m.

City Council Chambers

Agenda

1. Call to order
2. Pledge of allegiance
3. Roll call
4. Public comment
5. Consent
  - A. Approval of agenda
  - B. **Page 4** July 15, 2019 Minutes
  - C. Applications
    1. **Page 10** A renewal refuse hauling permit for Wiegert Disposal, Inc.
    2. **Page 11** A new Class "C" Liquor License, Outdoor Area and Sunday Sales Privilege for La Casa Mexican Restaurant - 508 N. Jefferson Way
    3. **Page 12** A new Class "B" Wine Permit, Class "C" Liquor License, Outdoor Service and Sunday Sales Privilege for The Local Vine - 126 W. Ashland
  - D. **Page 13** Change order number one in an amount of (-\$144.00) and resolution approving final completion and release of retained funds for the North 15th Street and East 2nd Avenue Sanitary Sewer Improvements
  - E. **Page 19** Resolution Approving Salaries
  - F. **Page 21** Home Base Iowa Initiative Application from Michael Blair and authorization of a handwritten warrant in the amount of \$1,500
  - G. **Page 24** Street closure request from the Indianola Parks and Recreation for their annual Children's Costume Party and Parade - October 26, 2019 from 6:00 a.m. - 1:00 p.m. - request is to close the entire square

- H. **Page 29** Block party request from Marcia Peeler - 807 N. Buxton - on August 8, 2019 from 4:30 p.m. - 10:30 p.m. (rain date will be August 15, 2019)
- I. **Page 36** Prior and final approval applications for Urban Revitalization Designation.
- J. **Page 37** Claims on the computer printout for August 5, 2019
- 6. Council Reports
  - A. **Page 54** Presentation regarding the EMS Billing Management Review from Todd Cooper, Senior Manager for Client Relation
- 7. Mayor's Report - Kelly B. Shaw
  - A. Community Update
- 8. Public Consideration
  - A. Old Business
    - 1. Hillcrest/Downtown Unified Urban Renewal Plan
      - a. **Page 68** Public hearing on the proposed Amendment No. 2 to the Hillcrest/Downtown Unified Urban Renewal Plan
      - b. **Page 69** Resolution determining an area of the City to be an economic development area, and that the rehabilitation, conservation, redevelopment, development or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the City; designating such area as appropriate for urban renewal projects; and adopting the Amendment No. 2 to the Hillcrest/Downtown Unified Urban Renewal Plan
      - c. **Page 105** Consideration of Ordinance for the division of revenues under Iowa Code Section 403.19 for Amendment No. 2 to the Hillcrest/Downtown Unified Urban Renewal Plan
    - 2. East Hillcrest Trail Connector
      - a. **Page 123** Resolution approving and accepting Recreation Trail Easements
      - b. **Page 152** Resolution approving contract and bond for the East Hillcrest Avenue Trail
  - B. New Business
    - 1. **Page 165** Resolution approving the City of Indianola, Iowa Downtown Square Master Plan
    - 2. **Page 195** Resolution authorizing the installation of three temporary Pickleball Courts in the YMCA Parking Lot
- 9. Other Business



- A. Page 200** City Manager's Report - Ryan Waller  
\* Receive and file correspondence from July 12, 19 and 26, 2019
  - B. Page 326** Enter into closed session in accordance with Iowa Code Section 21.5(1)(j) to discuss the purchase or sale of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property or reduce the price the governmental body would receive for that property.
  - C. Page 327** Enter into closed session in accordance with Iowa Code Section 21.5(1)(i) to evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session
  - D. Page 328** After the closed session, the City Council may take action on any matter discussed in closed session
- 10.** Adjourn

**Meeting Date:** 08/05/2019

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**Subject**

July 15, 2019 Minutes

**Information**

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**Fiscal Impact**

**Attachments**

Minutes

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REGULAR SESSION – JULY 15, 2019

The City Council met in regular session at 6:00 p.m. on July 15, 2019 in the City Hall Council Chambers. Mayor Kelly B. Shaw called the meeting to order and on roll the following members were present: Shirley Clark, Joe Gezel, Bob Kling, Greg Marchant, John Parker and Greta Southall.

Susan Glick, 511 W. Boston, on behalf of the Kiwanis Club, thanked all the organizations and employees who helped with the all-inclusive playground equipment at Pickard Park. A check for \$19,469.69 was presented to the Mayor and City Council for the playground equipment at Pickard Park. The ribbon cutting will be held on August 6, 2019.

Item K - Claims on the computer printout for July 15, 2019 was pulled from the consent agenda.

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

Approval of agenda

July 1, 2019 Minutes

Applications - A renewal Class "C" Liquor License and Sunday Sales Privilege for The Zoo – 102 W. Ashland

Final consideration to amend Chapter 165 (Zoning Regulations), regarding notification procedures and timelines of items brought forward to the Planning and Zoning Commission, Board of Adjustment and City Council and adoption of ORDINANCE NO. 1615 entitled, “AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF INDIANOLA, IOWA, CHAPTER 165, ZONING REGULATION PROCEDURES” – the ordinance to be effective upon publication

Resolution No. 2019-128 approving a professional service agreement with HR Green for General Wastewater Engineering Services in an amount not to exceed \$50,000 (The complete resolution may be viewed at the City Clerk’s Office)

Resolution No. 2019-129 to accept final completion of the 2018 Traffic Signal Upgrade Project and Release Retained Funds (The complete resolution may be viewed at the City Clerk’s Office)

Resolution No. 2019-130 Approving Salaries (The complete resolution may be viewed at the City Clerk’s Office)

Change order number one in an amount of \$11,762.74 from Convergent Technologies for the key card security system

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

Noise permit for Indianola Chamber of Commerce - RAGBRAI - July 23 and 24, 2019 from 9:00 a.m. - midnight

The claims on the computer printout for July 15, 2019 was approved on a motion by Clark and seconded by Southall. On roll call the vote was, AYES: Marchant, Gezel, Southall, Kling and Clark. NAYS: None. ABSTAINED: Parker. Whereupon the Mayor declared the motion carried.

City Manager Ryan Waller presented an updated regarding the City Treasurer Report.

Council member Bob Kling read a statement regarding the July 1, 2019 vote on the second consideration of an amendment to Chapter 165 (Zoning Regulations) regarding Boarding House/Bed and Breakfast. If Council agrees, Council member Kling would like to direct staff to explore the possibility of separating Boarding House from the Bed and Breakfast in R-1 zoning and to work with the Planning and Zoning Commission to continue the study of formulating a recommendation to the City Council. Council member Clark requested R-1 zoning be amended to eliminate item four under the special exception uses and structure regarding Bed and Breakfast. It was the consensus of the Council for staff to start the process of separating Boarding House from the Bed and Breakfast and to work with the Planning and Zoning Commission.

Mayor Shaw reported on the Metro Advisory meeting.

A hearing regarding determination of a nuisance (weeds, grass or brush) for property owned by Johansen Enterprises, LLC and described as Outlot Z in Fox Run Plat 1 was held. Community Development and Economic Director Charlie Dissell presented an update regarding this property. Greg Johansen of Enterprises LLC spoke in favor of his request to deem this parcel (Outlot Z in Fox Run Plat 1) as a planned and maintained prairie grass buffer stand. Marchant moved and Southall seconded to uphold the appeal process designating the parcel of property as a prairie grass buffer as based on the finding that the property is a planned and maintained prairie grass buffer. Council member Clark requested the motion be amended stating that the property owner should mow 15' in from the property line. No motion was made for the amendment as request by Council member Clark. On roll call the vote was, AYES: Gezel, Southall, Parker, Kling, Clark and Marchant. NAYS: None. Whereupon the Mayor declared the motion carried unanimously.

A public hearing to amend FY 2020 budget was held. There were no objections either oral or written. It was moved by Marchant to adopt the following resolution entitled, "RESOLUTION APPROVING THE FY 2020 BUDGET AMENDMENT." Council member Clark seconded the motion to adopt. On roll call the vote was, AYES: Gezel, Southall, Parker, Kling, Clark and Marchant. NAYS: None. Whereupon the Mayor declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 2019-140  
RESOLUTION APPROVING THE FY 2020 BUDGET AMENDMENT

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

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

Council Member Clark introduced the following Resolution entitled "RESOLUTION ADOPTING PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE OF COST" for the 2019 West Third Avenue Sanitary Sewer Improvement Project and moved that it be adopted. Council Member Marchant seconded the motion to adopt. The roll was called, and the vote was, AYES: Marchant, Gezel, Southall, Parker, Kling and Clark. NAYS: None. Whereupon the Mayor declared the following resolution duly adopted:

RESOLUTION NO. 2019-132  
RESOLUTION ADOPTING PLANS, SPECIFICATIONS,  
FORM OF CONTRACT AND ESTIMATE OF COST

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

The Mayor then announced that the following bids had been opened and tabulated for the public improvements described in general as the 2019 West Third Avenue Sanitary Sewer Improvement Project for the City of Indianola, Indianola,

Iowa, in accordance with the plans and specifications previously adopted.

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

| <u>Company</u>                             | <u>Base Bid</u> |
|--------------------------------------------|-----------------|
| J&K Contracting<br>Urbandale, Iowa         | \$227,227.22    |
| Vanderpool Construction<br>Indianola, Iowa | \$224,949.00    |

The Finance Director then recommended that the bid of Vanderpool Construction in in the amount of \$224,949.00 be accepted.

Council Member Gezel introduced the following resolution entitled "RESOLUTION MAKING AWARD OF CONSTRUCTION CONTRACT" for the West Third Avenue Sanitary Sewer Improvements to Vanderpool Construction in an amount of \$224,949.00 and moved its adoption. Council Member Kling seconded the motion to adopt. The roll was called, and the vote was: AYES: Southall, Parker, Kling, Clark, Marchant and Gezel. NAYS: None. Whereupon, the Mayor declared the following Resolution duly adopted:

RESOLUTION NO. 2019-133  
RESOLUTION MAKING AWARD OF CONSTRUCTION CONTRACT  
For The West Third Avenue Sanitary Sewer Improvements Project  
To Vanderpool Construction

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

The following resolution entitled, "RESOLUTION APPROVING CONSTRUCTION CONTRACT AND BOND" to Vanderpool Construction subject to approval by the City Attorney, was approved on a motion by Kling and seconded by Gezel. On roll call the vote was, AYES: Clark, Marchant, Gezel, Southall, Parker and Kling. NAYS: None. Whereupon the Mayor declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 2019-134  
A RESOLUTION APPROVING CONSTRUCTION CONTRACT AND BOND  
For The 2019 West Third Avenue Sanitary Sewer Improvements Project  
To Vanderpool Construction Subject To Approval By The City Attorney

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

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

Council Member Southall introduced the following Resolution entitled "RESOLUTION ADOPTING PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE OF COST" for the 2019 East Hillcrest Avenue Trail and moved that it be adopted. Council Member Parker seconded the motion to adopt. The roll was called, and the vote was, AYES: Parker, Kling, Clark, Marchant, Gezel and Southall. NAYS: None. Whereupon the Mayor declared the following resolution duly adopted:

RESOLUTION NO. 2019-135  
RESOLUTION ADOPTING PLANS, SPECIFICATIONS,  
FORM OF CONTRACT AND ESTIMATE OF COST

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

The Mayor then announced that the following bids had been opened and tabulated for the public improvements described in general as the 2019 East Hillcrest Avenue Trail Connector Project for the City of Indianola, Indianola, Iowa, in accordance with the plans and specifications previously adopted.

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

| <u>Company</u>                             | <u>Base Bid</u> |
|--------------------------------------------|-----------------|
| Caliber Concrete<br>Adair, Iowa            | \$164,843.10    |
| Concrete Professionals<br>Altoona, Iowa    | \$168,625.30    |
| Howrey Construction<br>Rockwell City, Iowa | \$151,901.00    |
| TK Concrete<br>Pella, Iowa                 | \$178,842.00    |

The Finance Director then recommended that the bid of Howrey Construction in an amount of \$151,901.00 be accepted.

Council Member Kling introduced the following resolution entitled "RESOLUTION MAKING AWARD OF CONSTRUCTION CONTRACT" to Howrey Construction for the 2019 East Hillcrest Avenue Trail Connector Project in an amount of \$151,901.00 and moved its adoption. Council Member Parker seconded the motion to adopt. The roll was called, and the vote was: AYES: Clark, Marchant, Gezel, Southall, Parker and Kling. NAYS: None. Whereupon, the Mayor declared the following Resolution duly adopted:

RESOLUTION NO. 2019-136  
RESOLUTION MAKING AWARD OF CONSTRUCTION CONTRACT  
For The 2019 East Hillcrest Avenue Trail Connector Project  
To Howrey Construction

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

A motion was made by Southall and seconded by Kling to approve the following resolution entitled, "RESOLUTION APPROVING A REQUEST FROM THOMAS LAND SURVEYING, ON BEHALF OF ROBERT M. STOVER'S, FOR A PLAT OF SURVEY LOCATED AT 410 E. CLINTON." On roll call the vote was, AYES: Parker, Kling, Clark, Marchant, Gezel and Southall. NAYS: None. Whereupon the Mayor declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 2019-137  
RESOLUTION APPROVING A REQUEST FROM THOMAS LAND SURVEYING, ON BEHALF OF  
ROBERT M. STOVER'S, FOR A PLAT OF SURVEY LOCATED AT 410 E. CLINTON

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

Council member Marchant introduced the following resolution entitled, "RESOLUTION APPROVING THE PRELIMINARY PLAT OF PRAIRIE GLYNN PLAT 2 AS REQUESTED BY COOPER CRAWFORD & ASSOCIATED, ON BEHALF OF DILIGENT GLYNN, LLC." Council member Kling seconded the motion to adopt. On roll call the vote was, AYES: Gezel, Southall, Parker, Kling, Clark and Marchant. NAYS: None. Whereupon the Mayor declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 2019-138  
RESOLUTION APPROVING THE PRELIMINARY PLAT OF PRAIRIE GLYNN PLAT 2 AS REQUESTED BY  
COOPER CRAWFORD & ASSOCIATED, ON BEHALF OF DILIGENT GLYNN, LLC

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

A motion was made by Clark and seconded by Parker to receive and file correspondence of the weekly updates dated June 28 and the July 5, 2019 from Ryan Waller, City Manager and the following updates:

- HR Green has submitted a plan review for the WPC facility to DNR and the hearing will be held on July 30, 2019.
- Budget amendment included funding for RAGBRAI and the Revolving Loan Fund money to be turned over to WCEDC. Staff requested handwritten warrants be issued for the two requests. It was Council's consensus to issue the handwritten warrants.
- The Comprehensive Plan survey is on the City's web site
- Paint striping will be completed in front of the Fire Department bay where the fire truck exits on to East Ashland to keep cars from stacking up west of the traffic signal.

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

Charlie Dissell, Community and Economic Development Director discussed with the Mayor and City Council the possible amendment to Chapter 165 (Zoning Regulations) regarding fence regulations. This would include fences on commercial and industrial property, decorative features on fences, "best-side" requirements, acceptable fencing materials, fence maintenance requirements, fencing on storm water easements, fencing on vacant lots and various exception that are appropriate to such fencing regulations. It was the consensus of the Council to moved forward with this amendment.

City Manager Ryan Waller provided a summary of the discussions that have been taking place with the Greater Des Moines YMCA. He reported that this was a continuation of the previous update provided in April. During the report, the City Manager provided an overview of capital items that need to be addressed at the City's branch. The City Council was unanimous in providing direction to use the YMCA maintenance fund for repairs at the facility. Direction was for \$126,000. The City Manager also shared that discussions regarding possible amendments to the 28E would continue and that he would be updating the Council as this progresses.

Meeting adjourned at 7:28 p.m. on a motion by Marchant and seconded by Clark.

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Kelly B. Shaw, Mayor

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Diana Bowlin, City Clerk

Meeting Date: 08/05/2019

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**Subject**

A renewal refuse hauling permit for Wiegert Disposal, Inc.

**Information**

This is a renewal of Wiegert Disposal refuse permit. The paperwork is in order for approval.

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**Fiscal Impact**

**Attachments**

*No file(s) attached.*

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Meeting Date: 08/05/2019

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**Subject**

A new Class "C" Liquor License, Outdoor Area and Sunday Sales Privilege for La Casa Mexican Restaurant - 508 N. Jefferson Way

**Information**

This is a new liquor license for La Casa Mexican Restaurant located at 508 N. Jefferson Way. The owners are Guillermo Ayala, Ricardo Angel Gallardo and Jose Alejandro Martinez. The paper work is in order for approval.

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**Fiscal Impact**

**Attachments**

*No file(s) attached.*

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**Meeting Date:** 08/05/2019

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**Subject**

A new Class "B" Wine Permit, Class "C" Liquor License, Outdoor Service and Sunday Sales Privilege for The Local Vine - 126 W. Ashland

**Information**

This is a new liquor license for The Local Vine located at 126 W. Ashland. The paperwork is in order and staff has approved. Andrea and Daniel Palmer are the owners.

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**Fiscal Impact**

**Attachments**

*No file(s) attached.*

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Meeting Date: 08/05/2019

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**Subject**

Change order number one in an amount of (-\$144.00) and resolution approving final completion and release of retained funds for the North 15th Street and East 2nd Avenue Sanitary Sewer Improvements

**Information**

Change order #1 (packet) in an amount of (-\$144.00) is for decreased granular driveway quantity for the North 15th Street and East 2nd Avenue Sanitary Sewer Improvements.

Also in your packet is the resolution approving final completion for these projects and release of retained funds in an amount of \$5,073.40 in 30 days. The original contract amount was \$101,612.00 and the final amount was \$101,468.00.

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**Fiscal Impact**

**Attachments**

Change Order  
Resolution

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July 30, 2019

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

**Re: North 15<sup>th</sup> St. and East 2<sup>nd</sup> Ave Sanitary Sewer Improvements  
City of Indianola  
Change Order No. 1  
Final Acceptance  
Contractor's Application for Payment No. 2 - Final**

Dear Rick:

Attached is an electronic copy of Change Order No. 1, Final Acceptance, and Payment Application No. 2 from On Track Construction for the North 15<sup>th</sup> Street and East 2<sup>nd</sup> Ave. Sanitary Sewer Improvements project. Hard copies will be placed in the mail.

Change Order (CO) No. 1 includes a decreased cost of \$144 for decreased granular driveway quantity. The total amount for CO No. 1 is \$144.00 which adjusts the final contract amount to \$101,468.00.

The Owner's Statement of Final Completion and Owner's Acceptance of the Work (i.e. Final Acceptance) is issued per SUDAS Section 1090 paragraph 1.08, C - Acceptance and Final Payment, which confirms the Work has been completed in substantial accordance to the contract documents. The Final Acceptance establishes the four (4) year maintenance period, sets the final contract amount, and sets the date at which retainage can be released.

Payment Application No. 2 is for the payment of work to date which includes 100% of the total work and CO No. 1. After this payment application, the City will still hold back retainage which can cover any punchlist work and/or claims.

We have reviewed and recommend execution of CO No. 1 and Final Acceptance. We have also reviewed Payment Application No. 2 and recommend payment in the amount of \$5,215.50 as submitted by On Track Construction. Please execute the change order, final acceptance and pay application and distribute copies to all parties.

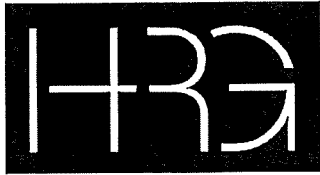
Sincerely,  
**HR GREEN, INC.**

A handwritten signature in black ink, appearing to read 'Joseph Frankl'.

Joseph Frankl, P.E.  
Project Engineer

HRGreen.com

Phone 515.278.2913 Fax 515.278.1846 Toll Free 800.728.7805  
5525 Merle Hay Road, Suite 200, Johnston, Iowa 50131



# HRGreen

5525 Merle Hay Road, Suite 200  
Johnston, IA 50131  
(515) 278-2913 Fax (515) 278-1846

**CO No. 1**  
Change Order

| Distribution: |                                     |       |                                     |
|---------------|-------------------------------------|-------|-------------------------------------|
| Contractor    | <input checked="" type="checkbox"/> | Field | <input checked="" type="checkbox"/> |
| Owner         | <input checked="" type="checkbox"/> | Other | <input type="checkbox"/>            |
| Engineer      | <input checked="" type="checkbox"/> | Other | <input type="checkbox"/>            |

|                                                                                                        |                        |                   |
|--------------------------------------------------------------------------------------------------------|------------------------|-------------------|
| PROJECT:<br>North 15 <sup>th</sup> St. and East 2 <sup>nd</sup> Ave.<br>Sanitary Sewer Improvements    | Date Issued            | July 30, 2019     |
|                                                                                                        | Project No.            | 170601            |
| To Contractor:<br>On Track Construction<br>1316 6 <sup>th</sup> Street Suite 109<br>Nevada, Iowa 50201 | Contract Date          | December 17, 2018 |
|                                                                                                        | Notice to Proceed Date | December 17, 2018 |

The contract is changed as follows:

Adjust Item #13 Contract Quantity from 53 SY to 44 SY. Decreased granular driveway due to difference between estimated and installed quantity.

|                                                                     | Contract Price | Final Completion |
|---------------------------------------------------------------------|----------------|------------------|
| Original Contractual Limit                                          | \$101,612.00   | May 24, 2019     |
| Net Change by previously-authorized Change Order(s)                 | \$0            | 0 Days           |
| The Contractual limit prior to this Change Order                    | \$101,612.00   | May 24, 2019     |
| The Contract will be adjusted by this Change Order in the amount of | \$144.00       | 0 Days           |
| The new Contractual limit including this Change Order will be       | \$101,468.00   | May 24, 2019     |

NOT VALID UNTIL SIGNED BY THE CONTRACTOR, OWNER'S REPRESENTATIVE, if applicable, AND OWNER

|                                     |                                          |                            |
|-------------------------------------|------------------------------------------|----------------------------|
| Contractor<br>On Track Construction | Owner's Representative<br>HR Green, Inc. | Owner<br>City of Indianola |
| By                                  | By <i>Joseph Frankl</i>                  | By                         |
| Date:                               | Date: 7/30/19                            | Date:                      |

STATEMENT OF FINAL COMPLETION  
AND  
OWNER'S ACCEPTANCE OF WORK

PROJECT: North 15<sup>th</sup> Street and East 2<sup>nd</sup> Avenue Sanitary Sewer Improvements

OWNER: City of Indianola  
110 N. 1<sup>st</sup> Street, PO Box 299, Indianola, IA 50125

ENGINEER: HR Green, Inc., 5525 Merle Hay Road, Suite 200, Johnston, Iowa 50131

CONTRACTOR: On Track Construction, 1316 6<sup>th</sup> Street Suite 109, Nevada, IA 50201

I, the undersigned Engineer of the above designated project, do hereby state that:

1. The construction provided for pursuant to Contract Documents including all approved amendments and Change Orders, hereafter called the Work between the Owner and Contractor has been completed and to the best of my knowledge and belief, is in substantial compliance with the provisions of the Contract Documents.
2. The four (4)-year guarantee and maintenance requirement of the contract, secured by the Performance and Maintenance Bonds, shall become effective as of May 1, 2019, which is the date of Acceptance.
3. The final payment authorized hereto and made a part hereof is a complete and accurate summary of the Work performed in accordance with the Contract Documents.
4. The total cost of the Work as completed is: \$101,468.00

I recommend, under the provisions of the Contract documents, that the Work be accepted and that the final payment be made.

HR Green, Inc.

By Joseph Frankl  
Joseph Frankl, P.E.

Date 7/30/19

Accepted By On Track Construction

By \_\_\_\_\_  
Matt Runge

Date \_\_\_\_\_

Accepted By City of Indianola

By \_\_\_\_\_  
Kelly B. Shaw, Mayor

Date \_\_\_\_\_



PROJECT: Indianapolis North 15th Street Sewer  
 PROJECT #: 1901IN  
 PAY ESTIMATE # 2  
 WORK DATES: START THROUGH 7-24-19

DATE: 7/24/2019  
 ENGINEER: HR Green  
 TO: HR Green  
 DISTRIBUTION: HR Green

| PAY ITEM | ITEM DESCRIPTION                   | CONTRACT QNTY | UNIT | BID PRICE    | VALUE        | QNTY TO DATE | PREV. QNTY TO DATE | QNTY THIS PERIOD | VALUE TO DATE | QNTY TO COMPLETE | BALANCE TO COMPLETE |
|----------|------------------------------------|---------------|------|--------------|--------------|--------------|--------------------|------------------|---------------|------------------|---------------------|
| 1        | MOBILIZATION                       | 1             | LS   | \$ 12,000.00 | \$ 12,000.00 | 1.00         | 1.00               |                  | \$ 12,000.00  | -                | \$ -                |
| 2        | CONSTRUCTION SURVEY                | 1             | LS   | \$ 1,350.00  | \$ 1,350.00  | 1.00         | 1.00               |                  | \$ 1,350.00   | -                | \$ -                |
| 3        | SAN SEW GRAV MAIN, TR, PVC 8"      | 127           | LF   | \$ 82.00     | \$ 10,414.00 | 127.00       | 127.00             |                  | \$ 10,414.00  | -                | \$ -                |
| 4        | SAN SEW GRAV MAIN, TRLESS, PVC 8"  | 271           | LF   | \$ 110.00    | \$ 29,810.00 | 271.00       | 271.00             |                  | \$ 29,810.00  | -                | \$ -                |
| 5        | SAN SEW SERVICE, RELOCATE, 4" PVC  | 78            | LF   | \$ 55.00     | \$ 4,290.00  | 78.00        | 78.00              |                  | \$ 4,290.00   | -                | \$ -                |
| 6        | SANITARY SEWER CLEANOUT            | 3             | EA   | \$ 550.00    | \$ 1,650.00  | 3.00         | 3.00               |                  | \$ 1,650.00   | -                | \$ -                |
| 7        | SAN SEWER ABANDONMENT, 8" PVC      | 1             | EA   | \$ 1,450.00  | \$ 1,450.00  | 1.00         | 1.00               |                  | \$ 1,450.00   | -                | \$ -                |
| 8        | SAN SEWER SERVICE ABANDONMENT      | 3             | EA   | \$ 675.00    | \$ 2,025.00  | 3.00         | 3.00               |                  | \$ 2,025.00   | -                | \$ -                |
| 9        | MANHOLE, SW-301, 48" DIAMETER      | 2             | EA   | \$ 4,150.00  | \$ 8,300.00  | 2.00         | 2.00               |                  | \$ 8,300.00   | -                | \$ -                |
| 10       | MANHOLE, SW-303, 48" DIAMETER      | 1             | EA   | \$ 5,760.00  | \$ 5,760.00  | 1.00         | 1.00               |                  | \$ 5,760.00   | -                | \$ -                |
| 11       | PAVEMENT REMOVAL                   | 200           | SY   | \$ 16.00     | \$ 3,200.00  | 200.00       | 200.00             |                  | \$ 3,200.00   | -                | \$ -                |
| 12       | DRIVEWAY, PAVED, PCC, 6" THICKNESS | 35            | SY   | \$ 92.00     | \$ 3,220.00  | 35.00        | 35.00              |                  | \$ 3,220.00   | -                | \$ -                |
| 13       | DRIVEWAY, GRANULAR                 | 53            | SY   | \$ 16.00     | \$ 848.00    | 44.00        | 44.00              |                  | \$ 704.00     | 9.00             | \$ 144.00           |
| 14       | SIDEWALK, PCC, 4" THICKNESS        | 165           | SY   | \$ 65.00     | \$ 10,725.00 | 165.00       | 165.00             |                  | \$ 10,725.00  | -                | \$ -                |
| 15       | TRAFFIC CONTROL                    | 1             | LS   | \$ 2,020.00  | \$ 2,020.00  | 1.00         | 1.00               |                  | \$ 2,020.00   | -                | \$ -                |
| 16       | HYDR SEEDING, FERT, MULCHING, TY 1 | 1             | LS   | \$ 4,040.00  | \$ 4,040.00  | 1.00         | 1.00               |                  | \$ 4,040.00   | -                | \$ -                |
| 17       | FILTER SOCK                        | 100           | LF   | \$ 5.10      | \$ 510.00    | 100.00       | 100.00             |                  | \$ 510.00     | -                | \$ -                |

|                       |               |               |
|-----------------------|---------------|---------------|
| TOTAL BILLED          | \$ 101,468.00 | \$ 101,468.00 |
| Percent Complete      | 100%          |               |
| Materials Stored      | \$ -          |               |
| Less Materials Used   | \$ -          |               |
| Previous Applications | \$ 91,179.10  |               |
| Less 5% Retainage     | \$ 5,073.40   |               |
| Net Due This Period   | \$ 5,215.50   |               |

Total Bid \$ 101,612.00  
 Date 7/24/2019

Contractor: ON TRACK CONSTRUCTION

Owner Approval:

**RESOLUTION NO. 2019-\_\_\_\_**

**A RESOLUTION TO ACCEPT FINAL COMPLETION OF THE NORTH 15<sup>TH</sup> STREET  
AND EAST 2<sup>ND</sup> AVENUE SANITARY SEWER IMPROVEMENT  
AND RELEASE RETAINED FUNDS**

**WHEREAS**, the City of Indianola is currently under obligation of a construction contract with On Track Construction for the completion of the North 15<sup>th</sup> Street and East 2<sup>nd</sup> Avenue Sanitary Sewer Improvement; and

**WHEREAS**, the remaining change order items have been completed and On Track Construction has fully completed the construction in accordance with the terms and conditions of said contract and plans and specifications; and

**WHEREAS**, the City now deems it appropriate to give final approval and acceptance of said project as having been fully completed in accordance with the plans, specifications, and form of contract.

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

1. The North 15<sup>th</sup> and East 2<sup>nd</sup> Avenue Sanitary Sewer Improvement Project is hereby approved and accepted as fully complete.
2. The City shall release \$5,073.40 to On Track Construction within 30 days in accordance with law.

**APPROVED** this 5th day of August, 2019.

\_\_\_\_\_  
Kelly B. Shaw, Mayor

**ATTEST:**

\_\_\_\_\_  
Diana Bowlin, City Clerk



Meeting Date: 08/05/2019

---

**Subject**

Resolution Approving Salaries

**Information**

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

Greg Chia, Fire Chief, from CE 13.5-4 \$109,525.43/year to CE 13.5-5 \$112,810.37/year effective May 12, 2019

Sam Hildreth, Lifeguard-Year 1 (Seasonal) \$8.00/hour effective July 12, 2019

Jackie Raffety, Administrative Clerk, from CE 4-4 \$42,605.21/year to \$44,735.47/year effective July 21, 2019 - temporary 5% increase for additional duties in absence of a Community Development Office Manager

Alexander Hunter, Paramedic (PT/POC) \$19.32/hour effective July 30, 2019

MyLisa Thompson, IT Technical Services Specialist, from CE 5-1 \$42,233.84/year (includes longevity) to CE 5-2 \$43,991.73/year (includes longevity) effective August 4, 2019

---

**Fiscal Impact**

**Attachments**

Resolution

---

RESOLUTION 2019-\_\_\_\_  
APPROVING SALARIES

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

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

Greg Chia, Fire Chief, from CE 13.5-4 \$109,525.43/year to CE 13.5-5 \$112,810.37/year effective May 12, 2019

Sam Hildreth, Lifeguard-Year 1 (Seasonal) \$8.00/hour effective July 12, 2019

Jackie Raffety, Administrative Clerk, from CE 4-4 \$42,605.21/year to \$44,735.47/year effective July 21, 2019 - temporary 5% increase for additional duties in absence of a Community Development Office Manager

Alexander Hunter, Paramedic (PT/POC) \$19.32/hour effective July 30, 2019

MyLisa Thompson, IT Technical Services Specialist, from CE 5-1 \$42,233.84/year (includes longevity) to CE 5-2 \$43,991.73/year (includes longevity) effective August 4, 2019

Passed and approved on the 5th day of August, 2019.

\_\_\_\_\_  
Kelly B. Shaw, Mayor

ATTEST:

\_\_\_\_\_  
Diana Bowlin, City Clerk

Meeting Date: 08/05/2019

---

**Subject**

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

**Information**

Council needs to consider approval of the Home Base Iowa Initiative Application (packet) and a handwritten warrant in an amount of \$1,500. Mr. Blair purchased his home on May 1, 2019 and the application was received on July 29, 2019. All the paperwork is in order for approval.

FYI - this will be the second application which has been approved for this fiscal year.

---

**Fiscal Impact**

**Attachments**

Home Base Iowa App

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# INDIANOLA VETERANS AFFAIRS APPLICATION FOR VETERAN INCENTIVE PROGRAM

Full Name:

~~Michael Brian Blair~~ Michael Brian Blair  
First MI Last

Address:

1100 E ASHLAND Ave  
Street Address

Apartment/Unit #

Indianola  
City

IOWA  
State

50125  
ZIP Code

Home Phone:

Alternate Phone:

Email:

Birth Date:

Marital Status:

married

Date of Purchase:

05-01-2019

Owned Home  
in Indianola  
Previously:

☐ YES

☒ NO

## MILITARY INFORMATION

Branch of Service:

Army

Date Entered:

10/22/05

Date of Discharge:

10/21/07

Character of  
Discharge:

Honorable

Signature VA Rep:

Jerry White CV50  
7/22/19

2019 JUL 22 PM 4:18

FILED  
JACI VANDERKAM  
WARREN COUNTY AUDITOR



# INDIANOLA VETERANS AFFAIRS APPLICATION FOR VETERAN INCENTIVE PROGRAM

Full Name: Michael B Blair  
First MI Last

Previous Address: 602 NE 51st PL  
Street Address Apartment/Unit #  
Des Moines IOWA 50125  
City State ZIP Code

How Long: 3 year 5 months

Remarks:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature: [Signature] Date: July 21, 2019  
48-540-00-0150

## CERTIFICATION FROM AUDITORS OFFICE

Full Name: Sharon K Wiley  
First MI Last

Date Recorded: 5-2-19 First Time Buyer in Indianola: ☒ YES ☐ NO  
2019-03042

Signature: [Signature]

|                   |                |
|-------------------|----------------|
| CITY INTERNAL USE |                |
| Date:             | <u>7-29-19</u> |
| Time:             | <u>8:00 am</u> |

Meeting Date: 08/05/2019

---

**Subject**

Street closure request from the Indianola Parks and Recreation for their annual Children's Costume Party and Parade - October 26, 2019 from 6:00 a.m. - 1:00 p.m. - request is to close the entire square

**Information**

In your packet is the street closure request from the Indianola Parks and Recreation for their annual Children's Costume Party and Parade on October 26, 2019 from 6:00 a.m. to 1:00 p.m. They are requesting to close the entire square. All of the paperwork is in order and staff has approved.

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**Fiscal Impact**

**Attachments**

Event Application

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Date: 7/2/19

## Event Application

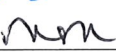
### For Children's Costume Party & Parade

Event Date : October 26, 2019 (6:00 a.m. - 1:00 p.m.)

### Staff Recommendation and Chamber Notification

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

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

|                                   | Approve                                                                              | Disapprove |
|-----------------------------------|--------------------------------------------------------------------------------------|------------|
| Street Department – Jason Etnyre  |   | _____      |
| Fire Department – Greg Chia       |  | _____      |
| Police Department – Brian Sher    |  | _____      |
| HR & Risk Manager – Melissa McCoy |  | _____      |
| City Manager – Ryan Waller        |  | _____      |
| Chamber of Commerce               |                                                                                      |            |

Fax: 961-9753

### Comments:

Please return to Diana Bowlin by: ASAP

**Thank you for your time and consideration!**

Event Name:

Children's Costume Party & Parade (2019)

Event Type (Check all that apply):

☐ Parade

☐ Bike Ride/Race

☐ Concert

Running Event: Fun Run ☐ Timed Race ☐

Will trails/sidewalks be utilized? Yes ☒ No ☐

☒ Other (please specify): Annual Halloween Party on the Square

Date/Time of Event:

Saturday, October 26, 2019

Location of Event:

The Indianola Square

Event Sponsor(s):

Indianola Parks & Recreation

**Contact Information:**

Organization:

Indianola Parks & Recreation

Contact Name:

Afton Bradley

Address:

2204 W. 2nd Avenue

Telephone Number:

961-9420

Cell Phone Number:

515-681-0260

Fax Number:

na

Email Address:

abradley@indianolaiowa.gov

Today's Date:

7/1/2019

Anticipated Attendance:

Per Day

300-500 Total estimate

**Event Information:**

|              |             |            |                  |
|--------------|-------------|------------|------------------|
| Setup Begins | Date: 10/26 | Time: 6am  | Day of Week: Sat |
| Event Starts | Date: 10/26 | Time: 10am | Day of Week: Sat |
| Event Ends   | Date: 10/26 | Time: 12pm | Day of Week: Sat |
| Dismantle    | Date: 10/26 | Time: 1pm  | Day of Week: Sat |

Afton Bradley  
Applicant Signature

**RETURN PERMIT APPLICATION TO:**

110 North First Street, PO Box 299

Indianola, Iowa 50125

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

www.indianolaiowa.gov

E-Mail: dbowlin@indianolaiowa.gov



Narrative:

Please describe your request and event:

Annual Halloween Children's Costume Party & Parade on the streets around the square due to courthouse construction; games & activities on the streets, Ashland Ave, Buxton St., Salem Ave, and Howard Street on the square; parade only. No lanes will be open to traffic on the outside lanes of the square.

Please describe your safety plan including crowd control. Attach additional sheets if necessary.

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

We'll block off the corners of Buxton & Ashland Ave., Buxton Street & Salem Ave., Salem Ave & Howard St., and Howard St. and Ashland Ave. like we do for Bike Night using street department cones & barricades to allow room for hayrack rides, costume judging, parade walk around the square, inflatables, games and activities.

\* Staff & volunteers will supervise each activity.

Please describe your emergency/medical plan, including your communication procedures.

Attach additional sheets if necessary.

We will follow normal department procedures

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

No vendors will be involved. Clean up will be minimal.

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

**RETURN PERMIT APPLICATION TO:**

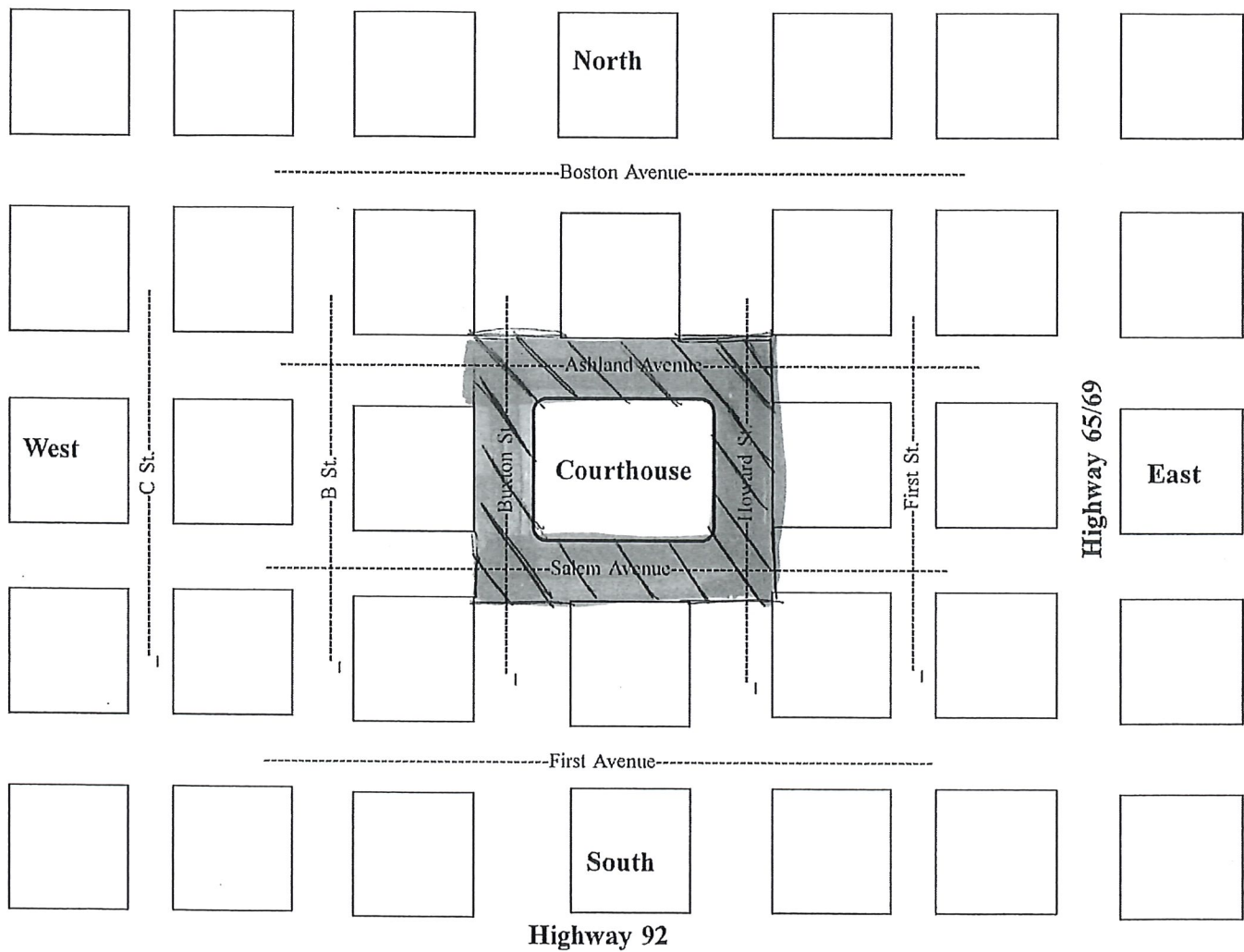
**110 North First Street, PO Box 299**

**Indianola, Iowa 50125**

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

**www.indianolaiowa.gov**

**E-Mail: dbowlin@indianolaiowa.gov**



**Meeting Date:** 08/05/2019

---

**Subject**

Block party request from Marcia Peeler - 807 N. Buxton - on August 8, 2019 from 4:30 p.m. - 10:30 p.m. (rain date will be August 15, 2019)

**Information**

In your packet is a block party request from Marcia Peeler for August 8, 2019 from 4:30 p.m. - 10:30 p.m. Staff has reviewed and approved.

All of the abutting neighbors have been informed of the event and approved.

FYI - A rain date of August 15, 2019 has also been approved.

---

**Fiscal Impact**

**Attachments**

Block Party Application

---

Date: 07/12/19

## Block Party Permit

For Marcia Peeler – 807 N. Buxton

Event Date : August 8, 2019 (4:30 p.m. – 10:30 p.m.)

Rain Date – August 15, 2019 (4:30 p.m. – 10:30 p.m.)

### Staff Recommendation and Chamber Notification

Attached is a Block Party Permit. Please review; add any comments you feel are necessary, such as concerns or other items to be considered regarding the request.

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

|                                  | Approve          | Disapprove |
|----------------------------------|------------------|------------|
| Street Department – Jason Etnyre | <u>E</u>         | _____      |
| Fire Department – Greg Chia      | <u>Greg Chia</u> | _____      |
| Police Department – Brian Sher   | <u>BS</u>        | _____      |
| City Manager – Ryan Waller       | <u>RW</u>        | _____      |

**Comments:**

Please return to Diana Bowlin by: ASAP

**Thank you for your time and consideration!**



**Indianola Block Party Permit**

NAME: Marcia Peeler  
ADDRESS: 807 N. Buxton St.  
PHONE NUMBER OF CONTACT: 515-961-6603 H 515-210-0835 M  
DATE OF BLOCK PARTY: Thursday, Aug. 8 - (raindate) Aug. 15  
TIME: START: set up 4:30 pm start time 6:00 END: 9:00 pm clean-up by 10:30  
(MAY START NO EARLIER THAN 9:00AM AND GO NO LATER THAN 11:00PM)  
STREET TO BE BLOCKED OFF: Henderson between N. B and N. Buxton  
INTERSECTIONS: North B St./North C St. AND: N. Buxton Street

**Rules and Regulations**

1. This application deadline is thirty (30) days prior to the event.
2. The block party should not last longer than six (6) hours and may not start before 9:00 am and must end by 11:00 pm, this does include set-up and clean up.
3. It is required that alcohol be kept on private property.
4. All affected neighbors must be notified, and sign the application.
5. Party organizers would be responsible to place barricades in the street and return them to the right of way after event.
6. A deposit of \$150 will need to be paid, prior to the event.
7. If the barricade/s are damaged or lost, a portion or all of the deposit will be used to pay for replacement.

I further voluntarily assume all risk of loss, damage or injury that may be sustained by me or my guests while participating in, traveling from, or observing any of the events that are part of the block party, and I hereby release the City of Indianola and all its offices, elected officials, employees and other agents from any and all liability associated with this event.

By signing below, I agree to the rules and regulations, and understand the undertaking of risk, as described above.

APPLICANT SIGNATURE: Marcia Peeler

RETURN PERMIT APPLICATION TO:

City of Indianola  
110 North First Street, PO Box 299  
Phone: 1-515-961-9410 Fax: 1-515-961-9402  
E-Mail: [dbowlin@cityofindianola.com](mailto:dbowlin@cityofindianola.com)

# Indianola

CONNECTING TO WHAT MATTERS

By signing below, I understand the rules and regulations as mentioned on page one (1) and that I have been informed of the event that is being applied for.

| NAME                            | ADDRESS           | APPROVE / DISAPPROVE        |
|---------------------------------|-------------------|-----------------------------|
| Heater<br><i>Janna Heater</i>   | 901 N. Buxton St. | <u>APPROVE</u> / DISAPPROVE |
| Kennedy<br><i>Ed Kennedy</i>    | 811 N. Buxton St. | <u>APPROVE</u> / DISAPPROVE |
| Sinclair<br><i>Jim Sinclair</i> | 810 N. B St.      | <u>APPROVE</u> / DISAPPROVE |
| Hoger<br><i>Paul Hoger</i>      | 900 N. B St.      | <u>APPROVE</u> / DISAPPROVE |
|                                 |                   | APPROVE / DISAPPROVE        |
|                                 |                   | APPROVE / DISAPPROVE        |
|                                 |                   | APPROVE / DISAPPROVE        |
|                                 |                   | APPROVE / DISAPPROVE        |
|                                 |                   | APPROVE / DISAPPROVE        |
|                                 |                   | APPROVE / DISAPPROVE        |
|                                 |                   | APPROVE / DISAPPROVE        |

RETURN PERMIT APPLICATION TO:

City of Indianola

110 North First Street, PO Box 299

Phone: 1-515-961-9410 Fax: 1-515-961-9402

E-Mail: [dbowlin@cityofindianola.com](mailto:dbowlin@cityofindianola.com)

Deposit:

Cash: \_\_\_\_\_ Check: \_\_\_\_\_ Received By:

OFFICE USE ONLY

**DATE RECEIVED:**

|                    | Signature          | Date           | Approved | Denied |
|--------------------|--------------------|----------------|----------|--------|
| Police Department: |                    |                |          |        |
| Fire Department:   | <i>[Signature]</i> | <i>7/15/19</i> |          |        |
| Public Works:      |                    |                |          |        |
| City Manager:      |                    |                |          |        |





Meeting Date: 08/05/2019

**Subject**

Prior and final approval applications for Urban Revitalization Designation.

**Information**

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

Prior

Groundbreaker Homes - 1308 S. "L" Court - SFD

Final

Autumn Ridge Development - 1201 North "N" Court - SFD

Below is a list of permits issued through June 2019 and previous years.

|                 | 2019 |                          | 2018 |                          | 2017 |                          | 2016 |                          | 2015 |                          |
|-----------------|------|--------------------------|------|--------------------------|------|--------------------------|------|--------------------------|------|--------------------------|
| SFD             | 40   | \$5,760,727<br>\$144,018 | 15   | \$2,498,950<br>\$166,597 | 20   | \$3,532,380<br>\$176,611 | 18   | \$1,587,700<br>\$176,078 | 9    | \$1,587,700<br>\$176,078 |
| Duplexes        | 1    | \$492,000                | 4    | \$1,115,000              | 3    | \$819,800                | 3    | \$954,600                | 0    | -0-                      |
| MFD             | 0    | -0-                      | 0    | -0-                      | 1    | \$375,900                | 3    | \$11,744,453             | 1    | \$21,500                 |
| Add/Alt         | 27   | \$728,099                | 29   | \$413,519                | 24   | \$222,018                | 24   | \$222,018                | 14   | \$84,764                 |
| Non-Residential | 16   | \$418,875                | 32   | \$8,964,747              | 15   | \$7,308,287              | 15   | \$7,308,287              | 10   | \$10,531,299             |
| Total           | 84   | \$7,399,701              | 80   | \$12,992,216             | 63   | \$12,258,385             | 63   | \$21,817,058             | 34   | \$12,225,263             |

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

Meeting Date: 08/05/2019

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**Subject**

Claims on the computer printout for August 5, 2019

**Information**

---

**Fiscal Impact**

**Attachments**

Vendor Report

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| Vendor Name                          | Description                        | Invoice Date | Net Invoice Amount | FUND            |
|--------------------------------------|------------------------------------|--------------|--------------------|-----------------|
| <b>ABCREATIVE</b>                    |                                    |              |                    |                 |
| ABCREATIVE                           | MUSIC INSTRUMENTS                  | 07/16/2019   | 6,120.00           | PARK & RECREATI |
| Total ABCREATIVE:                    |                                    |              | 6,120.00           |                 |
| <b>AGSOURCE COOPERATIVE SERVICES</b> |                                    |              |                    |                 |
| AGSOURCE COOPERATIVE SE              | POOL WATER TESTS                   | 07/11/2019   | 39.00              | POOL (MEMORIAL) |
| Total AGSOURCE COOPERATIVE SERVICES: |                                    |              | 39.00              |                 |
| <b>AHLERS &amp; COONEY P.C.</b>      |                                    |              |                    |                 |
| AHLERS & COONEY P.C.                 | AMEND #1 TO HILLCREST              | 07/08/2019   | 566.00             | TIF--DOWNTOWN   |
| AHLERS & COONEY P.C.                 | AMEND #2 TO HILLCREST              | 07/08/2019   | 947.19             | TIF--DOWNTOWN   |
| AHLERS & COONEY P.C.                 | SRF 2009 SERIES INTEREST CHANGE    | 07/24/2019   | 4,771.00           | SEWER REVENUE   |
| Total AHLERS & COONEY P.C.:          |                                    |              | 6,284.19           |                 |
| <b>AIR-CON MECHANICAL CORP.</b>      |                                    |              |                    |                 |
| AIR-CON MECHANICAL CORP.             | ACTIVITY CENTER MAINTENANCE CONTRA | 07/10/2019   | 417.75             | PARK & RECREATI |
| AIR-CON MECHANICAL CORP.             | AHU #4 LOW ON REFRIGERANT          | 07/11/2019   | 683.10             | GENERAL FUND    |
| AIR-CON MECHANICAL CORP.             | ACTIVITY CENTER AC UNIT            | 07/11/2019   | 5,200.00           | PARK & RECREATI |
| Total AIR-CON MECHANICAL CORP.:      |                                    |              | 6,300.85           |                 |
| <b>ALEXIS FIRE EQUIPMENT CO</b>      |                                    |              |                    |                 |
| ALEXIS FIRE EQUIPMENT CO             | CHAIN SAW BLADES                   | 07/12/2019   | 1,028.32           | FIRE FUND       |
| Total ALEXIS FIRE EQUIPMENT CO:      |                                    |              | 1,028.32           |                 |
| <b>ALLSUP, PAT</b>                   |                                    |              |                    |                 |
| ALLSUP, PAT                          | TRAINING - MILEAGE                 | 07/16/2019   | 49.30              | POLICE FUND     |
| Total ALLSUP, PAT:                   |                                    |              | 49.30              |                 |
| <b>AMAZON CAPITAL SERVICES</b>       |                                    |              |                    |                 |
| AMAZON CAPITAL SERVICES              | SHARPIES FOR BALLOON CAMP          | 07/18/2019   | 25.98              | PARK & RECREATI |
| AMAZON CAPITAL SERVICES              | SHUFFLEBOARD ROLLERS               | 07/17/2019   | 19.74              | PARK & RECREATI |
| AMAZON CAPITAL SERVICES              | EZYROLLER                          | 07/15/2019   | 143.95             | PARK & RECREATI |
| AMAZON CAPITAL SERVICES              | ZONE GAMES/EQUIPMENT               | 07/16/2019   | 583.49             | PARK & RECREATI |
| AMAZON CAPITAL SERVICES              | BEAN BAGS                          | 07/17/2019   | 125.94             | PARK & RECREATI |
| Total AMAZON CAPITAL SERVICES:       |                                    |              | 899.10             |                 |
| <b>AMERICAN RED CROSS</b>            |                                    |              |                    |                 |
| AMERICAN RED CROSS                   | AES IN-SERVICE W/GUARDS            | 07/17/2019   | 400.00             | POOL (MEMORIAL) |
| Total AMERICAN RED CROSS:            |                                    |              | 400.00             |                 |
| <b>ATLANTIC BOTTLING CO.</b>         |                                    |              |                    |                 |
| ATLANTIC BOTTLING CO.                | PICKARD CONCESSIONS - DRINKS       | 07/12/2019   | 617.17             | PARK & RECREATI |
| ATLANTIC BOTTLING CO.                | CONCESSION BEVERAGES               | 07/16/2019   | 928.48             | POOL (MEMORIAL) |
| Total ATLANTIC BOTTLING CO.:         |                                    |              | 1,545.65           |                 |
| <b>AUBERT'S TOWING</b>               |                                    |              |                    |                 |
| AUBERT'S TOWING                      | TOW                                | 06/10/2019   | 175.00             | POLICE FUND     |
| AUBERT'S TOWING                      | CODE ENFORCEMENT ABATEMENT         | 07/15/2019   | 400.00             | GENERAL FUND    |

| Vendor Name                             | Description                    | Invoice Date | Net Invoice Amount | FUND            |
|-----------------------------------------|--------------------------------|--------------|--------------------|-----------------|
| Total AUBERT'S TOWING:                  |                                |              | 575.00             |                 |
| <b>BARCO MUNICIPAL PROD INC</b>         |                                |              |                    |                 |
| BARCO MUNICIPAL PROD INC                | CHANNELIZER CONES              | 07/08/2019   | 3,292.54           | ROAD USE TAX FU |
| Total BARCO MUNICIPAL PROD INC:         |                                |              | 3,292.54           |                 |
| <b>BAUGHMAN, NANCY</b>                  |                                |              |                    |                 |
| BAUGHMAN, NANCY                         | REFUND FOR MOATS SHELTER       | 07/15/2019   | 20.00              | PARK & RECREATI |
| Total BAUGHMAN, NANCY:                  |                                |              | 20.00              |                 |
| <b>BENDON INDIANOLA MECHANICAL LLC</b>  |                                |              |                    |                 |
| BENDON INDIANOLA MECHANI                | REPAIR BACKFLOW                | 07/10/2019   | 364.54             | POOL (MEMORIAL) |
| Total BENDON INDIANOLA MECHANICAL LLC:  |                                |              | 364.54             |                 |
| <b>BERNIE LOWE &amp; ASSOCIATES INC</b> |                                |              |                    |                 |
| BERNIE LOWE & ASSOCIATES I              | 411 MED CLAIM                  | 07/16/2019   | 175.74             | POLICE FUND     |
| Total BERNIE LOWE & ASSOCIATES INC:     |                                |              | 175.74             |                 |
| <b>BODEN, BROOKE</b>                    |                                |              |                    |                 |
| BODEN, BROOKE                           | REFUND DAMAGE DEPOSIT          | 07/22/2019   | 50.00              | PARK & RECREATI |
| Total BODEN, BROOKE:                    |                                |              | 50.00              |                 |
| <b>BRUENING ROCK PRODUCTS</b>           |                                |              |                    |                 |
| BRUENING ROCK PRODUCTS                  | ROADSTONE - STOCK PILE         | 07/16/2019   | 578.57             | ROAD USE TAX FU |
| Total BRUENING ROCK PRODUCTS:           |                                |              | 578.57             |                 |
| <b>BUHROW, LUKE</b>                     |                                |              |                    |                 |
| BUHROW, LUKE                            | CELL PHONE 05/09/19 - 06/08/19 | 07/11/2019   | 50.00              | POLICE FUND     |
| BUHROW, LUKE                            | CELL PHONE 06/09/19 - 07/08/19 | 07/11/2019   | 50.00              | POLICE FUND     |
| BUHROW, LUKE                            | CELL PHONE 04/09/19 - 05/08/19 | 07/11/2019   | 50.00              | POLICE FUND     |
| Total BUHROW, LUKE:                     |                                |              | 150.00             |                 |
| <b>CASEY'S GENERAL STORES</b>           |                                |              |                    |                 |
| CASEY'S GENERAL STORES                  | REFUND                         | 07/17/2019   | 25.00              | GENERAL FUND    |
| Total CASEY'S GENERAL STORES:           |                                |              | 25.00              |                 |
| <b>CERTIFIED POWER INC</b>              |                                |              |                    |                 |
| CERTIFIED POWER INC                     | VALVE REPAIR - DUMP TRUCK      | 07/15/2019   | 1,106.93           | ROAD USE TAX FU |
| Total CERTIFIED POWER INC:              |                                |              | 1,106.93           |                 |
| <b>CHUMBLEY &amp; JONES OIL</b>         |                                |              |                    |                 |
| CHUMBLEY & JONES OIL                    | MINI VAN REPAIR - AC           | 07/24/2019   | 453.50             | PARK & RECREATI |
| Total CHUMBLEY & JONES OIL:             |                                |              | 453.50             |                 |
| <b>CINTAS CORPORATION</b>               |                                |              |                    |                 |
| CINTAS CORPORATION                      | RESTOCK MEDICINE CABINET       | 07/19/2019   | 40.77              | SEWER FUND      |

| Vendor Name                         | Description                          | Invoice Date | Net Invoice Amount | FUND            |
|-------------------------------------|--------------------------------------|--------------|--------------------|-----------------|
| Total CINTAS CORPORATION:           |                                      |              | 40.77              |                 |
| <b>CIRCLE B CASHWAY</b>             |                                      |              |                    |                 |
| CIRCLE B CASHWAY                    | 2 X 10 - 8' TREATED                  | 07/25/2019   | 10.08              | PARK & RECREATI |
| Total CIRCLE B CASHWAY:             |                                      |              | 10.08              |                 |
| <b>CITIES DIGITAL</b>               |                                      |              |                    |                 |
| CITIES DIGITAL                      | LASERFICHE RENEWAL                   | 07/25/2019   | 5,714.00           | GENERAL FUND    |
| Total CITIES DIGITAL:               |                                      |              | 5,714.00           |                 |
| <b>CITY STATE BANK</b>              |                                      |              |                    |                 |
| CITY STATE BANK                     | INTEREST ON LEGACY                   | 07/30/2019   | 350.69             | DOWNTOWN BIZ I  |
| Total CITY STATE BANK:              |                                      |              | 350.69             |                 |
| <b>CITY SUPPLY CORPORATION</b>      |                                      |              |                    |                 |
| CITY SUPPLY CORPORATION             | TOILET, TOILET SEAT, GASKET          | 07/11/2019   | 160.92             | PARK & RECREATI |
| Total CITY SUPPLY CORPORATION:      |                                      |              | 160.92             |                 |
| <b>CORE &amp; MAIN</b>              |                                      |              |                    |                 |
| CORE & MAIN                         | MANHOLE LID AND CASTING              | 07/10/2019   | 225.00             | SEWER FUND      |
| Total CORE & MAIN:                  |                                      |              | 225.00             |                 |
| <b>CR SERVICES</b>                  |                                      |              |                    |                 |
| CR SERVICES                         | URINAL SCREENS W/BLOCKS              | 07/08/2019   | 40.20              | PARK & RECREATI |
| CR SERVICES                         | TOILET PAPER, URINAL SCREENS W/BLOCK | 07/08/2019   | 112.80             | PARK & RECREATI |
| CR SERVICES                         | CLEANING SUPPLIES                    | 07/16/2019   | 141.45             | SEWER FUND      |
| CR SERVICES                         | RESTROOM SUPPLIES                    | 07/16/2019   | 201.05             | POOL (MEMORIAL) |
| CR SERVICES                         | FOAMING SOAP, T.P.                   | 07/23/2019   | 138.00             | PARK & RECREATI |
| Total CR SERVICES:                  |                                      |              | 633.50             |                 |
| <b>DES MOINES AREA COMM COLLEGE</b> |                                      |              |                    |                 |
| DES MOINES AREA COMM COL            | EDUCATION & TRAINING                 | 07/22/2019   | 245.00             | AMBULANCE FUN   |
| DES MOINES AREA COMM COL            | CEH'S EMS                            | 06/24/2019   | 15.00              | AMBULANCE FUN   |
| DES MOINES AREA COMM COL            | CEH'S EMS                            | 06/10/2019   | 15.00              | AMBULANCE FUN   |
| DES MOINES AREA COMM COL            | CEH'S EMS                            | 07/23/2019   | 15.00              | AMBULANCE FUN   |
| Total DES MOINES AREA COMM COLLEGE: |                                      |              | 290.00             |                 |
| <b>DES MOINES REGISTER MEDIA</b>    |                                      |              |                    |                 |
| DES MOINES REGISTER MEDIA           | PH                                   | 06/30/2019   | 34.11              | GENERAL FUND    |
| DES MOINES REGISTER MEDIA           | PH AUTUMN RIDGE                      | 06/30/2019   | 27.08              | GENERAL FUND    |
| DES MOINES REGISTER MEDIA           | ORD 1613                             | 06/30/2019   | 598.70             | GENERAL FUND    |
| DES MOINES REGISTER MEDIA           | PH                                   | 06/30/2019   | 45.16              | GENERAL FUND    |
| DES MOINES REGISTER MEDIA           | CC MIN-06                            | 06/30/2019   | 271.61             | GENERAL FUND    |
| DES MOINES REGISTER MEDIA           | PH                                   | 06/30/2019   | 30.09              | GENERAL FUND    |
| Total DES MOINES REGISTER MEDIA:    |                                      |              | 1,006.75           |                 |
| <b>DISSELL, CHARLES</b>             |                                      |              |                    |                 |
| DISSELL, CHARLES                    | WELLNESS JUNE 2019                   | 07/15/2019   | 15.00              | GENERAL FUND    |
| DISSELL, CHARLES                    | WELLNESS JULY 2019                   | 07/19/2019   | 15.00              | GENERAL FUND    |

| Vendor Name                            | Description                    | Invoice Date | Net Invoice Amount | FUND            |
|----------------------------------------|--------------------------------|--------------|--------------------|-----------------|
| Total DISSELL, CHARLES:                |                                |              | 30.00              |                 |
| <b>DLH GRAFX</b>                       |                                |              |                    |                 |
| DLH GRAFX                              | TENNIS CAMP SHIRT - SESSION 2  | 07/25/2019   | 138.70             | PARK & RECREATI |
| Total DLH GRAFX:                       |                                |              | 138.70             |                 |
| <b>DOWNEY TIRE PROS</b>                |                                |              |                    |                 |
| DOWNEY TIRE PROS                       | TIRES, TIRE SWITCH             | 07/11/2019   | 112.43             | PARK & RECREATI |
| DOWNEY TIRE PROS                       | CRACK SEALER TIRE              | 07/12/2019   | 102.92             | ROAD USE TAX FU |
| DOWNEY TIRE PROS                       | REPAIR TIRE FROM TAR DAMAGE    | 07/17/2019   | 60.91              | ROAD USE TAX FU |
| Total DOWNEY TIRE PROS:                |                                |              | 276.26             |                 |
| <b>DUST PROS JANITORIAL</b>            |                                |              |                    |                 |
| DUST PROS JANITORIAL                   | MONTHLY CLEANING               | 07/20/2019   | 4,000.00           | GENERAL FUND    |
| DUST PROS JANITORIAL                   | MONTHLY CLEANING FEE           | 07/20/2019   | 1,462.00           | PARK & RECREATI |
| DUST PROS JANITORIAL                   | SUPPLIES - PAPER PRODUCTS      | 07/20/2019   | 67.25              | PARK & RECREATI |
| Total DUST PROS JANITORIAL:            |                                |              | 5,529.25           |                 |
| <b>ELECTRONIC ENGINEERING CO</b>       |                                |              |                    |                 |
| ELECTRONIC ENGINEERING C               | RADIO INSTALL                  | 07/19/2019   | 1,464.92           | ROAD USE TAX FU |
| ELECTRONIC ENGINEERING C               | REPAIR EQUIPMENT               | 07/10/2019   | 169.95             | POLICE FUND     |
| Total ELECTRONIC ENGINEERING CO:       |                                |              | 1,634.87           |                 |
| <b>ETNYRE, JASON</b>                   |                                |              |                    |                 |
| ETNYRE, JASON                          | CLOTHING REIMBURSEMENT - BOOTS | 07/30/2019   | 96.29              | ROAD USE TAX FU |
| Total ETNYRE, JASON:                   |                                |              | 96.29              |                 |
| <b>FARNER-BOCKEN</b>                   |                                |              |                    |                 |
| FARNER-BOCKEN                          | PICKARD CONCESSIONS            | 07/11/2019   | 539.63             | PARK & RECREATI |
| FARNER-BOCKEN                          | CONCESSIONS FOOD               | 07/15/2019   | 686.07             | POOL (MEMORIAL) |
| Total FARNER-BOCKEN:                   |                                |              | 1,225.70           |                 |
| <b>FOREST SEPTIC ENV. SERVICES LLC</b> |                                |              |                    |                 |
| FOREST SEPTIC ENV. SERVICE             | 1 LOAD OF SLUDGE FROM WRA      | 07/11/2019   | 400.00             | SEWER FUND      |
| Total FOREST SEPTIC ENV. SERVICES LLC: |                                |              | 400.00             |                 |
| <b>FORMATION GROUP</b>                 |                                |              |                    |                 |
| FORMATION GROUP                        | C.H. ASSESSMENT - FOLLOWUP #1  | 07/12/2019   | 3,012.50           | GENERAL FUND    |
| Total FORMATION GROUP:                 |                                |              | 3,012.50           |                 |
| <b>FOX ENGINEERING</b>                 |                                |              |                    |                 |
| FOX ENGINEERING                        | PEDIATRIC DENTIST SW           | 06/30/2019   | 684.75             | GENERAL FUND    |
| Total FOX ENGINEERING:                 |                                |              | 684.75             |                 |
| <b>GALLS LLC</b>                       |                                |              |                    |                 |
| GALLS LLC                              | UNIFORM                        | 07/08/2019   | 49.99              | POLICE FUND     |
| GALLS LLC                              | UNIFORMS                       | 07/08/2019   | 159.95             | FIRE FUND       |
| GALLS LLC                              | UNIFORMS                       | 07/08/2019   | 139.95             | FIRE FUND       |

| Vendor Name                        | Description                    | Invoice Date | Net Invoice Amount | FUND            |
|------------------------------------|--------------------------------|--------------|--------------------|-----------------|
| GALLS LLC                          | UNIFORMS                       | 07/09/2019   | 89.98              | FIRE FUND       |
| GALLS LLC                          | UNIFORMS                       | 07/09/2019   | 135.00             | FIRE FUND       |
| GALLS LLC                          | UNIFORM                        | 07/09/2019   | 169.00             | POLICE FUND     |
| GALLS LLC                          | UNIFORMS                       | 07/12/2019   | 89.97              | FIRE FUND       |
| GALLS LLC                          | UNIFORMS                       | 07/24/2019   | 174.99             | FIRE FUND       |
| Total GALLS LLC:                   |                                |              | 1,008.83           |                 |
| <b>GRAFFITI SOLUTIONS INC</b>      |                                |              |                    |                 |
| GRAFFITI SOLUTIONS INC             | ELEPHANT SNOT GRAFFITI REMOVER | 07/09/2019   | 172.00             | PARK & RECREATI |
| Total GRAFFITI SOLUTIONS INC:      |                                |              | 172.00             |                 |
| <b>GRAVES, RICK</b>                |                                |              |                    |                 |
| GRAVES, RICK                       | MILEAGE TO LEADERSHIP CLASS    | 07/18/2019   | 13.11              | SEWER FUND      |
| Total GRAVES, RICK:                |                                |              | 13.11              |                 |
| <b>GREATER DM PARTNERSHIP</b>      |                                |              |                    |                 |
| GREATER DM PARTNERSHIP             | FY20 CONTRIBUTION              | 07/08/2019   | 7,500.00           | GENERAL FUND    |
| Total GREATER DM PARTNERSHIP:      |                                |              | 7,500.00           |                 |
| <b>GREEN ACRES GARDEN CENTER</b>   |                                |              |                    |                 |
| GREEN ACRES GARDEN CENT            | ROCK                           | 07/08/2019   | 175.00             | PARK & RECREATI |
| GREEN ACRES GARDEN CENT            | ROCK                           | 07/09/2019   | 256.90             | PARK & RECREATI |
| GREEN ACRES GARDEN CENT            | ROCK                           | 07/24/2019   | 141.30             | PARK & RECREATI |
| Total GREEN ACRES GARDEN CENTER:   |                                |              | 573.20             |                 |
| <b>GRIMES ASPHALT &amp; PAVING</b> |                                |              |                    |                 |
| GRIMES ASPHALT & PAVING            | COLD MIX                       | 07/15/2019   | 1,223.48           | ROAD USE TAX FU |
| Total GRIMES ASPHALT & PAVING:     |                                |              | 1,223.48           |                 |
| <b>GROSSMAN, JASON</b>             |                                |              |                    |                 |
| GROSSMAN, JASON                    | OVERPAYMENT                    | 07/23/2019   | 101.98             | POLICE FUND     |
| Total GROSSMAN, JASON:             |                                |              | 101.98             |                 |
| <b>H &amp; W RECYCLING</b>         |                                |              |                    |                 |
| H & W RECYCLING                    | E-CYCLING                      | 07/16/2019   | 1,275.00           | GENERAL FUND    |
| Total H & W RECYCLING:             |                                |              | 1,275.00           |                 |
| <b>HAWKINS INC</b>                 |                                |              |                    |                 |
| HAWKINS INC                        | CHEMICAL FOR POOL              | 07/04/2019   | 523.52             | POOL (MEMORIAL) |
| HAWKINS INC                        | POOL CHEMICALS                 | 07/12/2019   | 954.53             | POOL (MEMORIAL) |
| HAWKINS INC                        | CHEMICALS FOR POOL             | 07/19/2019   | 418.00             | POOL (MEMORIAL) |
| Total HAWKINS INC:                 |                                |              | 1,896.05           |                 |
| <b>HAWKINS, ROB</b>                |                                |              |                    |                 |
| HAWKINS, ROB                       | CELL PHONE 06/26/19 - 07/25/19 | 07/18/2019   | 50.00              | POLICE FUND     |
| Total HAWKINS, ROB:                |                                |              | 50.00              |                 |



| Vendor Name                           | Description                          | Invoice Date | Net Invoice Amount | FUND            |
|---------------------------------------|--------------------------------------|--------------|--------------------|-----------------|
| HEFFRON SERVICES                      |                                      |              |                    |                 |
| HEFFRON SERVICES                      | DUST CONTROL                         | 07/12/2019   | 81.75              | ROAD USE TAX FU |
| Total HEFFRON SERVICES:               |                                      |              | 81.75              |                 |
| <b>HENDERSON TRUCK EQUIPMENT</b>      |                                      |              |                    |                 |
| HENDERSON TRUCK EQUIPME               | SNOW PLOW CYLINDER                   | 07/11/2019   | 772.00             | ROAD USE TAX FU |
| Total HENDERSON TRUCK EQUIPMENT:      |                                      |              | 772.00             |                 |
| <b>HOWREY CONSTRUCTION LLC</b>        |                                      |              |                    |                 |
| HOWREY CONSTRUCTION LLC               | JERRY KELLEY TRAIL                   | 08/01/2019   | 103,871.02         | CAPITAL PROJECT |
| Total HOWREY CONSTRUCTION LLC:        |                                      |              | 103,871.02         |                 |
| <b>INDEPENDENT ADVOCATE</b>           |                                      |              |                    |                 |
| INDEPENDENT ADVOCATE                  | CITY AD FOR NATIONAL BALLOON CLASSIC | 07/30/2019   | 150.00             | GENERAL FUND    |
| Total INDEPENDENT ADVOCATE:           |                                      |              | 150.00             |                 |
| <b>INDIANOLA RAGBRAI 2019</b>         |                                      |              |                    |                 |
| INDIANOLA RAGBRAI 2019                | CONTRIBUTION                         | 07/15/2019   | 10,000.00          | GENERAL FUND    |
| Total INDIANOLA RAGBRAI 2019:         |                                      |              | 10,000.00          |                 |
| <b>INDOFF INCORPORATED</b>            |                                      |              |                    |                 |
| INDOFF INCORPORATED                   | OFFICE SUPPLIES                      | 05/16/2019   | 175.20             | FIRE FUND       |
| Total INDOFF INCORPORATED:            |                                      |              | 175.20             |                 |
| <b>INFOMAX OFFICE SYSTEMS INC.</b>    |                                      |              |                    |                 |
| INFOMAX OFFICE SYSTEMS IN             | P&R - PARKS - PRINTING OVERAGE       | 05/27/2019   | .17                | PARK & RECREATI |
| INFOMAX OFFICE SYSTEMS IN             | DEVICE PAYMENT WITH PAPER CUT & CONN | 05/27/2019   | 3,220.60           | GENERAL FUND    |
| INFOMAX OFFICE SYSTEMS IN             | LIBRARY - PRINTING OVERAGE           | 07/02/2019   | 53.86              | LIBRARY FUND    |
| INFOMAX OFFICE SYSTEMS IN             | FIRE - PRINTING OVERAGE              | 07/02/2019   | 9.58               | FIRE FUND       |
| INFOMAX OFFICE SYSTEMS IN             | POLICE - PRINTING OVERAGE            | 07/02/2019   | 22.03              | POLICE FUND     |
| INFOMAX OFFICE SYSTEMS IN             | COMMUNITY DEVELOPMENT - PRINTING OV  | 07/02/2019   | 20.83              | GENERAL FUND    |
| INFOMAX OFFICE SYSTEMS IN             | DEVICE PAYMENT WITH PAPER CUT & CONN | 07/02/2019   | 3,220.60           | GENERAL FUND    |
| INFOMAX OFFICE SYSTEMS IN             | PARKS & RECREATION - PRINTING OVERAG | 07/02/2019   | 13.50              | PARK & RECREATI |
| Total INFOMAX OFFICE SYSTEMS INC.:    |                                      |              | 6,561.17           |                 |
| <b>IOWA DEPT OF NATURAL RESOURCES</b> |                                      |              |                    |                 |
| IOWA DEPT OF NATURAL RESO             | ANNUAL NPDES PERMIT                  | 06/03/2019   | 1,275.00           | SEWER FUND      |
| Total IOWA DEPT OF NATURAL RESOURCES: |                                      |              | 1,275.00           |                 |
| <b>IOWA LAW ENFORCEMENT ACADEMY</b>   |                                      |              |                    |                 |
| IOWA LAW ENFORCEMENT AC               | TRAINING                             | 02/03/2019   | 50.00              | POLICE FUND     |
| Total IOWA LAW ENFORCEMENT ACADEMY:   |                                      |              | 50.00              |                 |
| <b>IOWA LEAGUE OF CITIES</b>          |                                      |              |                    |                 |
| IOWA LEAGUE OF CITIES                 | LENT - 2019 LEAGUE CONF.             | 07/29/2019   | 205.00             | GENERAL FUND    |
| Total IOWA LEAGUE OF CITIES:          |                                      |              | 205.00             |                 |

| Vendor Name                            | Description                        | Invoice Date | Net Invoice Amount | FUND            |
|----------------------------------------|------------------------------------|--------------|--------------------|-----------------|
| IOWA ONE CALL                          |                                    |              |                    |                 |
| IOWA ONE CALL                          | LOCATES                            | 07/19/2019   | 487.80             | SEWER FUND      |
| Total IOWA ONE CALL:                   |                                    |              | 487.80             |                 |
| <b>IOWA STORMWATER ED. PARTNERSHIP</b> |                                    |              |                    |                 |
| IOWA STORMWATER ED. PART               | LENT - WORKSHOP 8/1/19             | 07/29/2019   | 75.00              | STORMWATER UTI  |
| Total IOWA STORMWATER ED. PARTNERSHIP: |                                    |              | 75.00              |                 |
| <b>JESS' LOCK AND KEY</b>              |                                    |              |                    |                 |
| JESS' LOCK AND KEY                     | GATE KEYS - BRUSH FACILITY         | 07/02/2019   | 21.00              | GENERAL FUND    |
| Total JESS' LOCK AND KEY:              |                                    |              | 21.00              |                 |
| <b>JETCO INC</b>                       |                                    |              |                    |                 |
| JETCO INC                              | CONTROLS AT NORTH PLANT            | 07/12/2019   | 632.50             | SEWER FUND      |
| Total JETCO INC:                       |                                    |              | 632.50             |                 |
| <b>JOHN REID &amp; ASSOCIATES INC</b>  |                                    |              |                    |                 |
| JOHN REID & ASSOCIATES INC             | TRAINING                           | 07/11/2019   | 575.00             | POLICE FUND     |
| Total JOHN REID & ASSOCIATES INC:      |                                    |              | 575.00             |                 |
| <b>JV TRUCKING LLC</b>                 |                                    |              |                    |                 |
| JV TRUCKING LLC                        | ROAD STONE HAULING                 | 07/14/2019   | 383.88             | ROAD USE TAX FU |
| Total JV TRUCKING LLC:                 |                                    |              | 383.88             |                 |
| <b>KAPPELMAN, LU ANN</b>               |                                    |              |                    |                 |
| KAPPELMAN, LU ANN                      | MILEAGE TO PAYROLL LAW CLASS       | 07/12/2019   | 38.28              | GENERAL FUND    |
| Total KAPPELMAN, LU ANN:               |                                    |              | 38.28              |                 |
| <b>KEYSTONE LABORATORIES INC</b>       |                                    |              |                    |                 |
| KEYSTONE LABORATORIES IN               | WEEKLY LAB TESTS                   | 07/16/2019   | 256.80             | SEWER FUND      |
| KEYSTONE LABORATORIES IN               | WEEKLY LAB TESTS                   | 07/18/2019   | 273.80             | SEWER FUND      |
| Total KEYSTONE LABORATORIES INC:       |                                    |              | 530.60             |                 |
| <b>KIYA KODA HUMANE SOCIETY</b>        |                                    |              |                    |                 |
| KIYA KODA HUMANE SOCIETY               | HUMANE SOCIETY CONTRACT - AUG 2019 | 07/19/2019   | 2,912.00           | POLICE FUND     |
| Total KIYA KODA HUMANE SOCIETY:        |                                    |              | 2,912.00           |                 |
| <b>LENT, ANDREW</b>                    |                                    |              |                    |                 |
| LENT, ANDREW                           | MILEAGE TO IACMA SUMMER CONFERENC  | 07/16/2019   | 229.68             | GENERAL FUND    |
| LENT, ANDREW                           | MILEAGE TO SRF WORKSHOP, AMES, IA  | 07/26/2019   | 50.46              | GENERAL FUND    |
| Total LENT, ANDREW:                    |                                    |              | 280.14             |                 |
| <b>LOGAN CONTRACTORS SUPPLY INC.</b>   |                                    |              |                    |                 |
| LOGAN CONTRACTORS SUPPL                | SPEED BUMP FOR MEMORIAL PARK       | 07/11/2019   | 587.43             | ROAD USE TAX FU |
| LOGAN CONTRACTORS SUPPL                | CURB PATCHER/SUPPLIES, SAW BLADES  | 07/18/2019   | 1,217.88           | ROAD USE TAX FU |
| LOGAN CONTRACTORS SUPPL                | REPAIR CONCRETE SAW                | 07/16/2019   | 285.42             | ROAD USE TAX FU |

| Vendor Name                          | Description                           | Invoice Date | Net Invoice Amount | FUND            |
|--------------------------------------|---------------------------------------|--------------|--------------------|-----------------|
| Total LOGAN CONTRACTORS SUPPLY INC.: |                                       |              | 2,090.73           |                 |
| <b>MAHASKA COMMUNICATION GROUP</b>   |                                       |              |                    |                 |
| MAHASKA COMMUNICATION G              | MONTHLY PHONE SERVICES                | 07/01/2019   | 28.72              | GENERAL FUND    |
| MAHASKA COMMUNICATION G              | MONTHLY PHONE SERVICES                | 07/01/2019   | 94.91              | GENERAL FUND    |
| MAHASKA COMMUNICATION G              | MONTHLY INTERNET SERVICES             | 07/01/2019   | 7.60               | GENERAL FUND    |
| MAHASKA COMMUNICATION G              | MONTHLY INTERNET SERVICES             | 07/01/2019   | 200.00             | GENERAL FUND    |
| MAHASKA COMMUNICATION G              | MONTHLY PHONE SERVICES                | 07/01/2019   | 828.18             | GENERAL FUND    |
| MAHASKA COMMUNICATION G              | MONTHLY PHONE SERVICES                | 07/01/2019   | 28.72              | GENERAL FUND    |
| Total MAHASKA COMMUNICATION GROUP:   |                                       |              | 1,188.13           |                 |
| <b>MATHESON TRI-GAS INC</b>          |                                       |              |                    |                 |
| MATHESON TRI-GAS INC                 | OXYGEN - EMS                          | 07/12/2019   | 145.46             | AMBULANCE FUN   |
| Total MATHESON TRI-GAS INC:          |                                       |              | 145.46             |                 |
| <b>MCCOY HARDWARE INC</b>            |                                       |              |                    |                 |
| MCCOY HARDWARE INC                   | CHEMICAL SAFE GLASSES                 | 05/09/2019   | 9.89               | POOL (MEMORIAL) |
| MCCOY HARDWARE INC                   | 4" TEST PLUG                          | 05/22/2019   | 8.54               | PARK & RECREATI |
| MCCOY HARDWARE INC                   | PAINT MARKING                         | 06/24/2019   | 16.04              | PARK & RECREATI |
| MCCOY HARDWARE INC                   | BOLTS                                 | 07/08/2019   | 1.68               | PARK & RECREATI |
| MCCOY HARDWARE INC                   | BLEACH                                | 07/11/2019   | 10.33              | PARK & RECREATI |
| MCCOY HARDWARE INC                   | 3" PVC COUPLER, TOILET FLANGE BOLTS   | 07/12/2019   | 4.93               | PARK & RECREATI |
| MCCOY HARDWARE INC                   | 3" PVC COUPLER                        | 07/12/2019   | 1.79               | PARK & RECREATI |
| MCCOY HARDWARE INC                   | KEYS FOR BRUSH FACILITY               | 07/25/2019   | 14.43              | GENERAL FUND    |
| MCCOY HARDWARE INC                   | MATERIALS/SUPPLIES - GUARD STAND WH   | 07/29/2019   | 17.08              | POOL (MEMORIAL) |
| MCCOY HARDWARE INC                   | SINK HOLE COVER - POOL                | 07/29/2019   | 13.11              | POOL (MEMORIAL) |
| MCCOY HARDWARE INC                   | BOLTS & DRILL BIT                     | 07/29/2019   | 25.59              | PARK & RECREATI |
| MCCOY HARDWARE INC                   | GLOVES FOR BALLOON CAMP               | 07/24/2019   | 45.00              | PARK & RECREATI |
| Total MCCOY HARDWARE INC:            |                                       |              | 168.41             |                 |
| <b>MENARDS</b>                       |                                       |              |                    |                 |
| MENARDS                              | SHOP SUPPLIES                         | 07/11/2019   | 401.62             | ROAD USE TAX FU |
| Total MENARDS:                       |                                       |              | 401.62             |                 |
| <b>METCALF, BRAD</b>                 |                                       |              |                    |                 |
| METCALF, BRAD                        | CELL PHONE - JULY 2019                | 07/25/2019   | 50.00              | POLICE FUND     |
| Total METCALF, BRAD:                 |                                       |              | 50.00              |                 |
| <b>MID AMERICAN ENERGY CO.</b>       |                                       |              |                    |                 |
| MID AMERICAN ENERGY CO.              | 05931-25003 N HWY 65/69 ENTRANCE SIGN | 07/18/2019   | 12.66              | GENERAL FUND    |
| MID AMERICAN ENERGY CO.              | 2321-30003 ST LIGHTING                | 07/18/2019   | 129.33             | GENERAL FUND    |
| MID AMERICAN ENERGY CO.              | 07741-18004 64/69 LIFT                | 07/17/2019   | 66.86              | SEWER FUND      |
| MID AMERICAN ENERGY CO.              | 09750-87035 WESLEY LIFT               | 07/17/2019   | 32.45              | SEWER FUND      |
| MID AMERICAN ENERGY CO.              | 74080-22010 FUEL HEAT                 | 07/29/2019   | 47.83              | GENERAL FUND    |
| MID AMERICAN ENERGY CO.              | 08701-24006 QUAIL MDWS LIFT           | 07/19/2019   | 56.35              | SEWER FUND      |
| MID AMERICAN ENERGY CO.              | UTILITIES                             | 07/19/2019   | 13.63              | FIRE FUND       |
| MID AMERICAN ENERGY CO.              | ACTIVITY CCENTER UTILITIES            | 07/19/2019   | 17.39              | PARK & RECREATI |
| MID AMERICAN ENERGY CO.              | GAS - SHOP                            | 07/19/2019   | 14.01              | ROAD USE TAX FU |
| MID AMERICAN ENERGY CO.              | GAS - SHOP                            | 07/19/2019   | 21.52              | PARK & RECREATI |
| MID AMERICAN ENERGY CO.              | HEAT/BUILDING                         | 07/19/2019   | 15.51              | POLICE FUND     |
| MID AMERICAN ENERGY CO.              | UTILITIES                             | 07/22/2019   | 11.75              | FIRE FUND       |
| MID AMERICAN ENERGY CO.              | VMAC GAS USAGE                        | 07/23/2019   | 954.62             | POOL (MEMORIAL) |

| Vendor Name                         | Description                         | Invoice Date | Net Invoice Amount | FUND            |
|-------------------------------------|-------------------------------------|--------------|--------------------|-----------------|
| Total MID AMERICAN ENERGY CO.:      |                                     |              | 1,393.91           |                 |
| <b>MILLER ELECTRIC SERVICES</b>     |                                     |              |                    |                 |
| MILLER ELECTRIC SERVICES            | 2 HAND DRYERS                       | 07/19/2019   | 1,190.00           | POOL (MEMORIAL) |
| Total MILLER ELECTRIC SERVICES:     |                                     |              | 1,190.00           |                 |
| <b>MUNICIPAL SUPPLY INC</b>         |                                     |              |                    |                 |
| MUNICIPAL SUPPLY INC                | PRO RINGS AND ADHESIVE              | 07/03/2019   | 725.95             | SEWER FUND      |
| Total MUNICIPAL SUPPLY INC:         |                                     |              | 725.95             |                 |
| <b>NAPA AUTO PARTS</b>              |                                     |              |                    |                 |
| NAPA AUTO PARTS                     | CRACK SEALER                        | 07/22/2019   | 6.49               | ROAD USE TAX FU |
| NAPA AUTO PARTS                     | RIVETS                              | 07/23/2019   | 2.69               | ROAD USE TAX FU |
| Total NAPA AUTO PARTS:              |                                     |              | 9.18               |                 |
| <b>NORWALK READY-MIXED CONCRETE</b> |                                     |              |                    |                 |
| NORWALK READY-MIXED CON             | EUCLID/ N. N                        | 07/01/2019   | 2,420.00           | ROAD USE TAX FU |
| NORWALK READY-MIXED CON             | EUCLID/ N. N                        | 07/02/2019   | 1,037.00           | ROAD USE TAX FU |
| NORWALK READY-MIXED CON             | EUCLID/ N. N                        | 07/03/2019   | 409.50             | ROAD USE TAX FU |
| NORWALK READY-MIXED CON             | EUCLID/ N. N                        | 07/03/2019   | 810.00             | ROAD USE TAX FU |
| NORWALK READY-MIXED CON             | EUCLID/ N. N                        | 07/08/2019   | 903.00             | ROAD USE TAX FU |
| NORWALK READY-MIXED CON             | EUCLID/ N. N                        | 07/09/2019   | 762.50             | ROAD USE TAX FU |
| NORWALK READY-MIXED CON             | EUCLID/ N. N                        | 07/11/2019   | 430.50             | ROAD USE TAX FU |
| NORWALK READY-MIXED CON             | E HILLCREST                         | 07/15/2019   | 1,914.00           | ROAD USE TAX FU |
| Total NORWALK READY-MIXED CONCRETE: |                                     |              | 8,686.50           |                 |
| <b>O'KEEFE ELEVATOR CO.</b>         |                                     |              |                    |                 |
| O'KEEFE ELEVATOR CO.                | INSTALL 2020 ST COMPLIANCE ITEMS    | 06/30/2019   | 4,535.68           | GENERAL FUND    |
| Total O'KEEFE ELEVATOR CO.:         |                                     |              | 4,535.68           |                 |
| <b>ON TRACK CONSTRUCTION</b>        |                                     |              |                    |                 |
| ON TRACK CONSTRUCTION               | 15TH & HWY 92 SEWER PAY APP #2      | 07/24/2019   | 5,215.50           | SEWER CAPITAL P |
| Total ON TRACK CONSTRUCTION:        |                                     |              | 5,215.50           |                 |
| <b>O'REILLY AUTO PARTS</b>          |                                     |              |                    |                 |
| O'REILLY AUTO PARTS                 | FILTER                              | 07/10/2019   | 11.81              | ROAD USE TAX FU |
| O'REILLY AUTO PARTS                 | PLUGS FOR TIRES                     | 07/10/2019   | 4.67               | PARK & RECREATI |
| O'REILLY AUTO PARTS                 | FILTERS                             | 07/10/2019   | 35.43              | ROAD USE TAX FU |
| O'REILLY AUTO PARTS                 | SUPPLIES                            | 07/12/2019   | 41.86              | ROAD USE TAX FU |
| O'REILLY AUTO PARTS                 | PAINT                               | 07/15/2019   | 5.99               | ROAD USE TAX FU |
| O'REILLY AUTO PARTS                 | EXHAUST REPAIR PIPE & MUFFLER CLAMP | 07/15/2019   | 9.70               | PARK & RECREATI |
| O'REILLY AUTO PARTS                 | WINDSHIELD WASHER FLUID, CAP WRENC  | 07/16/2019   | 49.85              | PARK & RECREATI |
| O'REILLY AUTO PARTS                 | HYDRAULIC HOSES                     | 07/19/2019   | 164.44             | ROAD USE TAX FU |
| O'REILLY AUTO PARTS                 | HYDRAULIC HOSES                     | 07/22/2019   | 324.86             | ROAD USE TAX FU |
| O'REILLY AUTO PARTS                 | CLAMPS FOR CHARGER                  | 07/23/2019   | 14.99              | ROAD USE TAX FU |
| O'REILLY AUTO PARTS                 | AIR FILTERS                         | 07/25/2019   | 43.32              | ROAD USE TAX FU |
| Total O'REILLY AUTO PARTS:          |                                     |              | 706.92             |                 |
| <b>PARK, KRIS</b>                   |                                     |              |                    |                 |
| PARK, KRIS                          | CHURCH LEAGUE SB                    | 07/15/2019   | 84.00              | PARK & RECREATI |

| Vendor Name                                   | Description                        | Invoice Date | Net Invoice Amount | FUND            |
|-----------------------------------------------|------------------------------------|--------------|--------------------|-----------------|
| Total PARK, KRIS:                             |                                    |              | 84.00              |                 |
| <b>PAYETTE, AARON</b>                         |                                    |              |                    |                 |
| PAYETTE, AARON                                | WELLNESS - JULY                    | 07/19/2019   | 15.00              | FIRE FUND       |
| Total PAYETTE, AARON:                         |                                    |              | 15.00              |                 |
| <b>PELLA PRINTING</b>                         |                                    |              |                    |                 |
| PELLA PRINTING                                | SUMMER 2019 MAGAZINE               | 06/23/2019   | 6,240.00           | GENERAL FUND    |
| PELLA PRINTING                                | SUMMER 2019 MAGAZINE               | 06/23/2019   | 6,240.00           | PARK & RECREATI |
| Total PELLA PRINTING:                         |                                    |              | 12,480.00          |                 |
| <b>PIERCE BROTHERS REPAIR</b>                 |                                    |              |                    |                 |
| PIERCE BROTHERS REPAIR                        | STREET SIGN POLE REPAIR            | 07/16/2019   | 38.00              | ROAD USE TAX FU |
| PIERCE BROTHERS REPAIR                        | WELD STAINLESS STEEL WATER FOUNTAI | 07/29/2019   | 32.00              | PARK & RECREATI |
| PIERCE BROTHERS REPAIR                        | STREET SIGNS POLES                 | 07/09/2019   | 422.00             | ROAD USE TAX FU |
| Total PIERCE BROTHERS REPAIR:                 |                                    |              | 492.00             |                 |
| <b>PINE VALLEY INSPECTIONS/CONSULTING LLC</b> |                                    |              |                    |                 |
| PINE VALLEY INSPECTIONS/CO                    | PLAN REVIEW                        | 07/20/2019   | 1,120.00           | GENERAL FUND    |
| Total PINE VALLEY INSPECTIONS/CONSULTING LLC: |                                    |              | 1,120.00           |                 |
| <b>PITNEY BOWES</b>                           |                                    |              |                    |                 |
| PITNEY BOWES                                  | SUPPLIES                           | 07/10/2019   | 96.87              | GENERAL FUND    |
| Total PITNEY BOWES:                           |                                    |              | 96.87              |                 |
| <b>PLEASURE POOL &amp; SPA</b>                |                                    |              |                    |                 |
| PLEASURE POOL & SPA                           | CHEMICALS FOR POOL                 | 07/14/2019   | 39.99              | POOL (MEMORIAL) |
| PLEASURE POOL & SPA                           | POOL CHEMICALS                     | 07/14/2019   | 65.97              | POOL (MEMORIAL) |
| Total PLEASURE POOL & SPA:                    |                                    |              | 105.96             |                 |
| <b>PLEVA MECHANICAL</b>                       |                                    |              |                    |                 |
| PLEVA MECHANICAL                              | AQUATIC HEATER MAINTENANCE         | 07/10/2019   | 1,160.00           | POOL (MEMORIAL) |
| Total PLEVA MECHANICAL:                       |                                    |              | 1,160.00           |                 |
| <b>QUALITY LOGO PRODUCTS</b>                  |                                    |              |                    |                 |
| QUALITY LOGO PRODUCTS                         | BALLOON PARADE GIVEAWAY            | 07/25/2019   | 204.00             | PARK & RECREATI |
| QUALITY LOGO PRODUCTS                         | BALLOON PARADE GIVEAWAY            | 07/24/2019   | 166.68             | PARK & RECREATI |
| Total QUALITY LOGO PRODUCTS:                  |                                    |              | 370.68             |                 |
| <b>ROTO-ROOTER PLUMBING &amp; DRAIN SRVC</b>  |                                    |              |                    |                 |
| ROTO-ROOTER PLUMBING & D                      | REPAIR SOUTH SIDE OF HALLWAY       | 07/11/2019   | 120.00             | GENERAL FUND    |
| Total ROTO-ROOTER PLUMBING & DRAIN SRVC:      |                                    |              | 120.00             |                 |
| <b>SANDRY FIRE SUPPLY LLC</b>                 |                                    |              |                    |                 |
| SANDRY FIRE SUPPLY LLC                        | ENGINE BALL-VALVES                 | 07/12/2019   | 339.64             | FIRE FUND       |
| Total SANDRY FIRE SUPPLY LLC:                 |                                    |              | 339.64             |                 |

| Vendor Name                             | Description                       | Invoice Date | Net Invoice Amount | FUND            |
|-----------------------------------------|-----------------------------------|--------------|--------------------|-----------------|
| SHER, BRIAN                             |                                   |              |                    |                 |
| SHER, BRIAN                             | CELL PHONE 06/23/19 - 07/22/19    | 07/26/2019   | 50.00              | POLICE FUND     |
| SHER, BRIAN                             | UNIFORM ALLOWANCE                 | 07/09/2019   | 58.84              | POLICE FUND     |
| SHER, BRIAN                             | UNIFORM ALLOWANCE                 | 07/18/2019   | 51.35              | POLICE FUND     |
| Total SHER, BRIAN:                      |                                   |              | 160.19             |                 |
| <b>SHI INTERNATIONAL CORP</b>           |                                   |              |                    |                 |
| SHI INTERNATIONAL CORP                  | WIRELESS ROUTER                   | 07/10/2019   | 645.00             | VEHICLE RESERV  |
| Total SHI INTERNATIONAL CORP:           |                                   |              | 645.00             |                 |
| <b>SHULL, DOUG</b>                      |                                   |              |                    |                 |
| SHULL, DOUG                             | TREASURER CONTRACT                | 07/25/2019   | 83.33              | GENERAL FUND    |
| Total SHULL, DOUG:                      |                                   |              | 83.33              |                 |
| <b>SIMPSON COLLEGE</b>                  |                                   |              |                    |                 |
| SIMPSON COLLEGE                         | ZONE WORK STUDY STAFF             | 07/17/2019   | 314.54             | PARK & RECREATI |
| Total SIMPSON COLLEGE:                  |                                   |              | 314.54             |                 |
| <b>SITEONE LANDSCAPE SUPPLY LLC</b>     |                                   |              |                    |                 |
| SITEONE LANDSCAPE SUPPLY                | PVC FITTINGS, KWIKCUT PIPE CUTTER | 07/10/2019   | 42.44              | PARK & RECREATI |
| SITEONE LANDSCAPE SUPPLY                | VALVE BOX LID - 10 IN.            | 07/10/2019   | 8.42               | PARK & RECREATI |
| Total SITEONE LANDSCAPE SUPPLY LLC:     |                                   |              | 50.86              |                 |
| <b>STAFFORD, JOSEPH L.</b>              |                                   |              |                    |                 |
| STAFFORD, JOSEPH L.                     | HOME BASE IA                      | 07/15/2019   | 1,500.00           | GENERAL FUND    |
| Total STAFFORD, JOSEPH L.:              |                                   |              | 1,500.00           |                 |
| <b>STUDIO FUSCO</b>                     |                                   |              |                    |                 |
| STUDIO FUSCO                            | TRAINING HZMT                     | 06/28/2019   | 67.80              | FIRE FUND       |
| Total STUDIO FUSCO:                     |                                   |              | 67.80              |                 |
| <b>SWANK MOTION PICTURES INC.</b>       |                                   |              |                    |                 |
| SWANK MOTION PICTURES INC               | MOVIE - JULY 19TH                 | 07/10/2019   | 463.00             | PARK & RECREATI |
| Total SWANK MOTION PICTURES INC.:       |                                   |              | 463.00             |                 |
| <b>SWEENEY COURT REPORTING SERVICES</b> |                                   |              |                    |                 |
| SWEENEY COURT REPORTING                 | COURT REPORTING SERVICES          | 07/08/2019   | 1,413.75           | WWTP FACILITY C |
| SWEENEY COURT REPORTING                 | COURT REPORTING SERVICES          | 07/19/2019   | 1,137.50           | WWTP FACILITY C |
| Total SWEENEY COURT REPORTING SERVICES: |                                   |              | 2,551.25           |                 |
| <b>T.R.M. DISPOSAL LLC</b>              |                                   |              |                    |                 |
| T.R.M. DISPOSAL LLC                     | ACCT 1506                         | 07/24/2019   | 85.00              | GENERAL FUND    |
| T.R.M. DISPOSAL LLC                     | ACCT #583 - TRASH - NORTH PLANT   | 07/24/2019   | 82.00              | SEWER FUND      |
| T.R.M. DISPOSAL LLC                     | ACCT #583 - TRASH - SOUTH PLANT   | 07/24/2019   | 54.00              | SEWER FUND      |
| Total T.R.M. DISPOSAL LLC:              |                                   |              | 221.00             |                 |
| <b>TARGETSOLUTIONS LEARNING LLC</b>     |                                   |              |                    |                 |
| TARGETSOLUTIONS LEARNIN                 | ON-LINE TRAINING SOFTWARE         | 07/18/2019   | 3,065.00           | FIRE FUND       |

| Vendor Name                         | Description               | Invoice Date | Net Invoice Amount | FUND            |
|-------------------------------------|---------------------------|--------------|--------------------|-----------------|
| Total TARGETSOLUTIONS LEARNING LLC: |                           |              | 3,065.00           |                 |
| <b>THEISEN'S</b>                    |                           |              |                    |                 |
| THEISEN'S                           | FABRIC                    | 07/09/2019   | 12.99              | PARK & RECREATI |
| THEISEN'S                           | PAINT - SIGN POSTS        | 07/10/2019   | 58.18              | ROAD USE TAX FU |
| THEISEN'S                           | CABLE TIE - ZIP TIE       | 07/12/2019   | 10.99              | ROAD USE TAX FU |
| THEISEN'S                           | SIGN REPAIR               | 07/15/2019   | 161.89             | ROAD USE TAX FU |
| THEISEN'S                           | AIR FRESHNER              | 07/15/2019   | 3.98               | PARK & RECREATI |
| THEISEN'S                           | TRIMMER LINE              | 07/15/2019   | 14.99              | PARK & RECREATI |
| THEISEN'S                           | BALLAST                   | 07/16/2019   | 29.99              | PARK & RECREATI |
| THEISEN'S                           | RAGBRAI PAINT             | 07/16/2019   | 25.74              | ROAD USE TAX FU |
| THEISEN'S                           | RAGBRAI PAINT             | 07/17/2019   | 43.01              | ROAD USE TAX FU |
| THEISEN'S                           | LIME                      | 07/17/2019   | 6.38               | SEWER FUND      |
| THEISEN'S                           | MULCH                     | 07/18/2019   | 614.16             | PARK & RECREATI |
| THEISEN'S                           | WRENCHES                  | 07/23/2019   | 174.95             | ROAD USE TAX FU |
| THEISEN'S                           | DOOR KNOB - BRUSH FAILITY | 07/25/2019   | 71.37              | ROAD USE TAX FU |
| THEISEN'S                           | SWEEPER PARTS             | 07/29/2019   | 14.66              | ROAD USE TAX FU |
| THEISEN'S                           | HARD HAT & VEST FOR TIM   | 07/30/2019   | 22.48              | GENERAL FUND    |
| THEISEN'S                           | GARBAGE DISPOSAL          | 07/30/2019   | 92.99              | GENERAL FUND    |
| Total THEISEN'S:                    |                           |              | 1,358.75           |                 |
| <b>THOMPSON AIRE</b>                |                           |              |                    |                 |
| THOMPSON AIRE                       | BALLOON CAMP BAGGIES      | 05/31/2019   | 300.00             | PARK & RECREATI |
| Total THOMPSON AIRE:                |                           |              | 300.00             |                 |
| <b>TITAN MACHINERY</b>              |                           |              |                    |                 |
| TITAN MACHINERY                     | UNIT 5 - LOCK             | 07/18/2019   | 102.09             | ROAD USE TAX FU |
| Total TITAN MACHINERY:              |                           |              | 102.09             |                 |
| <b>TOMIN'S TOWING</b>               |                           |              |                    |                 |
| TOMIN'S TOWING                      | TOW - ABANDONED           | 07/12/2019   | 165.00             | POLICE FUND     |
| Total TOMIN'S TOWING:               |                           |              | 165.00             |                 |
| <b>TOMPKINS INDUSTRIES INC.</b>     |                           |              |                    |                 |
| TOMPKINS INDUSTRIES INC.            | HOSE FOR SWEEPER          | 07/01/2019   | 199.93             | ROAD USE TAX FU |
| Total TOMPKINS INDUSTRIES INC.:     |                           |              | 199.93             |                 |
| <b>TRANS-IOWA EQUIPMENT INC</b>     |                           |              |                    |                 |
| TRANS-IOWA EQUIPMENT INC            | SWEEPER                   | 07/12/2019   | 256,329.90         | VEHICLE RESERV  |
| TRANS-IOWA EQUIPMENT INC            | ANNUAL SUPPLY OF BROOMS   | 07/15/2019   | 8,243.78           | ROAD USE TAX FU |
| Total TRANS-IOWA EQUIPMENT INC:     |                           |              | 264,573.68         |                 |
| <b>U.S. CELLULAR</b>                |                           |              |                    |                 |
| U.S. CELLULAR                       | CELL PHONES -3            | 07/12/2019   | 104.24             | ROAD USE TAX FU |
| U.S. CELLULAR                       | CELL PHONES - 2           | 07/12/2019   | 92.28              | SEWER FUND      |
| U.S. CELLULAR                       | CELL PHONES - 2           | 07/12/2019   | 80.62              | PARK & RECREATI |
| Total U.S. CELLULAR:                |                           |              | 277.14             |                 |
| <b>U.S. POSTMASTER</b>              |                           |              |                    |                 |
| U.S. POSTMASTER                     | POSTAGE                   | 07/19/2019   | 2,500.00           | GENERAL FUND    |

| Vendor Name                         | Description                                  | Invoice Date | Net Invoice Amount | FUND            |
|-------------------------------------|----------------------------------------------|--------------|--------------------|-----------------|
| Total U.S. POSTMASTER:              |                                              |              | 2,500.00           |                 |
| <b>VAN WALL EQUIPMENT</b>           |                                              |              |                    |                 |
| VAN WALL EQUIPMENT                  | SAW PARTS/ACC.                               | 07/17/2019   | 652.04             | ROAD USE TAX FU |
| Total VAN WALL EQUIPMENT:           |                                              |              | 652.04             |                 |
| <b>VERIZON WIRELESS</b>             |                                              |              |                    |                 |
| VERIZON WIRELESS                    | DATA                                         | 07/15/2019   | 358.60             | POLICE FUND     |
| Total VERIZON WIRELESS:             |                                              |              | 358.60             |                 |
| <b>WALLER, RYAN</b>                 |                                              |              |                    |                 |
| WALLER, RYAN                        | CELL PHONE 6/6/19 - 7/8/19                   | 07/15/2019   | 75.00              | GENERAL FUND    |
| Total WALLER, RYAN:                 |                                              |              | 75.00              |                 |
| <b>WARREN CO ECONOMIC DEV CORP</b>  |                                              |              |                    |                 |
| WARREN CO ECONOMIC DEV              | TRANSFER USDA FUNDS                          | 07/29/2019   | 50,000.00          | DOWNTOWN REV    |
| Total WARREN CO ECONOMIC DEV CORP:  |                                              |              | 50,000.00          |                 |
| <b>WARREN COUNTY OIL</b>            |                                              |              |                    |                 |
| WARREN COUNTY OIL                   | HYDRAULIC OIL                                | 07/22/2019   | 517.00             | ROAD USE TAX FU |
| Total WARREN COUNTY OIL:            |                                              |              | 517.00             |                 |
| <b>WATER ENVIRONMENT FEDERATION</b> |                                              |              |                    |                 |
| WATER ENVIRONMENT FEDER             | WEF MEMBERSHIP                               | 07/26/2019   | 95.00              | SEWER FUND      |
| Total WATER ENVIRONMENT FEDERATION: |                                              |              | 95.00              |                 |
| <b>WEINMAN INSURANCE SERVICE</b>    |                                              |              |                    |                 |
| WEINMAN INSURANCE SERVIC            | CRIME BOND 2019-2020                         | 07/16/2019   | 2,355.00           | GENERAL FUND    |
| Total WEINMAN INSURANCE SERVICE:    |                                              |              | 2,355.00           |                 |
| <b>WELLS FARGO CCER</b>             |                                              |              |                    |                 |
| WELLS FARGO CCER                    | BOUND TREE MEDICAL LLC EMS Supplies Se       | 06/28/2019   | 1,037.17           | AMBULANCE FUN   |
| WELLS FARGO CCER                    | AMZN MKTP US MH9V49C8265020- Book            | 06/28/2019   | 16.48              | LIBRARY FUND    |
| WELLS FARGO CCER                    | MACHINE SHED URBANDALE 110-2100-62300        | 06/03/2019   | 16.00              | ROAD USE TAX FU |
| WELLS FARGO CCER                    | WAL-MART #1491SRP19 Programs                 | 06/03/2019   | 5.84               | LIBRARY SPECIAL |
| WELLS FARGO CCER                    | RASMUSSEN BIKE SHOP Bike bells for Bike F    | 06/04/2019   | 445.00             | PARK & RECREATI |
| WELLS FARGO CCER                    | THOMAS BUS SALES INC Repair tilt deck traile | 06/27/2019   | 303.80             | ROAD USE TAX FU |
| WELLS FARGO CCER                    | PARAMOUNT THEATER VIDEO WASRP19 mo           | 06/28/2019   | 40.00              | LIBRARY SPECIAL |
| WELLS FARGO CCER                    | CLEAR SOLUTIONS INC INTERENrich Iowa gr      | 06/28/2019   | 123.00             | LIBRARY SPECIAL |
| WELLS FARGO CCER                    | PROPUMP & CONTROLS INC Pressure Gauge        | 06/20/2019   | 430.30             | PARK & RECREATI |
| WELLS FARGO CCER                    | PARAMOUNT THEATER VIDEO WASRP19 mo           | 06/21/2019   | 40.00              | LIBRARY SPECIAL |
| WELLS FARGO CCER                    | AMZN MKTP US M649U5262 AM65022- DVDs         | 06/21/2019   | 259.78             | LIBRARY FUND    |
| WELLS FARGO CCER                    | AGR GARDENER SUPPLY CO Childrens Garde       | 06/24/2019   | 607.66             | PARK & RECREATI |
| WELLS FARGO CCER                    | CHARLES GABUS FORD RENTASenior trip re       | 06/24/2019   | 26.00              | PARK & RECREATI |
| WELLS FARGO CCER                    | AMZN MKTP US M652B19O0RAGBRAI                | 06/26/2019   | 62.29              | LIBRARY SPECIAL |
| WELLS FARGO CCER                    | PARAMOUNT THEATER VIDEO WASRP19 mo           | 06/14/2019   | 40.00              | LIBRARY SPECIAL |
| WELLS FARGO CCER                    | WAL-MART #1491Laminate sheets, scouring pa   | 06/14/2019   | 24.96              | PARK & RECREATI |
| WELLS FARGO CCER                    | AMZN MKTP US M64R39G80 AMSummer read         | 06/17/2019   | 12.99              | LIBRARY SPECIAL |
| WELLS FARGO CCER                    | AMZN MKTP US M66IC4GZ0 AMSummer readi        | 06/17/2019   | 110.98             | LIBRARY SPECIAL |
| WELLS FARGO CCER                    | AMZN MKTP US M66W955H0 AM65022- DVD          | 06/18/2019   | 5.00               | LIBRARY FUND    |



| Vendor Name      | Description                                 | Invoice Date | Net Invoice Amount | FUND            |
|------------------|---------------------------------------------|--------------|--------------------|-----------------|
| WELLS FARGO CCER | AMAZON.COM M67FG5UN1 AMZNSummer re          | 06/19/2019   | 6.88               | LIBRARY SPECIAL |
| WELLS FARGO CCER | BOUND TREE MEDICAL LLC EMS Supplies Cr      | 06/10/2019   | 110.46-            | AMBULANCE FUN   |
| WELLS FARGO CCER | THEISENS #21Oil Dry                         | 06/11/2019   | 119.85             | FIRE FUND       |
| WELLS FARGO CCER | AMZN MKTP US M67AC85L1 AMSurface Case       | 06/12/2019   | 77.90              | VEHICLE RESERV  |
| WELLS FARGO CCER | WM SUPERCENTER #1491jr police academy s     | 06/13/2019   | 26.14              | POLICE FUND     |
| WELLS FARGO CCER | WM SUPERCENTER #1491Bike Fest supplies      | 06/13/2019   | 97.33              | PARK & RECREATI |
| WELLS FARGO CCER | ANYPROMO INC Tax credit                     | 06/05/2019   | 23.60-             | POLICE FUND     |
| WELLS FARGO CCER | IOWA LEAGUE OF CITIES Clerk Institute Class | 06/05/2019   | 420.00             | GENERAL FUND    |
| WELLS FARGO CCER | HY VEE 1271Summer reading program expens    | 06/06/2019   | 21.97              | LIBRARY SPECIAL |
| WELLS FARGO CCER | WAL-MART #1491Senior supplies               | 06/06/2019   | 33.19              | PARK & RECREATI |
| WELLS FARGO CCER | PARAMOUNT THEATER VIDEO WASRP19 mo          | 06/07/2019   | 50.00              | LIBRARY SPECIAL |
| WELLS FARGO CCER | WM SUPERCENTER #1491VMAC office suppli      | 06/07/2019   | 28.40              | POOL (MEMORIAL) |
| WELLS FARGO CCER | GAME OF REALMS 5 FEMALS Summer reading      | 06/25/2019   | 75.13              | LIBRARY SPECIAL |
| WELLS FARGO CCER | URBAN LAND INSTITUTE ULI Iowa: Form Base    | 06/27/2019   | 20.00              | GENERAL FUND    |
| WELLS FARGO CCER | INTL CODE COUNCIL INC ICC Residential Insp  | 06/27/2019   | 1,120.00           | GENERAL FUND    |
| WELLS FARGO CCER | AMZN MKTP US MN1482US0 AMHeadphones         | 06/03/2019   | 25.96              | GENERAL FUND    |
| WELLS FARGO CCER | DISCOUNTMUGS.COM Bike Fest water bottles    | 06/03/2019   | 254.66             | PARK & RECREATI |
| WELLS FARGO CCER | WAL-MART #1491 SE2Refund for returned p     | 06/04/2019   | 12.16-             | PARK & RECREATI |
| WELLS FARGO CCER | WM SUPERCENTER #1491Summer reading pr       | 06/19/2019   | 21.34              | LIBRARY SPECIAL |
| WELLS FARGO CCER | AMZN MKTP US M69FV66E0Office supplies       | 06/20/2019   | 11.98              | LIBRARY FUND    |
| WELLS FARGO CCER | WM SUPERCENTER #1491Paper plates - Spe      | 06/20/2019   | 2.91               | PARK & RECREATI |
| WELLS FARGO CCER | AGR GARDENER SUPPLY CO Childrens Garde      | 06/21/2019   | 127.03             | PARK & RECREATI |
| WELLS FARGO CCER | WAL-MART #1491jr police academy             | 06/21/2019   | 15.12              | POLICE FUND     |
| WELLS FARGO CCER | AMZN MKTP US M66184SC0 AM65022- DVD         | 06/24/2019   | 12.96              | LIBRARY FUND    |
| WELLS FARGO CCER | AMZN MKTP US Refund - bathroom shelves      | 06/13/2019   | 50.69-             | LIBRARY FUND    |
| WELLS FARGO CCER | AMAZON.COM M67PP7G62 AMZN Book              | 06/13/2019   | 18.99              | LIBRARY FUND    |
| WELLS FARGO CCER | AMZN MKTP US M65F78PM0Surface mounts f      | 06/14/2019   | 143.98             | VEHICLE RESERV  |
| WELLS FARGO CCER | WAL-MART #1491SRP19 Programs                | 06/14/2019   | 18.28              | LIBRARY SPECIAL |
| WELLS FARGO CCER | AMZN MKTP US M66QZ6X10 AM65022- DVD         | 06/17/2019   | 4.99               | LIBRARY FUND    |
| WELLS FARGO CCER | AMAZON.COM M67XV2HQ0SRP19 Program           | 06/18/2019   | 35.76              | LIBRARY SPECIAL |
| WELLS FARGO CCER | UPS 2905A37M98Kpickup charges - postage     | 06/07/2019   | 6.90               | POLICE FUND     |
| WELLS FARGO CCER | OTC BRANDS, INC. Bike Fest supplies         | 06/07/2019   | 136.85             | PARK & RECREATI |
| WELLS FARGO CCER | WM SUPERCENTER #1491Concession Food         | 06/10/2019   | 58.66              | POOL (MEMORIAL) |
| WELLS FARGO CCER | WM SUPERCENTER #1491Air Horns: lifeguard    | 06/10/2019   | 39.84              | POOL (MEMORIAL) |
| WELLS FARGO CCER | WAL-MART #1491pool supplies                 | 06/11/2019   | 1.03               | POOL (MEMORIAL) |
| WELLS FARGO CCER | HOMETOWN SUPPLY 6 inch PVC Cap              | 06/12/2019   | 8.88               | PARK & RECREATI |
| WELLS FARGO CCER | WAL-MART #1491concession food supplies an   | 06/03/2019   | 56.14              | POOL (MEMORIAL) |
| WELLS FARGO CCER | WM SUPERCENTER #1491Concession food s       | 06/03/2019   | 45.38              | POOL (MEMORIAL) |
| WELLS FARGO CCER | SKILLPATH / NATIONAL LUANN - PAYROLL LA     | 06/05/2019   | 199.00             | GENERAL FUND    |
| WELLS FARGO CCER | DISCOUNTMUGS.COM Refund of sales tax for    | 06/05/2019   | 16.66-             | PARK & RECREATI |
| WELLS FARGO CCER | THE GREATER DES MOINES Capital Crossroa     | 06/05/2019   | 6.25               | GENERAL FUND    |
| WELLS FARGO CCER | WM SUPERCENTER #1491Swim lesson suppli      | 06/06/2019   | 13.76              | POOL (MEMORIAL) |
| WELLS FARGO CCER | CHARLES GABUS FORD RENTASenior trip re      | 06/24/2019   | 121.99             | PARK & RECREATI |
| WELLS FARGO CCER | CROSS BORDER TRANS FEES Summer reading      | 06/25/2019   | .75                | LIBRARY SPECIAL |
| WELLS FARGO CCER | AMAZON.COM M62I77IL2 AMZNRural Gatewa       | 06/26/2019   | 89.99              | LIBRARY SPECIAL |
| WELLS FARGO CCER | MOOD PANDORA Hold music                     | 06/27/2019   | 26.95              | GENERAL FUND    |
| WELLS FARGO CCER | HY VEE 1271Summer reading program expens    | 06/28/2019   | 65.86              | LIBRARY SPECIAL |
| WELLS FARGO CCER | THE GROGGY DOGS Summer reading program      | 06/03/2019   | 50.00              | LIBRARY SPECIAL |
| WELLS FARGO CCER | AMZN MKTP US M62YC1VU0 AMCorrect Surfa      | 06/17/2019   | 129.90             | VEHICLE RESERV  |
| WELLS FARGO CCER | AMZN MKTP US M65WL2BZ0 AMSummer rea         | 06/19/2019   | 21.98              | LIBRARY SPECIAL |
| WELLS FARGO CCER | LEIGHTRONIX INC Leightronix yearly support  | 06/19/2019   | 2,388.00           | GENERAL FUND    |
| WELLS FARGO CCER | SIGNS DIRECT VMAC signage                   | 06/20/2019   | 57.87              | POOL (MEMORIAL) |
| WELLS FARGO CCER | SQ BUSY BEE GARDEN Landscaping              | 06/21/2019   | 83.94              | LIBRARY FUND    |
| WELLS FARGO CCER | WALMART.COM 8009666546jr police academy     | 06/21/2019   | 11.24              | POLICE FUND     |
| WELLS FARGO CCER | DAIRY QUEEN #11558SRP19 Program             | 06/12/2019   | 15.00              | LIBRARY SPECIAL |
| WELLS FARGO CCER | WM SUPERCENTER #1491SRP19 Programs          | 06/13/2019   | 10.52              | LIBRARY SPECIAL |
| WELLS FARGO CCER | AMZN MKTP US M688U40S0 AMSRP19 Progr        | 06/13/2019   | 25.99              | LIBRARY SPECIAL |
| WELLS FARGO CCER | AMAZON.COM M65NA4PB0 AMZNRural Gate         | 06/14/2019   | 29.70              | LIBRARY SPECIAL |

| Vendor Name      | Description                                 | Invoice Date | Net Invoice Amount | FUND            |
|------------------|---------------------------------------------|--------------|--------------------|-----------------|
| WELLS FARGO CCER | MIDWEST WHEEL-DMReplaced aluminum rim       | 06/14/2019   | 348.97             | AMBULANCE FUN   |
| WELLS FARGO CCER | AMZN MKTP US M60QE5VD0 AMSurface car c      | 06/17/2019   | 35.76              | VEHICLE RESERV  |
| WELLS FARGO CCER | AMZN MKTP US M65QG3E31Teen program ex       | 06/06/2019   | 256.54             | LIBRARY FUND    |
| WELLS FARGO CCER | NOTARY ROTARYNotary stamp                   | 06/06/2019   | 24.61              | GENERAL FUND    |
| WELLS FARGO CCER | OTC BRANDS, INC.Tax refund for bike fest su | 06/07/2019   | 8.95-              | PARK & RECREATI |
| WELLS FARGO CCER | AMZN MKTP US M63AU6TC2 AMChildrens Ga       | 06/10/2019   | 237.91             | PARK & RECREATI |
| WELLS FARGO CCER | WM SUPERCENTER #1491Swim Lesson Fold        | 06/10/2019   | 5.32               | POOL (MEMORIAL) |
| WELLS FARGO CCER | WM SUPERCENTER #1491VMAC office suppli      | 06/11/2019   | 21.28              | POOL (MEMORIAL) |
| WELLS FARGO CCER | ADOBE CREATIVE CLOUDmonthly subscriptio     | 06/03/2019   | 52.99              | PARK & RECREATI |
| WELLS FARGO CCER | WM SUPERCENTER #1491VMAC office suppli      | 06/03/2019   | 24.40              | POOL (MEMORIAL) |
| WELLS FARGO CCER | WM SUPERCENTER #1491concession food su      | 06/03/2019   | 72.20              | POOL (MEMORIAL) |
| WELLS FARGO CCER | WAL-MART #1491 SE2Shower curtains retur     | 06/04/2019   | 31.36-             | POOL (MEMORIAL) |
| WELLS FARGO CCER | WAL-MART #1491SRP19 Programs                | 06/05/2019   | 37.03              | LIBRARY SPECIAL |
| WELLS FARGO CCER | WM SUPERCENTER #1491Concessions food        | 06/05/2019   | 17.96              | POOL (MEMORIAL) |
| WELLS FARGO CCER | AMZN MKTP US M60N58RJ0RAGBRAI               | 06/27/2019   | 51.00              | LIBRARY SPECIAL |
| WELLS FARGO CCER | ADOBE ACROPRO SUBSadobe license             | 06/28/2019   | 14.99              | POLICE FUND     |
| WELLS FARGO CCER | AMERICAN AIR0012362717216Flight to ICC Tr   | 06/28/2019   | 346.61             | GENERAL FUND    |
| WELLS FARGO CCER | MOUNTAIN TACTICAL INSTFirefighter On-ram    | 06/28/2019   | 39.00              | FIRE FUND       |
| WELLS FARGO CCER | BOONE AND SCENIC VALLEY RSenior Trip Ad     | 06/21/2019   | 297.00             | PARK & RECREATI |
| WELLS FARGO CCER | HY VEE 1271Summer reading program expens    | 06/21/2019   | 11.32              | LIBRARY SPECIAL |
| WELLS FARGO CCER | QT 513 04005138Senior Trip gas for rental   | 06/24/2019   | 29.51              | PARK & RECREATI |
| WELLS FARGO CCER | WM SUPERCENTER #149165023- Friends- Pr      | 06/25/2019   | 17.67              | LIBRARY SPECIAL |
| WELLS FARGO CCER | HOBBY-LOBBY #258Bike Fest supplies          | 06/14/2019   | 16.97              | PARK & RECREATI |
| WELLS FARGO CCER | WAL-MART #1491SRP19 Programs                | 06/17/2019   | 12.94              | LIBRARY SPECIAL |
| WELLS FARGO CCER | AMZN MKTP US AMZN.COM/BILReturn of inco     | 06/18/2019   | 70.18-             | VEHICLE RESERV  |
| WELLS FARGO CCER | AMZN MKTP US M69GZ19M1 AMSummer rea         | 06/19/2019   | 15.98              | LIBRARY SPECIAL |
| WELLS FARGO CCER | DEE ZEEToolboxes for new Dodge pickup 110-  | 06/20/2019   | 303.98             | ROAD USE TAX FU |
| WELLS FARGO CCER | WALMART.COM 8009666546jr police academy     | 06/21/2019   | 63.81              | POLICE FUND     |
| WELLS FARGO CCER | THE UPS STORE #6682Postage for bullet chai  | 06/11/2019   | 23.30              | FIRE FUND       |
| WELLS FARGO CCER | AMAZON.COM M626E4XS2 AMZNRRural Gate        | 06/12/2019   | 89.10              | LIBRARY SPECIAL |
| WELLS FARGO CCER | INDOFF INCORPORATED65023- SRP- Friends      | 06/12/2019   | 24.11              | LIBRARY SPECIAL |
| WELLS FARGO CCER | IOWA DNR SALES3rd Ave Sewer Replacement     | 06/13/2019   | 100.00             | SEWER FUND      |
| WELLS FARGO CCER | WM SUPERCENTER #1491Jr Police Academy       | 06/13/2019   | 105.10             | PARK & RECREATI |
| WELLS FARGO CCER | BOUND TREE MEDICAL LLCsuccinylcholine       | 06/14/2019   | 47.32              | AMBULANCE FUN   |
| WELLS FARGO CCER | MCCOY TRUE VALUEflag pole rope for City pol | 06/05/2019   | 19.98              | GENERAL FUND    |
| WELLS FARGO CCER | AMZN MKTP US M641R53L2 AMSRP19 Progr        | 06/06/2019   | 47.89              | LIBRARY SPECIAL |
| WELLS FARGO CCER | ANYPROMO INCTax Credit                      | 06/06/2019   | 7.54-              | POLICE FUND     |
| WELLS FARGO CCER | UPS 1ZRF2T170320006611shipping fees for m   | 06/07/2019   | 10.18              | POLICE FUND     |
| WELLS FARGO CCER | BOUND TREE MEDICAL LLCGlucagon, Pitocin     | 06/07/2019   | 256.20             | AMBULANCE FUN   |
| WELLS FARGO CCER | WAL-MART #1491Reimbursement for lesson fol  | 06/10/2019   | 7.88-              | POOL (MEMORIAL) |
| WELLS FARGO CCER | MAYHEM COLLECTIBLES INC DSummer readi       | 06/05/2019   | 91.34              | LIBRARY SPECIAL |

Total WELLS FARGO CCER:

12,919.48

**WESLEY WOODS CAMP & RETREAT CTR**

|                         |                  |            |        |                 |
|-------------------------|------------------|------------|--------|-----------------|
| WESLEY WOODS CAMP & RET | NATURE EXPLORERS | 06/21/2019 | 96.00  | PARK & RECREATI |
| WESLEY WOODS CAMP & RET | LIL' FARM HANDS  | 07/08/2019 | 115.00 | PARK & RECREATI |
| WESLEY WOODS CAMP & RET | BULLSEYE CAMP    | 06/21/2019 | 495.00 | PARK & RECREATI |
| WESLEY WOODS CAMP & RET | HORSEBACK RIDE   | 06/21/2019 | 75.00  | PARK & RECREATI |
| WESLEY WOODS CAMP & RET | HORSEBACK RIDE   | 07/05/2019 | 175.00 | PARK & RECREATI |
| WESLEY WOODS CAMP & RET | LIL' FARM HANDS  | 07/05/2019 | 95.00  | PARK & RECREATI |

Total WESLEY WOODS CAMP &amp; RETREAT CTR:

1,051.00

**WEST SAFETY SERVICES INC**

|                          |                    |            |        |              |
|--------------------------|--------------------|------------|--------|--------------|
| WEST SAFETY SERVICES INC | MONTHLY 911 ACCESS | 06/21/2018 | 100.00 | GENERAL FUND |
| WEST SAFETY SERVICES INC | MONTHLY 911 ACCESS | 07/19/2019 | 100.00 | GENERAL FUND |
| WEST SAFETY SERVICES INC | MONTHLY 911 ACCESS | 09/11/2018 | 100.00 | GENERAL FUND |

| Vendor Name                             | Description          | Invoice Date | Net Invoice Amount | FUND            |
|-----------------------------------------|----------------------|--------------|--------------------|-----------------|
| WEST SAFETY SERVICES INC                | MONTHLY 911 ACCESS   | 10/04/2018   | 100.00             | GENERAL FUND    |
| WEST SAFETY SERVICES INC                | MONTHLY 911 ACCESS   | 11/13/2018   | 100.00             | GENERAL FUND    |
| WEST SAFETY SERVICES INC                | MONTHLY 911 ACCESS   | 12/05/2018   | 100.00             | GENERAL FUND    |
| WEST SAFETY SERVICES INC                | MONTHLY 911 ACCESS   | 01/07/2019   | 100.00             | GENERAL FUND    |
| WEST SAFETY SERVICES INC                | MONTHLY 911 ACCESS   | 02/13/2019   | 100.00             | GENERAL FUND    |
| WEST SAFETY SERVICES INC                | MONTHLY 911 ACCESS   | 03/07/2019   | 100.00             | GENERAL FUND    |
| WEST SAFETY SERVICES INC                | MONTHLY 911 ACCESS   | 04/04/2019   | 100.00             | GENERAL FUND    |
| WEST SAFETY SERVICES INC                | MONTHLY 911 ACCESS   | 05/03/2019   | 100.00             | GENERAL FUND    |
| WEST SAFETY SERVICES INC                | MONTHLY 911 ACCESS   | 06/06/2019   | 100.00             | GENERAL FUND    |
| WEST SAFETY SERVICES INC                | MONTHLY 911 ACCESS   | 07/08/2019   | 100.00             | GENERAL FUND    |
| Total WEST SAFETY SERVICES INC:         |                      |              | 1,300.00           |                 |
| <b>WHITLOCK, DOUG</b>                   |                      |              |                    |                 |
| WHITLOCK, DOUG                          | CHURCH LEAGUE SB     | 07/15/2019   | 84.00              | PARK & RECREATI |
| Total WHITLOCK, DOUG:                   |                      |              | 84.00              |                 |
| <b>WOOSLEY LANDSCAPING &amp; MOWING</b> |                      |              |                    |                 |
| WOOSLEY LANDSCAPING & M                 | LIBRARY MOW CONTRACT | 07/22/2019   | 280.00             | LIBRARY FUND    |
| WOOSLEY LANDSCAPING & M                 | PARKS MOW CONTRACT   | 07/22/2019   | 8,480.00           | PARK & RECREATI |
| WOOSLEY LANDSCAPING & M                 | MAC MOW CONTRACT     | 07/22/2019   | 640.00             | POOL (MEMORIAL) |
| Total WOOSLEY LANDSCAPING & MOWING:     |                      |              | 9,400.00           |                 |
| Grand Totals:                           |                      |              | 594,107.07         |                 |

City Council: \_\_\_\_\_

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**Meeting Date:** 08/05/2019

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**Subject**

Presentation regarding the EMS Billing Management Review from Todd Cooper, Senior Manager for Client Relation

**Information**

Todd Cooper of R1 Company will be present to update the Mayor and Council regarding the EMS Billing Management Review (packet).

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**Fiscal Impact**

**Attachments**

Information

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# City of Indianola Fire Department

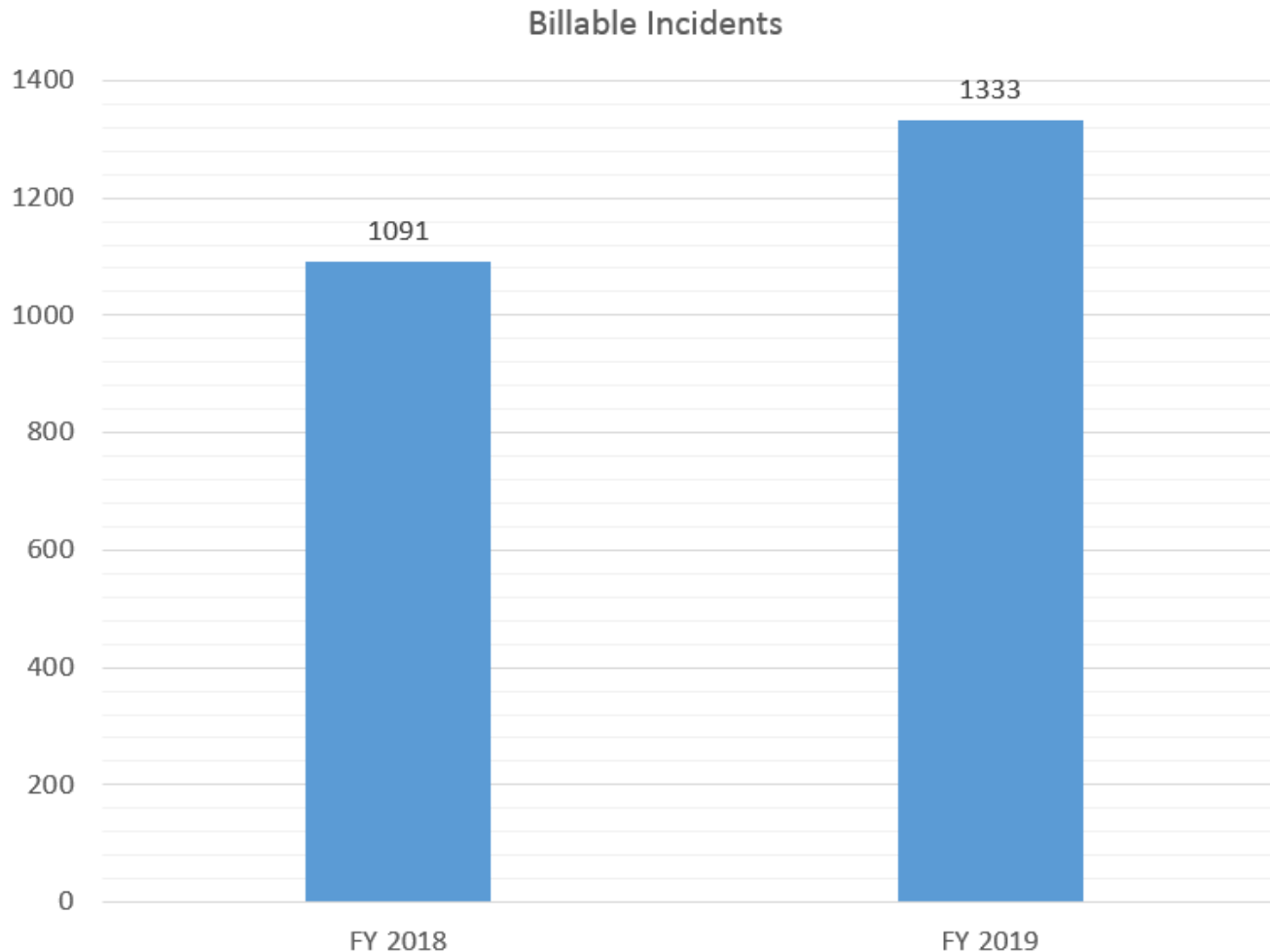


**R1**®

EMS Billing Management Review  
August 5, 2019

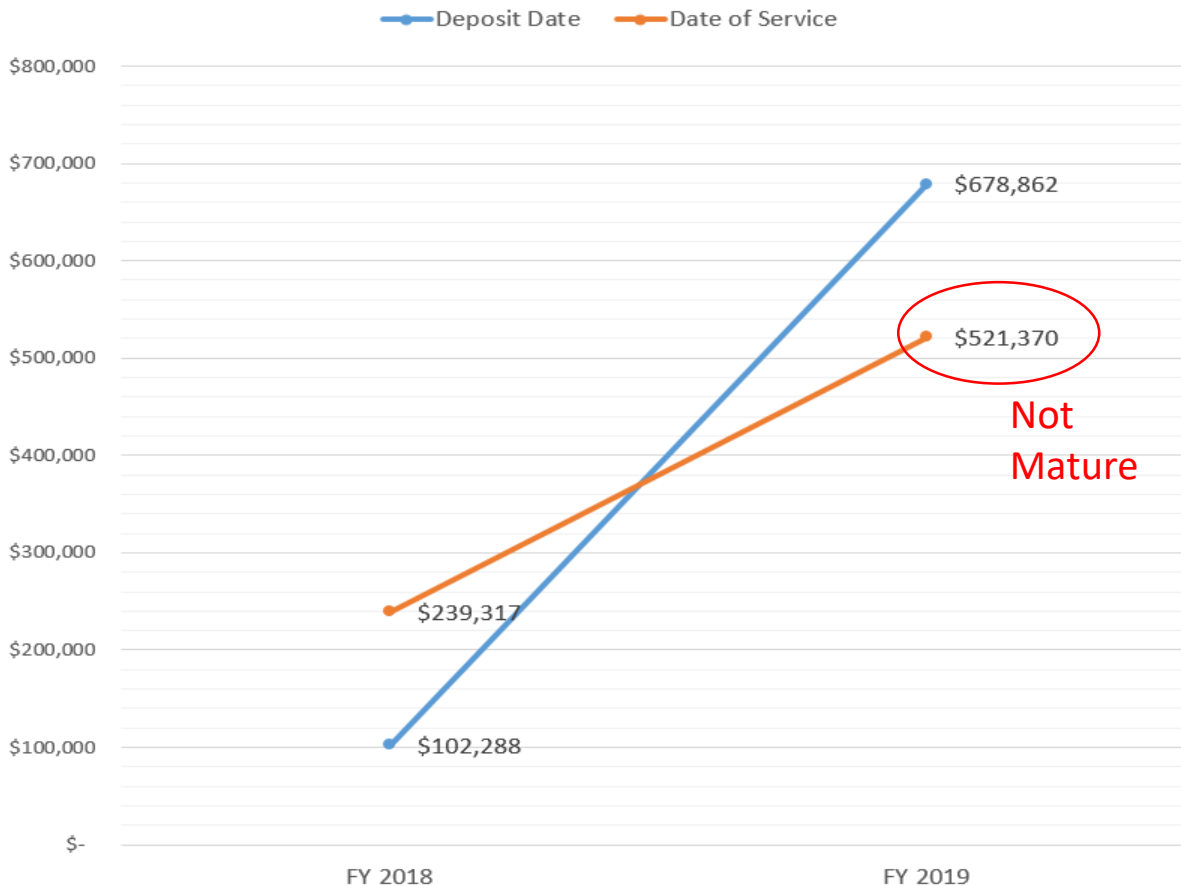
# Incidents by DOS

- R1 began billing for Indianola F.D. September 2018



# Collections Over Time

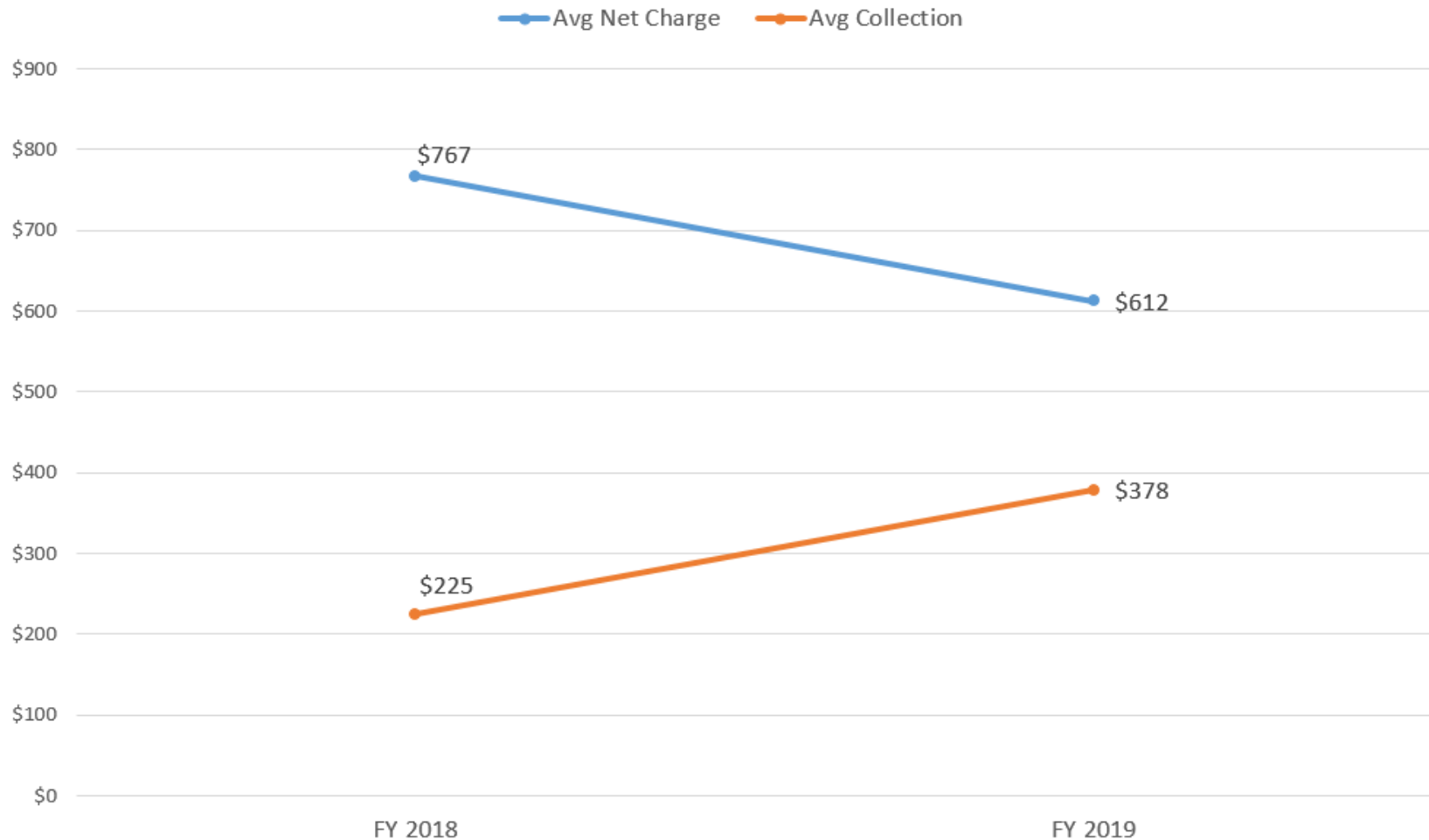
- Net collections by year of deposit and year of service since FY 2018
- Medicare enrollment gap 11/3/2017-6/5/2018. 334 accounts, ~\$133,600
- Total collections from 9/2018 to 6/30/2019 = \$796,290



| FY2015- 2017 Converted AR |                    |
|---------------------------|--------------------|
| 554                       | Accounts           |
| \$ 484,695.00             | Gross Charges      |
| \$ 148,645.00             | Payments           |
| \$ 187,476.00             | Balance            |
| 31%                       | Gross Collection % |

# Avg Net Charge –vs- Avg Collection

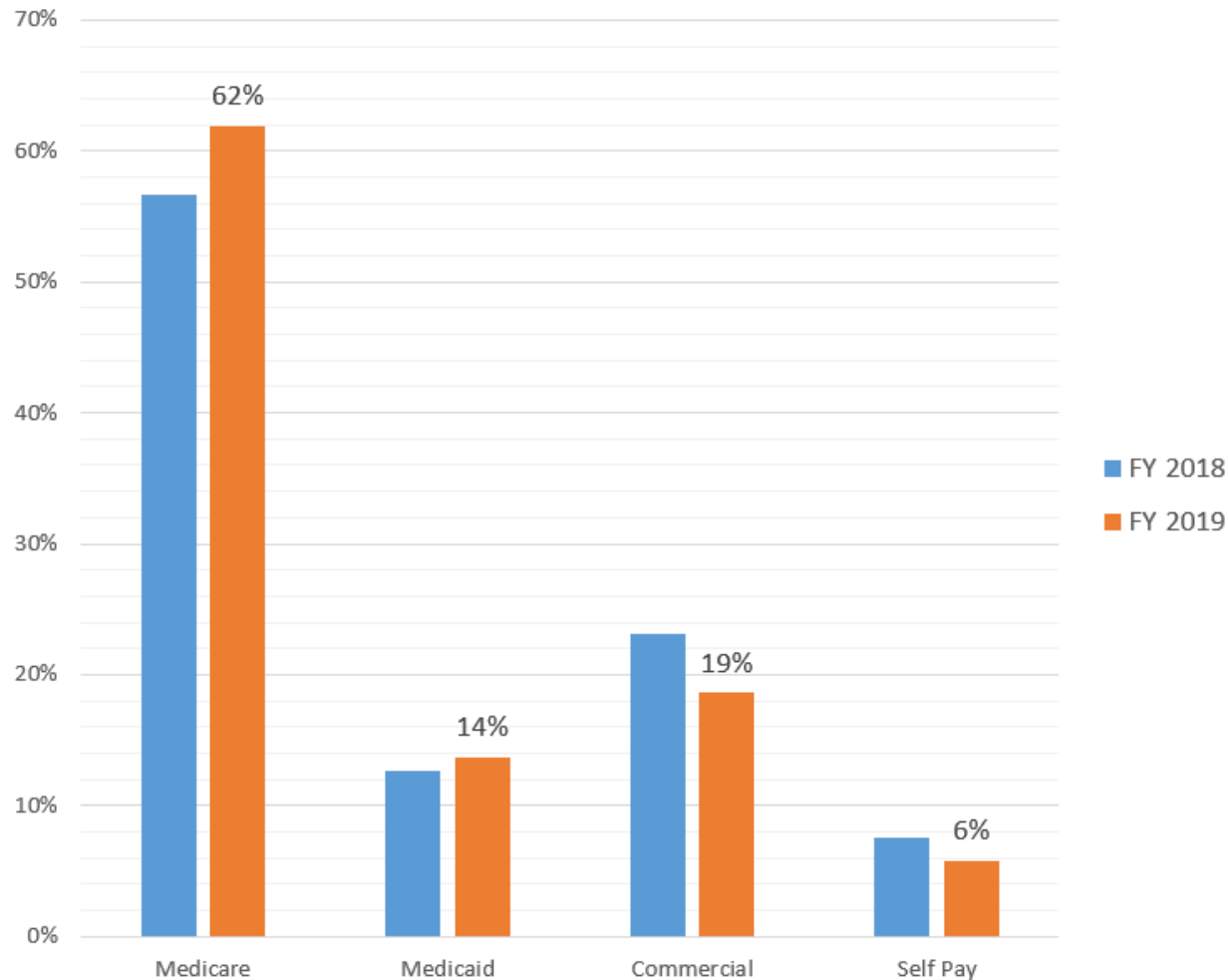
- FY 2019 data is not mature





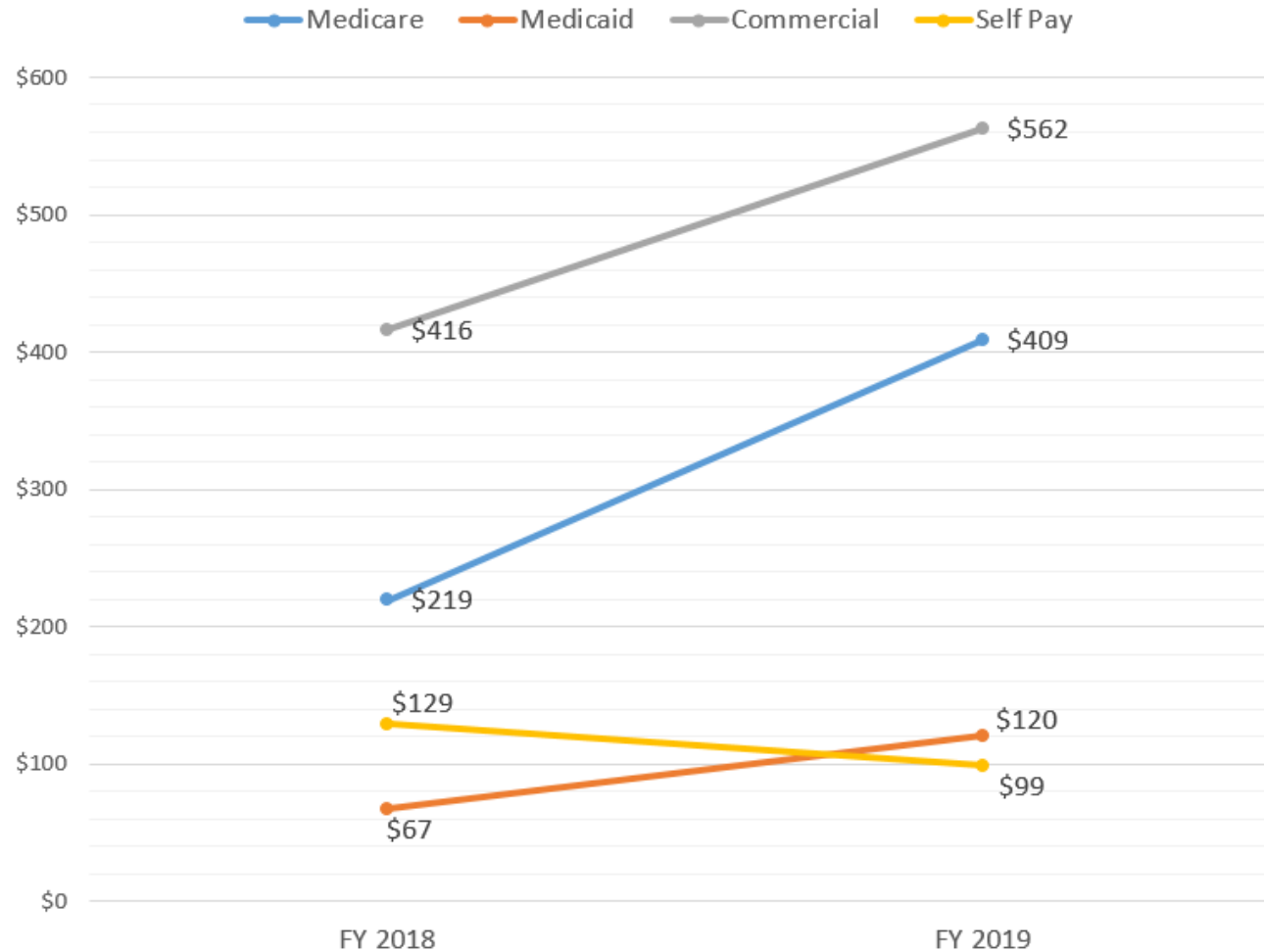
# Payer Mix Trend by Date of Service

- FY 2019 dates of service are not mature



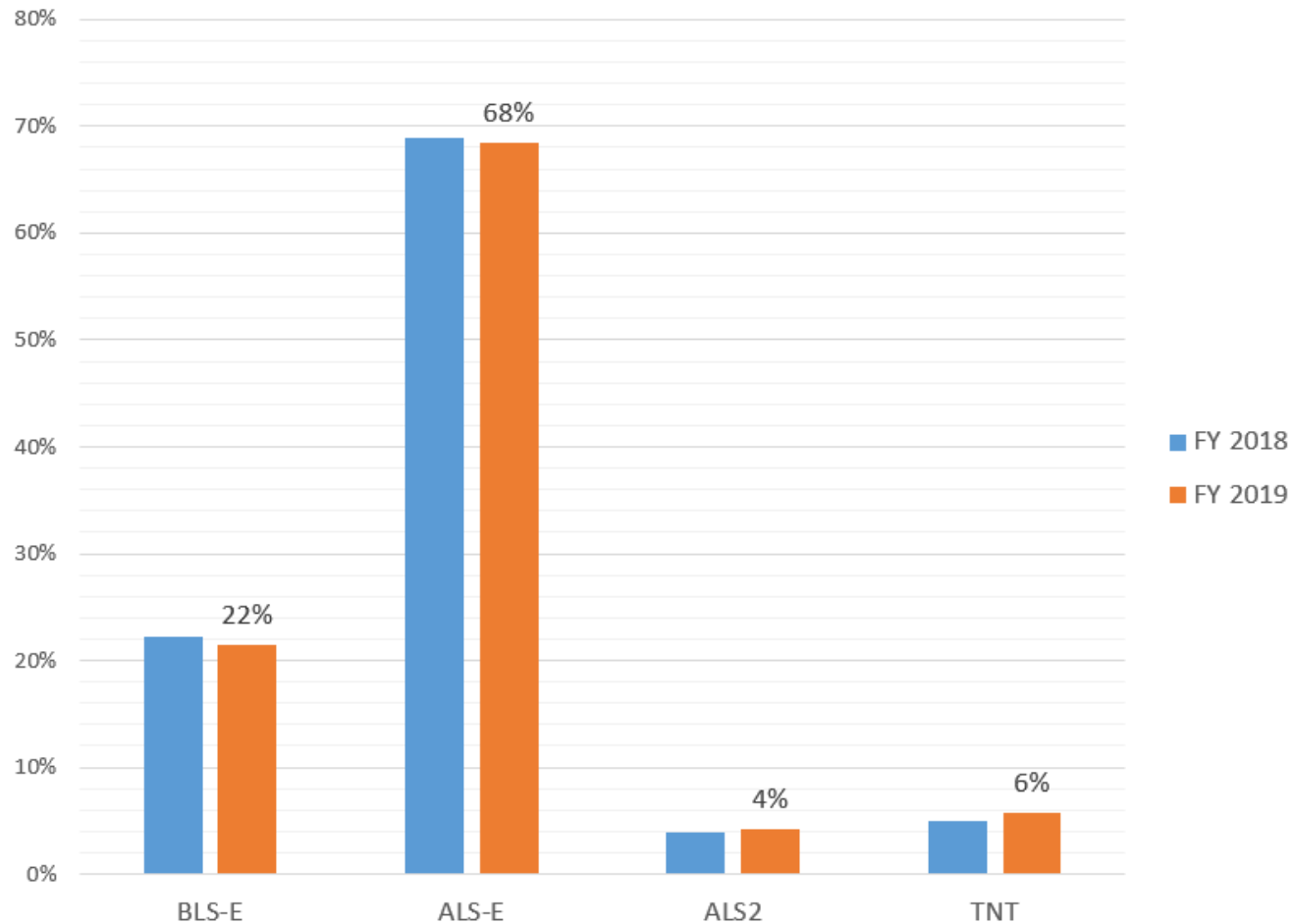
# Revenue by Payer Type

- FY 2019 data is not mature



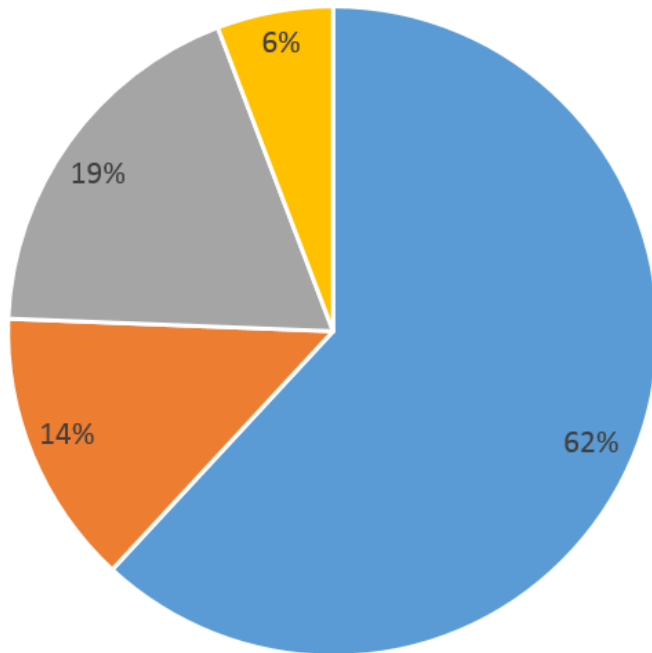
# Level of Service Trend by DOS

- EMS Industry standard of level of service is ALS 67%, BLS 33%

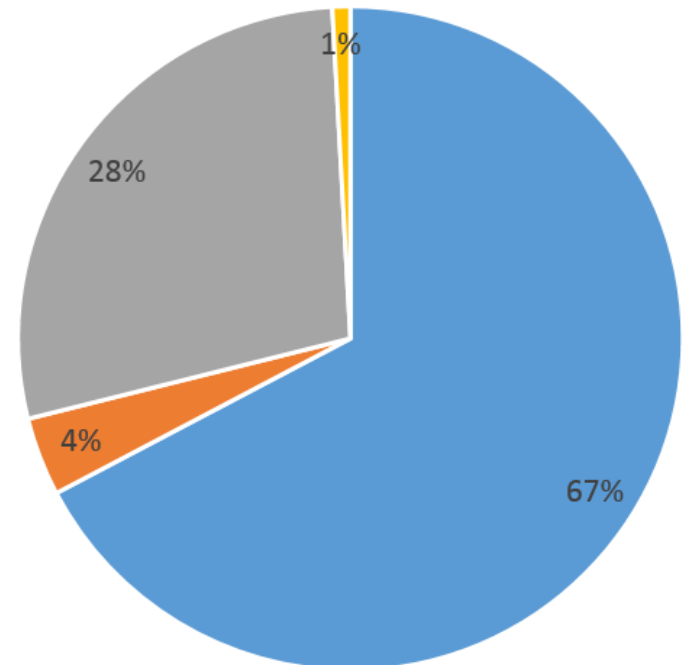


# Charges vs Payment by Payer Type

Percent of Accounts



Percent of Collections

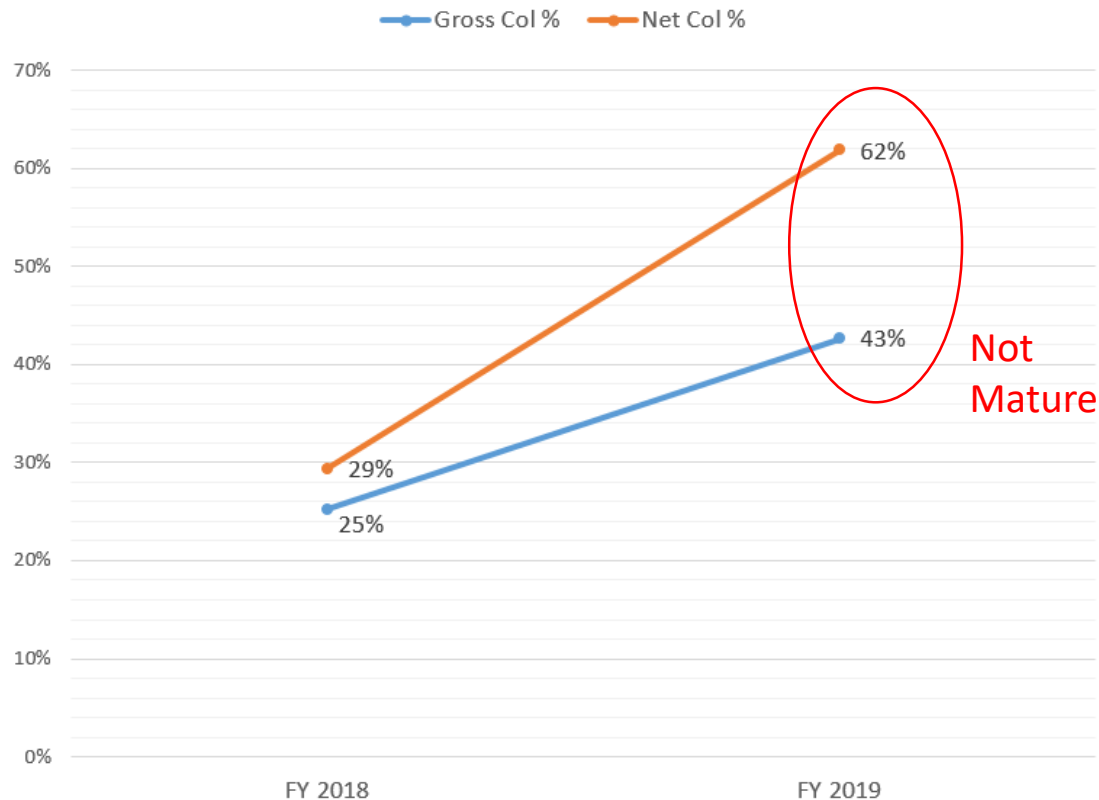


- Medicare
- Medicaid
- Commercial
- Self Pay

FY 2019 dates of service

# Gross vs Net Collection Percentage

- Although we believe Gross and Net Collection Percentages are not good comparative metrics, sometimes the topic comes up
- As fee levels increase, these Collection rates decrease (note R1 does not take adjustments until payment is received)



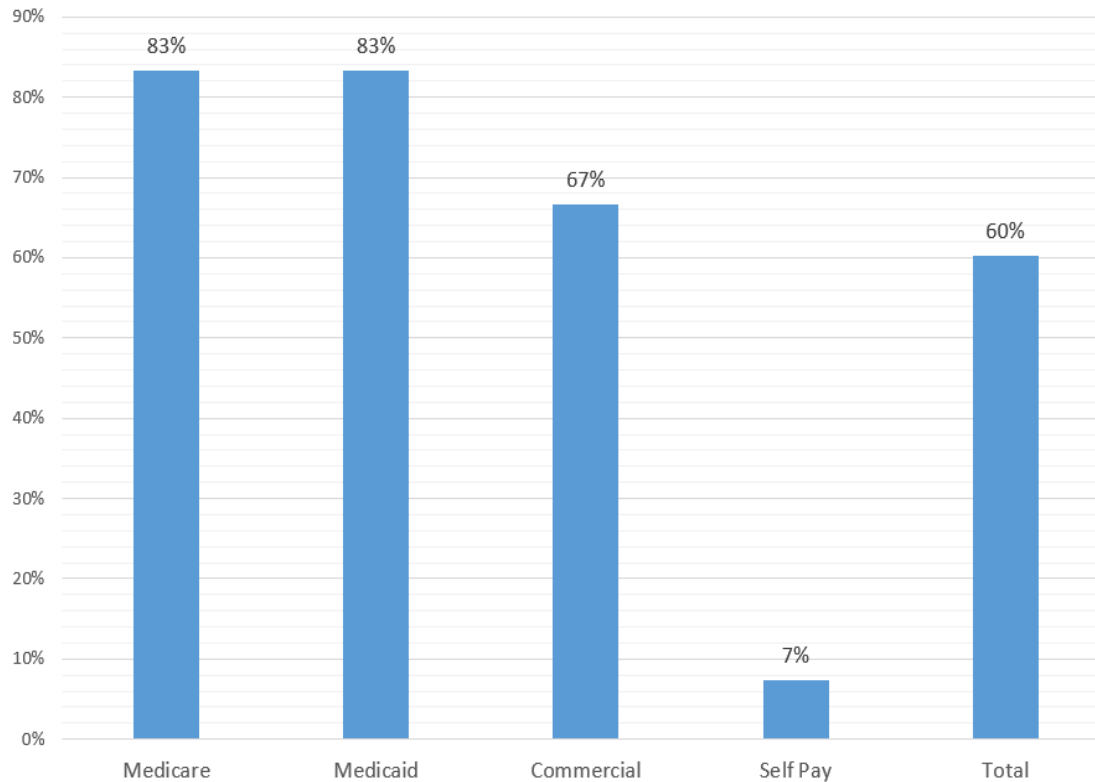
# Commercial Payers FY 2019

- Top 10 Commercial Payers

| Primary Name                   | % of Commercial Charges | % of Primary Insurance Payments | % of all Payments Collected |
|--------------------------------|-------------------------|---------------------------------|-----------------------------|
| Wellmark BCBS - IA             | 52.7%                   | 68.7%                           | 64.4%                       |
| United Healthcare              | 17.6%                   | 10.1%                           | 12.5%                       |
| Coventry                       | 4.4%                    | 2.1%                            | 2.9%                        |
| Aetna                          | 3.7%                    | 3.6%                            | 4.2%                        |
| Health Partners                | 3.1%                    | 4.2%                            | 3.5%                        |
| Veterans Hospital - Des Moines | 2.1%                    | 0.3%                            | 0.2%                        |
| Veterans Administration - IA   | 1.8%                    | 1.6%                            | 1.4%                        |
| Tricare - West                 | 1.7%                    | 0.7%                            | 0.6%                        |
| United Medical Resources       | 1.4%                    | 1.4%                            | 1.7%                        |
| Humana Regional Service Center | 1.2%                    | 0.5%                            | 0.4%                        |

# Adjusted Net Collections by Dollars Paid

- Another way to look at results is to remove the governmental adjustments on unpaid accounts and remove unbillable Medicare (missing sig) and Medicaid
- FY2019 dates of service



- Removes contractual adjustments on unpaid government accounts as well as full amount on:
  - Medicare NMN & Missing signatures
- Commercial adjusted net collection is impacted by:
  - Full deductible
  - VA issues
  - Payments direct to patients
  - Higher co-pays
  - Short-pays
  - Request for additional medical records from patient/hospital
  - NMN
- Self pay biggest challenge is bad address (~50%)

# Factors Driving Revenue – “scorecard”

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- Transport Volume – *18% increase in FY 2019*
- Payer Mix – *Potentially shifting from Commercial to Medicare. Need more data to confirm.*
- Charges/Fees – *Increase in rates July 1, 2019*
- Level of Service or ALS/BLS Mix – *Stable*
- Demographic/Economic Changes – *Stable*
- Average Mileage (Fractional) – *17.66 mile average*
- Medic Documentation – *Stable*
- Patient Signatures/RUTS/PUTS – *Stable*
- Hospital Relationships – *Stable*
- Federal and State Budget Impact – *GEMT approval. Waiting for implementation*
- Health Care Reform Impact – *Increasing deductibles for commercial; potential pull back on parts of the ACA*



Meeting Date: 08/05/2019

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**Subject**

Hillcrest/Downtown Unified Urban Renewal Plan

**Information**

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**Fiscal Impact**

**Attachments**

*No file(s) attached.*

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**Meeting Date:** 08/05/2019

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**Subject**

Public hearing on the proposed Amendment No. 2 to the Hillcrest/Downtown Unified Urban Renewal Plan

**Information**

Council will need to hold a public hearing on the proposed Amendment No. 2 to the Hillcrest/Downtown Unified Urban Renewal Plan.

Mayor Shaw will open the public hearing for comments then close the public hearing.

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**Fiscal Impact**

**Attachments**

*No file(s) attached.*

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**Meeting Date:** 08/05/2019

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**Subject**

Resolution determining an area of the City to be an economic development area, and that the rehabilitation, conservation, redevelopment, development or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the City; designating such area as appropriate for urban renewal projects; and adopting the Amendment No. 2 to the Hillcrest/Downtown Unified Urban Renewal Plan

**Information**

The next item to consider is the resolution determining an area of the City to be an economic development area, and that the rehabilitation, conservation, redevelopment, development or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the City; designating such area as appropriate for urban renewal projects; and adopting the Amendment No. 2 to the Hillcrest/Downtown Unified Urban Renewal Plan.

Roll call is in order.

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**Fiscal Impact**

**Attachments**

Resolution

Amendment No. 2

Consultation Meeting

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This being the time and place fixed for a public hearing on the matter of the adoption of the proposed Amendment No. 2 to the Hillcrest/Downtown Unified Urban Renewal Plan, the Mayor first asked for the report of the Director of Community & Economic Development, or his delegate, with respect to the consultation held with the affected taxing entities to discuss the proposed Amendment. The Council was informed that the consultation was duly held as ordered by the Council, and that \_\_\_\_\_ written recommendations were received from affected taxing entities. The report of the Director of Community & Economic Development, or his delegate, with respect to the consultation was placed on file for consideration by the Council.

The Mayor then asked the City Clerk whether any written objections had been filed with respect to the proposed Amendment, and the City Clerk reported that \_\_\_\_\_ written objections thereto had been filed. The Mayor then called for any oral objections to the adoption of the Amendment No. 2 to the Hillcrest/Downtown Unified Urban Renewal Plan and \_\_\_\_\_ were made. The public hearing was then closed.

{Attach summary of objections here}

Council Member \_\_\_\_\_ then introduced the following Resolution entitled "RESOLUTION DETERMINING AN AREA OF THE CITY TO BE AN ECONOMIC DEVELOPMENT AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE RESIDENTS OF THE CITY; DESIGNATING SUCH AREA AS APPROPRIATE FOR URBAN RENEWAL PROJECTS; AND ADOPTING AMENDMENT NO. 2 TO THE HILLCREST/DOWNTOWN UNIFIED URBAN RENEWAL PLAN" and moved:

- ☐ that the Resolution be adopted.
- ☐ to defer action on the Resolution and the proposal to the meeting to be held at \_\_\_\_\_ .M. on the \_\_\_\_\_ day of \_\_\_\_\_, 2019, at this place.

Council Member \_\_\_\_\_ seconded the motion. The roll was called, and the vote was:

AYES: \_\_\_\_\_

\_\_\_\_\_

NAYS: \_\_\_\_\_

Whereupon, the City declared the measure duly adopted.

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

RESOLUTION DETERMINING AN AREA OF THE CITY TO BE AN ECONOMIC DEVELOPMENT AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE RESIDENTS OF THE CITY; DESIGNATING SUCH AREA AS APPROPRIATE FOR URBAN RENEWAL PROJECTS; AND ADOPTING AMENDMENT NO. 2 TO THE HILLCREST/DOWNTOWN UNIFIED URBAN RENEWAL PLAN

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

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

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

WHEREAS, by Resolution No. 2019-100, adopted May 20, 2019, this City Council approved and adopted an Amendment No. 1 to the Unified Plan, and the Unified Plan, as amended, is on file in the office of the Recorder of Warren County; and

WHEREAS, Resolution No. 2019-100-A, adopted June 17, 2019, corrected a scrivener's error in the legal description of the Area included in Amendment No. 1 to the Unified Plan; and

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

HILLCREST ORIGINAL URBAN RENEWAL AREA

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

of Indianola, Iowa. (Also known as a portion of Parcels K & L of the Replat of Hillcrest Industrial Park 1.)

#### HILLCREST AMENDMENT NO. 1 SUBAREA

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

#### HILLCREST AMENDMENT NO. 2 SUBAREA

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

#### HILLCREST AMENDMENT NO. 3 SUBAREA

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

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

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

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

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

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

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

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

Part of the SE  $\frac{1}{4}$  SE  $\frac{1}{4}$  of Section 12-76-24 described as follows: Beginning 450' West of the SE Corner of said Section 12, thence West 242', thence North 120', thence East 242', thence South 120' to the point of beginning including all adjacent Public Right of Way and Road Easements of record.

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

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

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

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

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

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

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



HILLCREST AMENDMENT NO. 4 SUBAREA

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

AND

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

AND

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

AND

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

AND

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

AND

Parcel "J"

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

West Right of Way line of said U.S. Highway 65-69 a distance of 375.06 feet to the POINT OF BEGINNING. Said tract of land contains 3.055 acres more or less:

AND

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

AND

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

AND

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

AND

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

AND

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

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

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

AND

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

AND

Parcel 1:

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

AND

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

Parcel 2:

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

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

Parcel 3:

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

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

Beginning at a point 33 feet East and 238 ½ feet North of the Southwest corner of the Northwest Quarter of the Southwest Quarter Section 19, Township 76 North,

Range 23 West of the 5<sup>th</sup> P.M., Warren County, Iowa, thence North 103 feet, thence East 208 ½ feet, thence South 103 feet, thence West 208 ½ feet to the place of beginning:

AND

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

AND

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

AND

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

AND

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

AND

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

AND

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

Highways 65 & 69, a distance of 269.99' to an iron pin, thence N15 37'30"E along the East right of way line of U.S. Highways 65 & 69 a distance of 158.07' to an iron pin. Said pin being the true point of beginning, thence N15 37'30"E along the East right of way line of U.S. Highway 65 & 69, a distance of 116.76' to an iron pin. Thence N 89 47'20"E a distance of 210.00' to an iron pin, thence N00 12'40"W a distance of 399.00' to an iron pin, thence N89 47'20"E a distance of 560.00' to an iron pin, thence S00 12'40"E a distance of 360.60' to an iron pin, thence S89 47'20"W a distance of 290.00' to an iron pin, thence N00 12'40"W a distance of 25.50' to an iron pin, thence S89 47'20"W a distance of 198.53' to an iron pin, thence S14 20'30"W a distance of 182.20' to an iron pin, thence S89 48'50"W a distance of 267.55' to an iron pin, said pin being the true point of beginning, containing 5.257 acres. SUBJECT to all easements, restrictions, encumbrances, and other matters, if any, of record:

AND

A lot 399 feet by 275 feet situated 530 feet north and 100 feet east of the west  $\frac{1}{4}$  corner, Section 19, Township 76, Range 23, Warren County, Iowa, and locally known as 1508 North Jefferson, Indianola, Iowa.

AND

Lots 1 and 4 of Orchard Plaza Plat

AND

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

AND

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

AND

Parcels A and C of Berry's Outlot 5

AND

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

AND

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

AND

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

AND

All of the Wal-Mart Subdivision

AND

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

AND

DOWNTOWN ORIGINAL URBAN RENEWAL AREA

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

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

DOWNTOWN AMENDMENT NO. 1 SUBAREA

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

DOWNTOWN AMENDMENT NO. 2 SUBAREA

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

G in the NE ¼ of the SW ¼ of Section 26, Township 76 North, Range 24, Lots 5 and 6, Leonard Subdivision, Plat 2; Beginning at a point 2119.55' east and 559.0' south of the NW corner of the North ½ of the SW ¼ of Section 26, Township 76 North, Range 24, Thence South 300' to North right-of-way, Thence West 200', thence North 300', thence East 200' to point of beginning. Lots 1, 2, 3, 4 and 5 in Leonard's Subdivision; Parcels A, B and C in the NW ¼ of the SW ¼ of Section 26, Township 76 North, Range 24; The West 150' of the NW ¼ of Section 26, Township 76 North, Range 24; Lots 1, 2, 3, 4 and 5 of the Newsome Subdivision; The West 677.6' of the SW ¼ of the SW ¼, except the South 436' of Section 23, Township 76 North, Range 24; The East 150' of the SE ¼ of the SE ¼ of Section 22, Township 76 North, Range 24; The East 150' of the NE ¼ of the NE ¼ of Section 27, Township 76 North, Range 24; The east 660' of the SE ¼ of the NE ¼ of Section 27, Township 76 North, Range 24, The N ½ of the SE ¼ Section 27, Township 76 North, Range 24; And the South 421.5' of the North 1066.1' of East 319' of the NE ¼ of the NE ¼ of Section 27, Township 76 North, Range 24; Outlot X of Wesley Corner Plat 1; The East ½ of the SE ¼ of the SE ¼ of Section 27, Township 76 North, Range 24; Lot 1 of Naberhaus Subdivision; Lots 1, 2 and 3 of the Subdivision of Lot 1, except the South 125' of the Naberhaus Subdivision Plat 2; South 125' of Lot 1 of Naberhaus Subdivision Plat 2; South 150' of East 512.5' and the West 2' of the East 512.15' of North 125' South 275' of Lot 2 Naberhaus Subdivision Plat 2; The East 512.15' of the NE ¼ of the NE ¼ of 1 Section 34, Township 76 North, Range 24, except the North 950'; East 512.15' of the SE ¼ of the NE ¼ except the South 438.9' of Section 34, Township 76 North, Range 24; Lots 1, 2, 3, 39, 40 and 41 Deer Run Plat 2; Lot 1 Deer Run Plat 4; All portions of Lot 3 Deer Run Subdivision which lies in the NW ¼ of the SW ¼ of Section 26, Township 76 North, Range 24; All portions of Lot 3 Deer Run Subdivision which lies in NE ¼ of SW ¼ of Section 26, Township 76 North, Range 24; Parcel A of Lot 3 Deer Run Plat the West 430' of SW ¼ of the SW ¼ Section 26, Township 76 North, Range 24; The West 430' of the NW ¼ of the NW ¼ of Section 35, Township 76 North, Range 24 except Deer Run Subdivision Plat 2; The West 430' of the SW ¼ of the NW ¼ Section 35, Township 76 North, Range 24 which lies within the corporate limits except for Deer Run Subdivision Plat 2: Lot 1 and Lots 8 through 29 Lennie's Subdivision; Lots 1 through 7 Block 2, Buxton Addition; Lots 1 and 2, Block 1, Buxton Addition; Lots 1, 2 and Outlot X in the F.S.I. Addition; Auditor's Outlot 123; All of Blocks 1, 4 and 5 of Day's Addition; Auditor's Outlots 133, 134, 135, 137, 138 and Lot 136 except the South 282' and Lot A of Auditor's Outlot 139, 140 and 141; All of Auditor's Outlots 142, 143, 144, 145 and 146, all of the Public Alley and Street Right of Ways of Record Adjacent Thereof.

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

#### UNIFIED AMENDMENT NO. 1 SUBAREA

The following property was REMOVED from the Area by Unified Amendment No. 1:

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

WHEREAS, a proposed Amendment No. 2 to the Plan ("Amendment No. 2" or "Amendment") for the Urban Renewal Area described above has been prepared, which proposed Amendment has been on file in the office of the City Clerk and which is incorporated herein by reference, the purpose of which is to add property to the Area and to add proposed urban renewal projects to be undertaken within the Urban Renewal Area; and

WHEREAS, this proposed Amendment No. 2 would add land to the Area as follows:

The South 50' of the Southwest Quarter of the Southwest Quarter (SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ), of Section Seventeen (17), Township Seventy-six (76) North, Range Twenty-three (23) West of the 5<sup>th</sup> P.M., Warren County, Iowa; and

The South 50' of the Southeast Quarter of the Southeast Quarter (SE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ), lying East of the railroad right-of-way, of Section Eighteen (18), Township Seventy-six (76) North, Range Twenty-three (23) West of the 5<sup>th</sup> P.M., Warren County, Iowa; and

The East Half of the North Three-quarters of the East Half (E  $\frac{1}{2}$  N  $\frac{3}{4}$  E  $\frac{1}{2}$ ), lying East of the railroad right-of-way, of Section Nineteen (19), Township Seventy-six (76) North, Range Twenty-three (23) West of the 5<sup>th</sup> P.M., Warren County, Iowa, except the West 306.32 feet of Lots One and Two; Lot Three; Lot Four, except the North 38 feet thereof; and Lots Five, Six, Seven, Eight, Nine, Ten and Eleven of the Indianola Industrial Park Addition to the City of Indianola, Iowa; and except a tract beginning at the Southwest Corner of the Northeast Quarter of the Southeast Quarter (NE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ), thence North 16 rods, thence East 10 rods, thence South 16 rods, thence West 10 rods to point of beginning; and except Lot Two on the Indianola Industrial Park Plat Two, an Official Plat in Indianola,



Iowa; and except Tract “D” on the plat of survey prepared by Anderson-Bogert Engineers and Surveyors, Inc., and recorded at Irregular Plat Book 6, Page 14 of Indianola, with the Recorder of Warren County, Iowa; and except the South 11.92 acres of the West Half of the Southeast Quarter of the Northeast Quarter (W ½ SE ¼ NE ¼) lying East of the railroad right-of-way, except the East 30 feet thereof; and,

The North Half of the Southwest Quarter (N ½ SW ¼) and the West Half of the Northwest Quarter (W ½ NW ¼) of Section Twenty (20), Township Seventy-six (76) North, Range Twenty-three (23) West of the 5<sup>th</sup> P.M., Warren County, Iowa (Parcel IDs 49023200440, 49023200441, 49023200460, 49023200462, 49023200469, 49023200500, 49023200620, 49023200643 and 49023200644); and

The North 33’ of the South Half of the Southwest Quarter (S ½ SW ¼) of Section Twenty (20), Township Seventy-six (76) North, Range Twenty-three (23) West of the 5<sup>th</sup> P.M., Warren County, Iowa.

WHEREAS, the property proposed to be added to the Urban Renewal Area by Amendment No. 2 includes land classified as agricultural land and written permission of the current owners has been obtained; and

WHEREAS, it is desirable that the Area be redeveloped as part of the activities described within the proposed Amendment No. 2; and

WHEREAS, by resolution adopted on July 1, 2019, this Council directed that a consultation be held with the designated representatives of all affected taxing entities to discuss the proposed Amendment No. 2 and the division of revenue described therein, and that notice of the consultation and a copy of the proposed Amendment No. 2 be sent to all affected taxing entities; and

WHEREAS, pursuant to such notice, the consultation was duly held as ordered by the City Council and all required responses to the recommendations made by the affected taxing entities, if any, have been timely made as set forth in the report of the Director of Community & Economic Development, or his delegate, filed herewith and incorporated herein by this reference, which report is in all respects approved; and

WHEREAS, by resolution this Council also set a public hearing on the adoption of the proposed Amendment No. 2 for this meeting of the Council, and due and proper notice of the public hearing was given, as provided by law, by timely publication in the Indianola Record Herald, which notice set forth the time and place for this hearing and the nature and purpose thereof; and

WHEREAS, in accordance with the notice, all persons or organizations desiring to be heard on the proposed Amendment No. 2, both for and against, have been given an opportunity to be heard with respect thereto and due consideration has been given to all comments and views expressed to this Council in connection therewith and the public hearing has been closed.

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

Section 1. That the findings and conclusions set forth or contained in Amendment No. 2 concerning the area of the City of Indianola, State of Iowa, described in the preamble hereof, be and the same are hereby ratified and confirmed in all respects as the findings of this Council for this area.

Section 2. This Council further finds:

a) Although relocation is not expected, a feasible method exists for the relocation of any families who will be displaced from the Urban Renewal Area into decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families;

b) The Plan, as amended, and Amendment No. 2 conform to the general plan for the development of the City as a whole; and

c) Acquisition by the City is not immediately expected, however, as to any areas of open land to be acquired by the City included within the Urban Renewal Area:

i. Residential use is not expected, however, with reference to any portions thereof which are to be developed for residential uses, this City Council hereby determines that a shortage of housing of sound standards and design with decency, safety and sanitation exists within the City; that the acquisition of the area for residential uses is an integral part of and essential to the program of the municipality; and that one or more of the following conditions exist:

a. That the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas, including other portions of the urban renewal area.

b. That conditions of blight in the municipality and the shortage of decent, safe and sanitary housing cause or contribute to an increase in and spread of disease and crime, so as to constitute a menace to the public health, safety, morals, or welfare.

c. That the provision of public improvements related to housing and residential development will encourage housing and residential development which is necessary to encourage the retention or relocation of industrial and commercial enterprises in this state and its municipalities.

d. The acquisition of the area is necessary to provide for the construction of housing for low and moderate income families.

ii. Non-residential use is expected and with reference to those portions thereof which are to be developed for non-residential uses, such non-residential uses are necessary and appropriate to facilitate the proper growth and development

of the City in accordance with sound planning standards and local community objectives.

Section 3. That the Urban Renewal Area, as amended, continues to be an economic development area within the meaning of Chapter 403, Code of Iowa; that such area is eligible for designation as an urban renewal area and otherwise meets all requisites under the provisions of Chapter 403, Code of Iowa; and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of this City.

Section 4. That Amendment No. 2 to the Hillcrest/Downtown Unified Urban Renewal Plan of the City of Indianola, State of Iowa, attached hereto as Exhibit 1 and incorporated herein by reference, be and the same is hereby approved and adopted as "Amendment No. 2 to the Hillcrest/Downtown Unified Urban Renewal Plan for the City of Indianola, State of Iowa"; Amendment No. 2, including all of the exhibits attached thereto, is hereby in all respects approved; the Mayor and City Clerk are authorized to approve the executed Agricultural Land Agreements; and the City Clerk is hereby directed to file a certified copy of Amendment No. 2 with the proceedings of this meeting.

Section 5. That, notwithstanding any resolution, ordinance, plan, amendment or any other document, Amendment No. 2 shall be in full force and effect from the date of this Resolution until the Council amends or repeals the Plan. The proposed Amendment No. 2 shall be forthwith certified by the City Clerk, along with a copy of this Resolution, to the Recorder for Warren County, Iowa, to be filed and recorded in the manner provided by law.

Section 6. That all other provisions of the Plan not affected or otherwise revised by the terms of Amendment No. 2, as well as all resolutions previously adopted by this City Council related to the Plan be and the same are hereby ratified, confirmed and approved in all respects.

PASSED AND APPROVED this 5<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

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

ATTACH THE AMENDMENT  
LABELED AS EXHIBIT 1 HERE



**AMENDMENT NO. 2**

**TO**

**HILLCREST/DOWNTOWN UNIFIED**

**URBAN RENEWAL PLAN**

**CITY OF INDIANOLA, IOWA**

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

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

Unified Urban Renewal Plan 2015  
Amendment No. 1 – 2019  
Amendment No. 2 - 2019

**AMENDMENT NO. 2**  
**to**  
**HILLCREST/DOWNTOWN UNIFIED**  
**URBAN RENEWAL PLAN**  
**CITY OF INDIANOLA, IOWA**

**INTRODUCTION**

The Hillcrest/Downtown Unified Urban Renewal Plan (the “Plan” or “Unified Urban Renewal Plan” or “Unified Plan”) for the Hillcrest/Downtown Unified Urban Renewal Area (the “Area” or “Urban Renewal Area”) was adopted in 2015 when the City of Indianola (the “City”) unified the City’s existing Hillcrest Urban Renewal Area and Downtown Urban Renewal Area, and combined and renamed the original urban renewal plans for the two areas. The Plan was amended by the adoption of Amendment No. 1 to the Unified Plan, adopted by Resolution No. 2019-100 on May 20, 2019, which removed undeveloped land from the Urban Renewal Area.

The City is further amending the Unified Plan by the adoption of this Amendment No. 2 (“Amendment” or “Amendment No. 2”) to add property to the Area and to add and/or confirm proposed urban renewal projects to be undertaken within the Urban Renewal Area.

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

**AREA DESIGNATION**

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

**DESCRIPTION OF THE URBAN RENEWAL AREA**

The land included in the Urban Renewal Area is comprised of several “subareas,” each formed by the original plans, or amendments to the plans, Hillcrest or Downtown, and the land removed from the Urban Renewal Area by Amendment No. 1 to the Unified Plan. The land being added to the Urban Renewal Area by this Amendment may be referred to as the “Unified Amendment No. 2 Subarea.” The legal description of the land being added to the Urban Renewal Area by this Amendment is attached hereto as Exhibit A. A map of the Unified Amendment No. 2 Subarea is attached as Exhibit B. A map of the Urban Renewal Area, as amended, is attached as Exhibit C.

**BASE VALUE**

The subareas of the Urban Renewal Area have previously established base values for the purposes of tax increment financing (TIF). Those base values will not be impacted by this Amendment. The



property included in the Unified Amendment No. 2 Subarea will have a base value, or base values, established after the adoption of a TIF ordinance covering those properties, consistent with Iowa Code Chapter 403. If this Amendment is adopted and a TIF ordinance is adopted for the Unified Amendment No. 2 Subarea, all before December 1, 2019, then that portion of the Unified Amendment No. 2 Subarea included in the TIF ordinance will have a January 1, 2018 base value. It may be that a TIF ordinance is not adopted for property in the Unified Amendment No. 2 Subarea until later, in which case the base value will be established as of January 1 of the calendar year preceding the year the TIF ordinance is made effective. It may be that multiple TIF ordinances will be adopted for the properties in the Unified Amendment No. 2 Subarea, in which case multiple base values may be established for the respective portions of the Unified Amendment No. 2 Subarea.

### **DEVELOPMENT PLAN/ZONING**

The City of Indianola has a general plan for the physical development of the City as a whole outlined in the Indianola Comprehensive Plan, adopted in October 2011. The goals and objectives of the Unified Urban Renewal Plan, as amended, and this Amendment No. 2, including the urban renewal projects identified herein, are in conformity with the City's Comprehensive Plan.

The property being added to the Urban Renewal Area by this Amendment is currently zoned M-1 limited industrial, M-2 general industrial, and A-1 agricultural. This Amendment and the Unified Urban Renewal Plan, as amended, do not in any way replace or modify the City's current land use planning or zoning regulation process.

The need for improvements to and/or expansions of public infrastructure within the Urban Renewal Area, as amended, is set forth in this Amendment. As the Area continues to develop, the City will evaluate the need for and plan for additional public infrastructure and/or services.

### **AREA OBJECTIVES**

This Amendment makes no change to the Area Objectives set forth in the Unified Plan.

### **TYPES OF RENEWAL ACTIVITIES**

This Amendment makes no change to the Types of Renewal Activities set forth in the Unified Plan.

### **AGREEMENT TO INCLUDE AGRICULTURAL LAND**

Because some of the land being added to the Urban Renewal Area by this Amendment meets the definition "agricultural land" in Iowa Code Section 403.17(3), the City has obtained consent from the owners of such agricultural land to include the agricultural land owner's real property in the Urban Renewal Area. Copies of the agreements to include agricultural land are attached as Exhibit D. The original signed agreements are on file at the City Clerk's office.

### **PREVIOUSLY APPROVED URBAN RENEWAL PROJECTS**

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

### **ELIGIBLE URBAN RENEWAL PROJECTS (Amendment No. 2)**

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

#### **1. Public Improvements**

| <b>Urban Renewal Project Description</b>                                                                                  | <b>Estimated Time Period</b> | <b>Estimated Cost to Be Reimbursed by Tax Increment Financing Not to Exceed</b> | <b>Rationale</b>                                                                                                                                                       |
|---------------------------------------------------------------------------------------------------------------------------|------------------------------|---------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Paving of Iowa Ave from 15 <sup>th</sup> St to 19 <sup>th</sup> St and related infrastructure                             | 2020-2030                    | \$2,000,000                                                                     | Provide necessary infrastructure for commercial/industrial traffic in the Area                                                                                         |
| Paving of 17 <sup>th</sup> St from Iowa Ave to Hillcrest Ave and related infrastructure                                   | 2020-2030                    | \$3,200,000                                                                     | Provide necessary infrastructure for commercial/industrial traffic in the Area                                                                                         |
| Paving of the 18 <sup>th</sup> St, Kentucky Ave and 20 <sup>th</sup> St loop north of Iowa Ave and related infrastructure | 2020-2030                    | \$2,200,000                                                                     | Provide necessary infrastructure for commercial/industrial traffic in the Area                                                                                         |
| Paving of Hillcrest Ave from Summerset Trail to 17 <sup>th</sup> St and related infrastructure                            | 2020-2030                    | \$1,700,000                                                                     | Provide necessary infrastructure for commercial/industrial traffic in the Area                                                                                         |
| Regional Detention Ponds in Unified Amendment No. 2 Subarea                                                               | 2020-2030                    | \$600,000                                                                       | The City requires stormwater mitigation/management for every development. Creating regional detention basins that each development can tie into may reduce development |

|                                                                               |           |             |                                                                                                                                                                                                                  |
|-------------------------------------------------------------------------------|-----------|-------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                               |           |             | costs and incentivize commercial/industrial development in the Area                                                                                                                                              |
| Sanitary Sewer Gravity in Unified Amendment No. 2 Subarea                     | 2020-2030 | \$1,900,000 | By extending sanitary sewer in the public utility easements, users can easily tie in when they develop, which may in turn reduce development costs and incentivize commercial/industrial development in the Area |
| Sanitary Sewer Pump Station and Force Main in Unified Amendment No. 2 Subarea | 2020-2030 | \$600,000   | This project will help provide sanitary sewer service to the Area, which will enable commercial/industrial development to occur in the Area                                                                      |
| Water Main Extension in Unified Amendment No. 2 Subarea                       | 2020-2030 | \$2,000,000 | Extend water infrastructure to provide service to undeveloped lots and accommodate the needs for commercial/industrial enterprises that may locate in the Area                                                   |
| Primary Electric Extension in Unified Amendment No. 2 Subarea                 | 2020-2030 | \$1,900,000 | Extend electrical infrastructure to provide service to undeveloped lots and accommodate the needs for commercial/industrial enterprises that may locate in the Area                                              |
| Communication Backbone in Unified Amendment No. 2 Subarea                     | 2020-2030 | \$900,000   | Extending the City's fiber along the new road right-of-way will provide needed infrastructure to accommodate the needs for commercial/industrial enterprises that may locate in the Area                         |



|                                                                                             |           |                                       |                                                                                    |
|---------------------------------------------------------------------------------------------|-----------|---------------------------------------|------------------------------------------------------------------------------------|
| Right-of-Way Acquisition Costs for Infrastructure Improvements Described Above              | 2020-2030 | \$100,000                             | Provide necessary infrastructure for commercial/industrial development in the Area |
| Engineering, Legal and Administration Costs for Infrastructure Improvements Described Above | 2020-2030 | \$2,500,000                           | Provide necessary infrastructure for commercial/industrial development in the Area |
| <b>Total</b>                                                                                |           | <b>Not to Exceed<br/>\$19,600,000</b> |                                                                                    |

Note: It may be that the above costs will be reduced by the application of state and/or federal grants or programs; cost-sharing agreements with other entities; or other available sources of funds.

## 2. Development Agreements

**A. *Future Development Agreements:*** The City expects to consider requests for Development Agreements for projects that are consistent with this Plan, in the City's sole discretion. Such Agreements are unknown at this time, but based on past history, and dependent on development opportunities and climate, the City expects to consider a broad range of incentives as authorized by this Plan, including but not limited to land, loans, grants, tax rebates, infrastructure assistance and other incentives. The costs of such Development Agreements will not exceed \$1,000,000.

## 3. Iowa Economic Development Authority Certified Sites

The City expects to work with the Iowa Economic Development Authority (IEDA) to identify and designate properties within the Urban Renewal Area as credentialed "Iowa Certified Sites." Iowa Certified Sites are marketed by IEDA as "project-ready industrial sites" to businesses looking for a site to locate and build new facilities. In order to have a property designated as "development ready" by IEDA and listed as an Iowa Certified Site, the City will have to undertake various studies, compile data, and complete an application process. The City anticipates that the costs of studies, data, and application paperwork to be approximately \$50,000. The City anticipates undertaking this project in 2019-2021.

## 4. Fees and Costs

| Project                                                                                                                                                | Date         | Estimated cost |
|--------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|----------------|
| Fees and costs for planning, engineering (for urban renewal plans), legal work, and other related costs to support urban renewal projects and planning | Undetermined | \$50,000       |

### **FINANCIAL DATA**

|    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                         |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | July 1, 2019 constitutional debt limit:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | \$49,364,868                                                                                                                                            |
| 2. | Current outstanding general obligation debt:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | \$10,719,420                                                                                                                                            |
| 3. | Proposed amount of indebtedness to be incurred: A specific amount of debt to be incurred for the Eligible Urban Renewal Projects (Amendment No. 2) has not yet been determined. This document is for planning purposes only. The estimated project costs in this Amendment are estimates only and will be incurred and spent over a number of years. In no event will the City's constitutional debt limit be exceeded. The City Council will consider each project proposal on a case-by-case basis to determine if it is in the City's best interest to participate before approving an urban renewal project or expense. It is further expected that such indebtedness, including interest on the same, may be financed in whole or in part with tax increment revenues from the Urban Renewal Area, as amended. Subject to the foregoing, it is estimated that the cost of the Eligible Urban Renewal Projects as described above will be approximately as stated in the next column: | Not to Exceed \$20,700,000<br>(This total does not include financing costs related to debt issuance, which will be incurred over the life of the Area.) |

### **URBAN RENEWAL FINANCING**

The City intends to utilize various financing tools such as those described below to successfully undertake the proposed urban renewal actions. The City has the statutory authority to use a variety of tools to finance urban renewal projects within the Area. These include:

#### A. Tax Increment Financing

Under Section 403.19 of the *Code of Iowa*, urban renewal areas may utilize the tax increment financing mechanism to finance the costs of public improvements or economic development incentives associated with redevelopment projects. Upon creation of a tax increment district within the Area, by ordinance, the assessment base is frozen and the amount of tax revenue available from taxes paid on the difference between the frozen base and the increased value, if any, is segregated into a separate fund for the use by the City to pay costs of the eligible urban renewal projects. The increased taxes generated by any new development, above the base value, are distributed to the taxing entities, if not requested by the City.

## B. General Obligation Bonds

Under Division III of Chapter 384 and Chapter 403 of the Iowa Code, the City has the authority to issue and sell general obligation bonds for specified essential and general corporate purposes, including the acquisition and construction of certain public improvements within the Area or incentives for development consistent with this Plan. Such bonds are payable from the levy of unlimited ad valorem taxes on all the taxable property within the City. It may be the City will elect to abate some or all of the debt service on these bonds with incremental taxes from this Area.

The City may also determine to use tax increment financing to provide incentives such as cash grants, loans, tax rebates or other incentives to developers in connection with urban renewal projects for commercial development or other urban renewal projects. In addition, the City may determine to issue general obligation bonds, tax increment revenue bonds or such other obligations, or loan agreements for the purpose of making loans or grants of public funds to private businesses located in the Area. Alternatively, the City may determine to use available funds for making such loans or grants for urban renewal projects. In any event, the City may determine to use tax increment financing to reimburse the City for any obligations or advances.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15, Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the *Code of Iowa* in furtherance of the objectives of this Unified Plan, as amended.

### **PROPERTY ACQUISITION/DISPOSITION**

The City will follow any and all applicable requirements for the acquisition and disposition of property in accordance with the Iowa Code.

### **RELOCATION**

The City does not expect there to be any relocation required as part of the eligible urban renewal projects; however, if any relocation is necessary, the City will follow all applicable relocation requirements.

### **URBAN RENEWAL PLAN AMENDMENTS**

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

### **EFFECTIVE PERIOD**



This Amendment No. 2 to the Unified Plan will become effective upon its adoption by the City Council. Notwithstanding anything to the contrary in the Unified Plan, any prior amendment, resolution, or document, the Unified Plan shall remain in effect until terminated by the City Council.

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

#### **REPEALER AND SEVERABILITY CLAUSE**

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

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

## EXHIBIT A

### LEGAL DESCRIPTION OF UNIFIED AMENDMENT NO. 2 SUBAREA TO BE ADDED TO THE URBAN RENEWAL AREA

The South 50' of the Southwest Quarter of the Southwest Quarter (SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ), of Section Seventeen (17), Township Seventy-six (76) North, Range Twenty-three (23) West of the 5<sup>th</sup> P.M., Warren County, Iowa; and

The South 50' of the Southeast Quarter of the Southeast Quarter (SE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ), lying East of the railroad right-of-way, of Section Eighteen (18), Township Seventy-six (76) North, Range Twenty-three (23) West of the 5<sup>th</sup> P.M., Warren County, Iowa; and

The East Half of the North Three-quarters of the East Half (E  $\frac{1}{2}$  N  $\frac{3}{4}$  E  $\frac{1}{2}$ ), lying East of the railroad right-of-way, of Section Nineteen (19), Township Seventy-six (76) North, Range Twenty-three (23) West of the 5<sup>th</sup> P.M., Warren County, Iowa, except the West 306.32 feet of Lots One and Two; Lot Three; Lot Four, except the North 38 feet thereof; and Lots Five, Six, Seven, Eight, Nine, Ten and Eleven of the Indianola Industrial Park Addition to the City of Indianola, Iowa; and except a tract beginning at the Southwest Corner of the Northeast Quarter of the Southeast Quarter (NE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ), thence North 16 rods, thence East 10 rods, thence South 16 rods, thence West 10 rods to point of beginning; and except Lot Two on the Indianola Industrial Park Plat Two, an Official Plat in Indianola, Iowa; and except Tract "D" on the plat of survey prepared by Anderson-Bogert Engineers and Surveyors, Inc., and recorded at Irregular Plat Book 6, Page 14 of Indianola, with the Recorder of Warren County, Iowa; and except the South 11.92 acres of the West Half of the Southeast Quarter of the Northeast Quarter (W  $\frac{1}{2}$  SE  $\frac{1}{4}$  NE  $\frac{1}{4}$ ) lying East of the railroad right-of-way, except the East 30 feet thereof; and,

The North Half of the Southwest Quarter (N  $\frac{1}{2}$  SW  $\frac{1}{4}$ ) and the West Half of the Northwest Quarter (W  $\frac{1}{2}$  NW  $\frac{1}{4}$ ) of Section Twenty (20), Township Seventy-six (76) North, Range Twenty-three (23) West of the 5<sup>th</sup> P.M., Warren County, Iowa (Parcel IDs 49023200440, 49023200441, 49023200460, 49023200462, 49023200469, 49023200500, 49023200620, 49023200643 and 49023200644); and

The North 33' of the South Half of the Southwest Quarter (S  $\frac{1}{2}$  SW  $\frac{1}{4}$ ) of Section Twenty (20), Township Seventy-six (76) North, Range Twenty-three (23) West of the 5<sup>th</sup> P.M., Warren County, Iowa.



EXHIBIT B

MAP OF UNIFIED AMENDMENT NO. 2 SUBAREA,  
TO BE ADDED TO URBAN RENEWAL AREA



Indianola Unified  
Urban Renewal Area  
(Showing New Area to be Added)

Legend

- City Limits
- New TIF Boundaries

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



## EXHIBIT D

### AGREEMENT TO INCLUDE AGRICULTURAL LAND IN THE HILLCREST/DOWNTOWN UNIFIED URBAN RENEWAL AREA

WHEREAS, the City of Indianola, Iowa, (the "City") has proposed to amend the Hillcrest/Downtown Unified Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa, in order to undertake activities authorized by that Chapter; and

WHEREAS, a proposed Amendment No. 2 to the urban renewal plan for the Urban Renewal Area would add property to the Urban Renewal Area, including certain property which is owned by the Agricultural Land Owner listed below; and

WHEREAS, Section 403.17(3) of the Code of Iowa provides that no property may be included in an urban renewal area which meets the definition in that Section of "agricultural land," until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that all or a portion of the property proposed to be added to the Area and owned by the Agricultural Land Owner meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property contained within the proposed Unified Amendment No. 2 Subarea of the Urban Renewal Area.
2. The Agricultural Land Owner hereby agrees that the City of Indianola, Iowa, may include the portion of the property owned by the Agricultural Land Owner in the Urban Renewal Area.
3. The Agricultural Land Owner further authorizes the governing body of the City of Indianola, Iowa, to pass any resolution or ordinance necessary to designate said property as an Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this 23<sup>rd</sup> day of May, 2019,

Name of Agricultural Land Owner: EYBERG, ROBIN MC CORD ET AL  
(signed by Agricultural Land Owner or person authorized to sign on Agricultural Land Owner's behalf)

Signature: [Signature]

Date: 5.23.19

Print Name: Robin Eyberg

David Bloom  
James Eyberg  
Jason Eyberg  
Blake Eyberg  
Robin Eyberg

} yes



**AGREEMENT TO INCLUDE AGRICULTURAL LAND  
IN THE HILLCREST/DOWNTOWN UNIFIED URBAN RENEWAL AREA**

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DATED this 13 day of JUNE, 2019.

Name of Agricultural Land Owner: Missouri Valley Electrical Joint Apprenticeship & Training Fund  
(signed by Agricultural Land Owner or person authorized to sign on Agricultural Land Owner's behalf)

Signature: Robert Foxlin

Date: 6-13-19

Print Name: ROBERT FOXLIN

**AGREEMENT TO INCLUDE AGRICULTURAL LAND  
IN THE HILLCREST/DOWNTOWN UNIFIED URBAN RENEWAL AREA**

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WHEREAS, a proposed Amendment No. 2 to the urban renewal plan for the Urban Renewal Area would add property to the Urban Renewal Area, including certain property which is owned by the Agricultural Land Owner listed below; and

WHEREAS, Section 403.17(3) of the Code of Iowa provides that no property may be included in an urban renewal area which meets the definition in that Section of "agricultural land," until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that all or a portion of the property proposed to be added to the Area and owned by the Agricultural Land Owner meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Land Owner as follows:

1. The Agricultural Land Owner hereby certifies that he/she is the owner of certain property contained within the proposed Unified Amendment No. 2 Subarea of the Urban Renewal Area.
2. The Agricultural Land Owner hereby agrees that the City of Indianola, Iowa, may include the portion of the property owned by the Agricultural Land Owner in the Urban Renewal Area.
3. The Agricultural Land Owner further authorizes the governing body of the City of Indianola, Iowa, to pass any resolution or ordinance necessary to designate said property as an Urban Renewal Area under Chapter 403 of the Code of Iowa, and to proceed with activities authorized under said Chapter.

DATED this 5-21-19 day of \_\_\_\_\_, 2019.

Name of Agricultural Land Owner: TRUEBLOOD FARMS LLC  
(signed by Agricultural Land Owner or person authorized to sign on Agricultural Land Owner's behalf)

Signature: Henry Ward Trueblood Date: 5-21-19  
Print Name: \_\_\_\_\_

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## COMMUNITY DEVELOPMENT

### MINUTES OF CONSULTATION MEETING

July 8, 2019

9:00 A.M.

**Attendees:**

- Charlie Dissell, City of Indianola Director of Community & Economic Development

A consultation meeting regarding the proposed Amendment No. 2 to the Hillcrest/Downtown Unified Urban Renewal Plan, required by Section 403.5(2) of the Code of Iowa, as amended, was held on July 8, 2019. The meeting was held in the Council Chambers of the Indianola City Hall, 110 North First Street, Indianola, Iowa, at 9:00 A.M. A notice of the consultation meeting was sent to the affected taxing entities, which are the Indianola School District and Warren County, Iowa, on July 2, 2019.

Charlie Dissell, Director of Community & Economic Development, serving as the designated representative of the City for purposes of conducting the consultation, receiving any recommendations that may be made with respect thereto and responding to the same in accordance with Section 403.5(2) of the Code of Iowa, opened the meeting.

As no representatives of the affected taxing entities were present and no recommendations were made with respect thereto, the meeting was adjourned at 9:10 AM.

Charlie E. Dissell, AICP  
Director of Community & Economic Development



**Meeting Date:** 08/05/2019

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**Subject**

Consideration of Ordinance for the division of revenues under Iowa Code Section 403.19 for Amendment No. 2 to the Hillcrest/Downtown Unified Urban Renewal Plan

**Information**

Council will need to consider the first consideration of an Ordinance for the division of revenues under Iowa Code Section 403.19 for Amendment No. 2 to the Hillcrest/Downtown Unified Urban Renewal Plan.

Roll call is in order.

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**Fiscal Impact**

**Attachments**

Ordinance

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ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING ORDINANCE NOS. 1026, 1137, 1218, 1322, 1336, 1428, 1217, 1314, 1396, 1549, AND 1613 PROVIDING THAT GENERAL PROPERTY TAXES LEVIED AND COLLECTED EACH YEAR ON ALL PROPERTY LOCATED WITHIN THE HILLCREST/DOWNTOWN UNIFIED URBAN RENEWAL AREA, IN THE CITY OF INDIANOLA, COUNTY OF WARREN, STATE OF IOWA, BY AND FOR THE BENEFIT OF THE STATE OF IOWA, CITY OF INDIANOLA, COUNTY OF WARREN, INDIANOLA COMMUNITY SCHOOL DISTRICT, AND OTHER TAXING DISTRICTS, BE PAID TO A SPECIAL FUND FOR PAYMENT OF PRINCIPAL AND INTEREST ON LOANS, MONIES ADVANCED TO AND INDEBTEDNESS, INCLUDING BONDS ISSUED OR TO BE ISSUED, INCURRED BY THE CITY IN CONNECTION WITH THE HILLCREST/DOWNTOWN UNIFIED URBAN RENEWAL AREA (**AMENDMENT NO. 2 TO THE HILLCREST/ DOWNTOWN UNIFIED URBAN RENEWAL PLAN AND CORRECTING SCRIVENER'S ERROR IN AMENDMENT NO. 1 TO THE HILLCREST/ DOWNTOWN UNIFIED URBAN RENEWAL PLAN**)

WHEREAS, by Resolution No. 2015-44, adopted November 16, 2015, the City unified the existing Hillcrest Urban Renewal Area and Downtown Urban Renewal Area, and approved and adopted the Hillcrest/Downtown Unified Urban Renewal Plan (the "Unified Plan" or "Unified Urban Renewal Plan") for the Hillcrest/Downtown Unified Urban Renewal Area (the "Area" or "Urban Renewal Area"), which Plan is on file in the office of the Recorder of Warren County; and

WHEREAS, prior to the unification described above, the City Council had, in Ordinance Nos. 1026, 1137, 1218, 1322, 1336, and 1428, provided for the division of taxes within the Hillcrest Urban Renewal Area, pursuant to Iowa Code Section 403.19; and

WHEREAS, prior to the unification described above, the City Council had, in Ordinance Nos. 1217, 1314, and 1396, provided for the division of taxes within the Downtown Urban Renewal Area, pursuant to Iowa Code Section 403.19; and

WHEREAS, contemporaneous with the unification described above the City Council adopted Ordinance No. 1549 to continue to provide for the division of taxes within the Urban Renewal Area, pursuant to Iowa Code Section 403.19; and

WHEREAS, the City Council adopted Ordinance No. 1613 to provide for the removal of territory from the Urban Renewal Area by the adoption of Amendment No. 1 to the Unified Urban Renewal Plan, but said Ordinance included a scrivener's error in the description of the Unified Amendment No. 1 Subarea; and



WHEREAS, additional territory now has been added to the Urban Renewal Area through the adoption of Amendment No. 2 Unified Urban Renewal Plan; and

WHEREAS, indebtedness has been incurred by the City, and additional indebtedness is anticipated to be incurred in the future, to finance urban renewal project activities within the amended Urban Renewal Area, and the continuing needs of redevelopment within the amended Urban Renewal Area are such as to require the continued application of the incremental tax resources of the amended Urban Renewal Area; and

WHEREAS, the following enactment is necessary to accomplish the objectives described in the premises.

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

Ordinance Numbers 1026, 1137, 1218, 1322, 1336, 1428, 1217, 1314, 1396, 1549, and 1613 are hereby amended to read as follows:

Section 1. For purposes of this Ordinance, the following terms shall have the following meanings:

a) Hillcrest Original Urban Renewal Area means that portion of the City of Indianola, State of Iowa, described in the Hillcrest Urban Renewal Plan for the Hillcrest Urban Renewal Area approved by Resolution No. 11-94 on July 5, 1994, and described in Ordinance No. 1026, which includes the lots and parcels located within the area legally described as follows:

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

b) Hillcrest Amendment No. 1 Subarea means that portion of the City of Indianola, State of Iowa, described in Amendment No. 1 to the Hillcrest Urban Renewal Plan for the Hillcrest Urban Renewal Area approved by Resolution No. 14-98 on October 19, 1998, and described in Ordinance No. 1137, which includes the lots and parcels located within the area legally described as follows:

Beginning at a point 269.5' North of the Southeast corner of the NW 1/4 of the SE 1/4 of Section 19-76-23 thence North along West line until said line intersects the East boundary of the former C.R.I. & P. Railroad, thence North following R.R. ROW to North line of Section 19, thence East along Section line a distance of 1,980' to East Corporate Limits; thence South along East Corporate Limits line within

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

c) Hillcrest Amendment No. 2 Subarea means that portion of the City of Indianola, State of Iowa, described in Amendment No. 2 to the Hillcrest Urban Renewal Plan for the Hillcrest Urban Renewal Area approved by Resolution No. 9-01 on September 4, 2001, and described in Ordinance No. 1218, which includes the lots and parcels located within the area legally described as follows:

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

d) Hillcrest Amendment No. 3 Subarea means that portion of the City of Indianola, State of Iowa, described in Amendment No. 3 to the Hillcrest Urban Renewal Plan for the Hillcrest Urban Renewal Area approved by Resolution No. 05-05 on March 7, 2005, which was corrected by Resolution No. 13-05 on July 18, 2005, and described in Ordinance No. 1336, which amended Ordinance No. 1322 to correct the legal description of the Amendment No. 3 Subarea, which includes the lots and parcels located within the area legally described as follows:

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

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

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

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

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

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

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

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

Part of the SE  $\frac{1}{4}$  SE  $\frac{1}{4}$  of Section 12-76-24 described as follows: Beginning 450' West of the SE Corner of said Section 12, thence West 242', thence North 120', thence East 242', thence South 120' to the point of beginning including all adjacent Public Right of Way and Road Easements of record.

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

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

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

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

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

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

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

e) Hillcrest Amendment No. 4 Subarea means that portion of the City of Indianola, State of Iowa, described in Amendment No. 4 to the Hillcrest Urban Renewal Plan for the Hillcrest

Urban Renewal Area approved by Resolution No. 04-09 on March 16, 2009, and described in Ordinance No. 1428, which includes the lots and parcels located within the area legally described as follows:

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

AND

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

AND

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

AND

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

AND

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

AND

Parcel "J"

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

corner of said Lot 3; thence North 01 -00'-40" East a distance of 130.00 feet; thence South 88 -59'-20" East a distance of 486.77 feet to a point on the West Right of Way line of said U.S. Highway 65- 69; thence South 00 -00'-00" East along the West Right of Way line of said U.S. Highway 65-69 a distance of 375.06 feet to the POINT OF BEGINNING. Said tract of land contains 3.055 acres more or less:

AND

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

AND

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

AND

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

AND

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

AND

The West 60 feet of the East 120 feet of the S ½ of Outlot 1 in Berry's Addition to Indianola, Iowa; NOW KNOWN as Lot 2 in Auditor's Sub-division of the East 420 feet of the S ½ of Outlot 1 in Berry's Addition to Indianola, Iowa.

The W ½ of the East 60 feet of the S ½ of Outlot 1 in Berry's Addition to the City of Indianola, Iowa, also known as the W ½ of Lot 1, Auditors Subdivision of Outlot 1, Berry's Addition to the City of Indianola, Iowa.

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

AND

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

AND

Parcel 1:

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

AND

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

Parcel 2:

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

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

Parcel 3:

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

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

Beginning at a point 33 feet East and 238 ½ feet North of the Southwest corner of the Northwest Quarter of the Southwest Quarter Section 19, Township 76 North, Range 23 West of the 5<sup>th</sup> P.M., Warren County, Iowa, thence North 103 feet, thence East 208 ½ feet, thence South 103 feet, thence West 208 ½ feet to the place of beginning:

AND

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

AND

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

AND

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

AND

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

AND

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

AND

A tract of land located in the SW ¼ of the NW ¼ of Section 19, Township 76, Range 23 West of the 5<sup>th</sup> P.M. in the City of Indianola, Warren County, Iowa more particularly described as: Beginning at the West ¼ corner of said Section 19, thence

S87 36'50"E along the South line of the SW ¼ of the NW ¼ of said Section 19, a distance of 60.06' to an iron pin, said pin being on the East right of way line of U.S. Highways 65 & 69, thence N06 10'10"E along the East right of way line of U.S. Highways 65 & 69, a distance of 269.99' to an iron pin, thence N15 37'30"E along the East right of way line of U.S. Highways 65 & 69 a distance of 158.07' to an iron pin. Said pin being the true point of beginning, thence N15 37'30"E along the East right of way line of U.S. Highway 65 & 69, a distance of 116.76' to an iron pin. Thence N 89 47'20"E a distance of 210.00' to an iron pin, thence N00 12'40"W a distance of 399.00' to an iron pin, thence N89 47'20"E a distance of 560.00' to an iron pin, thence S00 12'40"E a distance of 360.60' to an iron pin, thence S89 47'20"W a distance of 290.00' to an iron pin, thence N00 12'40"W a distance of 25.50' to an iron pin, thence S89 47'20"W a distance of 198.53' to an iron pin, thence S14 20'30"W a distance of 182.20' to an iron pin, thence S89 48'50"W a distance of 267.55' to an iron pin, said pin being the true point of beginning, containing 5.257 acres. SUBJECT to all easements, restrictions, encumbrances, and other matters, if any, of record:

AND

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

AND

Lots 1 and 4 of Orchard Plaza Plat

AND

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

AND

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

AND

Parcels A and C of Berry's Outlot 5

AND

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

AND



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

AND

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

AND

All of the Wal-Mart Subdivision

AND

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

f) Downtown Original Urban Renewal Area means that portion of the City of Indianola, State of Iowa, described in the Downtown Urban Renewal Plan for the Downtown Urban Renewal Area approved by Resolution No. 8-01 on September 4, 2001, and described in Ordinance No. 1217, which includes the lots and parcels located within the area legally described as follows:

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

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

g) Downtown Amendment No. 1 Subarea means that portion of the City of Indianola, State of Iowa, described in Amendment No. 1 to the Downtown Urban Renewal Plan for the Downtown Urban Renewal Area approved by Resolution No. 06-05 on March 7, 2005, and described in Ordinance No. 1314, which includes the lots and parcels located within the area legally described as follows:

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

h) Downtown Amendment No. 2 Subarea means that portion of the City of Indianola, State of Iowa, described in Amendment No. 2 to the Downtown Urban Renewal Plan for the Downtown Urban Renewal Area approved by Resolution No. 10-07 on December 17, 2007, and described in

Ordinance No. 1396, which includes the lots and parcels located within the area legally described as follows:

All of Block 24, Original Town Plat; all of Blocks 18 and 19, Jones and Windles Addition; All of Lots 15 and 16, Jones and Windles Outlots; All of North/South alley between Lots 15 and 16, Jones and Windles Outlots and Block 31, Cheshires Addition; All of Blocks 31, 32, 33, 34, 35, 36, 37, 38, 39 and 40, Cheshires Addition; All of Block 4, Fairview Addition; All of Lots 4, 5 and 6, Block 3 and North/South alley between Lots 4, 5 and 6, Block 3, Fairview Addition; All of Lots 1 and 9, Van-El Addition; All of Auditor's Outlot 121; Lots 1 through 11 of Day's Outlots; All of Lot 122 of Auditor's Outlots; Lots 1, 2, 3 and 24 of Replat of Lots 45 through 52 of Kenwood Place; Lots 1, 2 and 3 of Kenwood Place; All of Parcel G in the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 26, Township 76 North, Range 24, Lots 5 and 6, Leonard Subdivision, Plat 2; Beginning at a point 2119.55' east and 559.0' south of the NW corner of the North  $\frac{1}{2}$  of the SW  $\frac{1}{4}$  of Section 26, Township 76 North, Range 24, Thence South 300' to North right-of-way, Thence West 200', thence North 300', thence East 200' to point of beginning. Lots 1, 2, 3, 4 and 5 in Leonard's Subdivision; Parcels A, B and C in the NW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 26, Township 76 North, Range 24; The West 150' of the NW  $\frac{1}{4}$  of Section 26, Township 76 North, Range 24; Lots 1, 2, 3, 4 and 5 of the Newsome Subdivision; The West 677.6' of the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ , except the South 436' of Section 23, Township 76 North, Range 24; The East 150' of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 22, Township 76 North, Range 24; The East 150' of the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 27, Township 76 North, Range 24; The east 660' of the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 27, Township 76 North, Range 24, The N  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  Section 27, Township 76 North, Range 24; And the South 421.5' of the North 1066.1' of East 319' of the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 27, Township 76 North, Range 24; Outlot X of Wesley Corner Plat 1; The East  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 27, Township 76 North, Range 24; Lot 1 of Naberhaus Subdivision; Lots 1, 2 and 3 of the Subdivision of Lot 1, except the South 125' of the Naberhaus Subdivision Plat 2; South 125' of Lot 1 of Naberhaus Subdivision Plat 2; South 150' of East 512.5' and the West 2' of the East 512.15' of North 125' South 275' of Lot 2 Naberhaus Subdivision Plat 2; The East 512.15' of the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of 1 Section 34, Township 76 North, Range 24, except the North 950'; East 512.15' of the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  except the South 438.9' of Section 34, Township 76 North, Range 24; Lots 1, 2, 3, 39, 40 and 41 Deer Run Plat 2; Lot 1 Deer Run Plat 4; All portions of Lot 3 Deer Run Subdivision which lies in the NW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 26, Township 76 North, Range 24; All portions of Lot 3 Deer Run Subdivision which lies in NE  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of Section 26, Township 76 North, Range 24; Parcel A of Lot 3 Deer Run Plat the West 430' of SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  Section 26, Township 76 North, Range 24; The West 430' of the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 35, Township 76 North, Range 24 except Deer Run Subdivision Plat 2; The West 430' of the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  Section 35, Township 76 North, Range 24 which lies within the corporate limits except for Deer Run Subdivision Plat 2: Lot 1 and Lots 8 through 29 Lennie's Subdivision; Lots 1 through 7 Block 2, Buxton Addition; Lots 1 and 2, Block 1, Buxton Addition: Lots 1, 2 and Outlot X in the F.S.I.

Addition; Auditor's Outlot 123; All of Blocks 1, 4 and 5 of Day's Addition; Auditor's Outlots 133, 134, 135, 137, 138 and Lot 136 except the South 282' and Lot A of Auditor's Outlot 139, 140 and 141; All of Auditor's Outlots 142, 143, 144, 145 and 146, all of the Public Alley and Street Right of Ways of Record Adjacent Thereof.

i) Unified Amendment No. 1 Subarea means that portion of the City of Indianola, State of Iowa, described in Amendment No. 1 to the Unified Plan for the Urban Renewal Area approved by Resolution No. 2019-100 on May 20, 2019 and as corrected by Resolution No. 2019-100-A, approved on June 17, 2019, which removes the lots and parcels located within the Hillcrest Amendment No. 1 Subarea legally described as follows:

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

j) Unified Amendment No. 2 Subarea means that portion of the City of Indianola, State of Iowa, described in Amendment No. 2 to the Unified Plan for the Urban Renewal Area approved by Resolution No. \_\_\_\_\_ on August 5, 2019, which includes the lots and parcels located within the Hillcrest Amendment No. 2 Subarea legally described as follows:

The South 50' of the Southwest Quarter of the Southwest Quarter (SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ), of Section Seventeen (17), Township Seventy-six (76) North, Range Twenty-three (23) West of the 5<sup>th</sup> P.M., Warren County, Iowa; and

The South 50' of the Southeast Quarter of the Southeast Quarter (SE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ), lying East of the railroad right-of-way, of Section Eighteen (18), Township Seventy-six (76) North, Range Twenty-three (23) West of the 5<sup>th</sup> P.M., Warren County, Iowa; and

The East Half of the North Three-quarters of the East Half (E  $\frac{1}{2}$  N  $\frac{3}{4}$  E  $\frac{1}{2}$ ), lying East of the railroad right-of-way, of Section Nineteen (19), Township Seventy-six (76) North, Range Twenty-three (23) West of the 5<sup>th</sup> P.M., Warren County, Iowa, except the West 306.32 feet of Lots One and Two; Lot Three; Lot Four, except

the North 38 feet thereof; and Lots Five, Six, Seven, Eight, Nine, Ten and Eleven of the Indianola Industrial Park Addition to the City of Indianola, Iowa; and except a tract beginning at the Southwest Corner of the Northeast Quarter of the Southeast Quarter (NE ¼ SE ¼), thence North 16 rods, thence East 10 rods, thence South 16 rods, thence West 10 rods to point of beginning; and except Lot Two on the Indianola Industrial Park Plat Two, an Official Plat in Indianola, Iowa; and except Tract "D" on the plat of survey prepared by Anderson-Bogert Engineers and Surveyors, Inc., and recorded at Irregular Plat Book 6, Page 14 of Indianola, with the Recorder of Warren County, Iowa; and except the South 11.92 acres of the West Half of the Southeast Quarter of the Northeast Quarter (W ½ SE ¼ NE ¼) lying East of the railroad right-of-way, except the East 30 feet thereof; and,

The North Half of the Southwest Quarter (N ½ SW ¼) and the West Half of the Northwest Quarter (W ½ NW ¼) of Section Twenty (20), Township Seventy-six (76) North, Range Twenty-three (23) West of the 5<sup>th</sup> P.M., Warren County, Iowa (Parcel IDs 49023200440, 49023200441, 49023200460, 49023200462, 49023200469, 49023200500, 49023200620, 49023200643 and 49023200644); and

The North 33' of the South Half of the Southwest Quarter (S ½ SW ¼) of Section Twenty (20), Township Seventy-six (76) North, Range Twenty-three (23) West of the 5<sup>th</sup> P.M., Warren County, Iowa.

k) Amended Area shall mean that portion of the City of Indianola, State of Iowa, included within the Urban Renewal Area, as amended, which Amended Area includes the lots and parcels located within the area legally described in Sections 1(a) - 1(j) above.

Section 2. The taxes levied on the taxable property in the Amended Area, legally described in Section 1 hereof, by and for the benefit of the State of Iowa, County of Warren, Iowa, Indianola Community School District, and all other taxing districts from and after the effective date of this Ordinance shall be divided as hereinafter in this Ordinance provided.

Section 3. As to the Hillcrest Original Urban Renewal Area, that portion of the taxes which would be produced by the rate at which the tax is levied each year by or for each of the taxing districts taxing property in the Area upon the total sum of the assessed value of the taxable property in the Area as shown on the assessment roll as of January 1, 1993, being January 1 of the calendar year preceding the effective date of Ordinance No. 1026, shall be allocated to and when collected be paid into the fund for the respective taxing district as taxes by or for the taxing district into which all other property taxes are paid. The taxes so determined shall be referred herein as the "base period taxes" for such area.

As to Hillcrest Amendment No. 1 Subarea, base period taxes shall be computed in the same manner using the total assessed value shown on the assessment roll as of January 1, 1997, being the assessment roll applicable to the property in such area as of January 1 of the calendar year preceding the effective date of Ordinance No. 1137, minus the assessed value on the assessment roll as of January 1, 1997 for the property removed by Amendment No. 1 to the Unified Plan.

As to Hillcrest Amendment No. 2 Subarea, base period taxes shall be computed in the same manner using the total assessed value shown on the assessment roll as of January 1, 2000, being the assessment roll applicable to the property in such area as of January 1 of the calendar year preceding the effective date of Ordinance No. 1218.

As to Hillcrest Amendment No. 3 Subarea, base period taxes shall be computed in the same manner using the total assessed value shown on the assessment roll as of January 1, 2004, being the assessment roll applicable to the property in such area as of January 1 of the calendar year preceding the effective date of Ordinance Nos. 1322 and 1336.

As to Hillcrest Amendment No. 4 Subarea, base period taxes shall be computed in the same manner using the total assessed value shown on the assessment roll as of January 1, 2008, being the assessment roll applicable to the property in such area as of January 1 of the calendar year preceding the effective date of Ordinance No. 1428.

As to the Downtown Original Urban Renewal Area, base period taxes shall be computed in the same manner using the total assessed value shown on the assessment roll as of January 1, 2000, being the assessment roll applicable to the property in such area as of January 1 of the calendar year preceding the first calendar year in which the City certified to the county auditor the amount of loans, advances, indebtedness, or bonds payable from the division of property tax revenue described in Ordinance No. 1217.

As to Downtown Amendment No. 1 Subarea, base period taxes shall be computed in the same manner using the total assessed value shown on the assessment roll as of January 1, 2004, being the assessment roll applicable to the property in such area as of January 1 of the calendar year preceding the effective date of Ordinance No. 1314.

As to Downtown Amendment No. 2 Subarea, base period taxes shall be computed in the same manner using the total assessed value shown on the assessment roll as of January 1, 2006, being the assessment roll applicable to the property in such area as of January 1 of the calendar year preceding the effective date of Ordinance No. 1396.

As to the Unified Amendment No. 1 Subarea, base period taxes shall be reduced due to the removal of area from the Hillcrest Amendment No. 1 Subarea.

As to the Unified Amendment No. 2 Subarea, base period taxes shall be computed in the same manner using the total assessed value shown on the assessment roll as of January 1, 2018, being the assessment roll applicable to the property in such area as of January 1 of the calendar year preceding the effect date of this Ordinance.

Section 4. That portion of the taxes each year in excess of the base period taxes for the Amended Area, determined for each sub-area thereof as provided in Section 3 of this Ordinance, shall be allocated to and when collected be paid into the special tax increment fund previously established by the City of Indianola, State of Iowa, to pay the principal of and interest on loans, monies advanced to, or indebtedness, whether funded, refunded, assumed or otherwise, including bonds issued under authority of Iowa Code Section 403.9 or Section 403.12, incurred by the City of Indianola, State of Iowa, to finance or refinance, in whole or in part, urban renewal projects undertaken within the Amended Area pursuant to the Unified Urban Renewal Plan, as amended,

except that (i) taxes for the regular and voter-approved physical plant and equipment levy of a school district imposed pursuant to Iowa Code Section 298.2, and taxes for the instructional support program of a school district imposed pursuant to Iowa Code Section 257.19 (but in each case only to the extent required under Iowa Code Section 403.19(2)); (ii) taxes for the payment of bonds and interest of each taxing district; (iii) taxes imposed under Iowa Code Section 346.27(22), related to joint county-city buildings; and (iv) any other exceptions under Iowa Code Section 403.19, shall be collected against all taxable property within the Amended Area without any limitation as hereinabove provided.

Section 5. Unless or until the total assessed valuation of the taxable property in the areas of the Amended Area exceeds the total assessed value of the taxable property in the areas shown by the assessment rolls referred to in Section 3 of this Ordinance, all of the taxes levied and collected upon the taxable property in the Amended Area shall be paid into the funds for the respective taxing districts as taxes by or for the taxing districts in the same manner as all other property taxes.

Section 6. At such time as the loans, monies advanced, bonds and interest thereon and indebtedness of the City of Indianola, State of Iowa, referred to in Section 4 hereof have been paid, all monies thereafter received from taxes upon the taxable property in the Amended Area shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

Section 7. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed. The provisions of this Ordinance are intended and shall be construed so as to implement the division of taxes from property under the provisions of Iowa Code Section 403.19 for property in the Unified Amendment No. 2 Subarea and to continue the division of taxes from property under the provisions of Iowa Code Section 403.19 as authorized in Ordinance Nos. 1026, 1137, 1218, 1322, 1336, 1428, 1217, 1314, 1396, 1549, and 1613 for the property in the Amended Area. Notwithstanding any provisions in any prior Ordinances or other documents, the provisions of this Ordinance and all prior Ordinances relating to the Urban Renewal Area, as amended, shall be construed to continue the division of taxes from property within the Amended Area for the maximum period of time allowed by Iowa Code Section 403.19. In the event that any provision of this Ordinance shall be determined to be contrary to law it shall not affect other provisions or application of this Ordinance which shall at all times be construed to fully invoke the provisions of Iowa Code Section 403.19 with reference to the Amended Area and the territory contained therein.

Section 8. This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

Read First Time: \_\_\_\_\_, 2019

Read Second Time: \_\_\_\_\_, 2019

Read Third Time: \_\_\_\_\_, 2019

PASSED AND APPROVED: \_\_\_\_\_, 2019.

I, \_\_\_\_\_, City Clerk of the City of Indianola, State of Iowa, hereby certify that the above and foregoing is a true copy of Ordinance No. \_\_\_\_\_ passed and approved by the City Council of the City at a meeting held \_\_\_\_\_, 2019, signed by the Mayor on \_\_\_\_\_, 2019, and published in the Indianola Record Herald on \_\_\_\_\_, 2019.

\_\_\_\_\_  
City Clerk, City of Indianola, State of Iowa

(SEAL)

01605113-1\13538-156

Meeting Date: 08/05/2019

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**Subject**

East Hillcrest Trail Connector

**Information**

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**Fiscal Impact**

**Attachments**

*No file(s) attached.*

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Meeting Date: 08/05/2019

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**Subject**

Resolution approving and accepting Recreation Trail Easements

**Information**

Council will need to consider approval of the resolution (packet) for the following easements (packet) regarding the Hillcrest Trail Project.

- Kathleen Picken
- Dennis and Cynthia Thompson
- Apex Storage Solutions, LLC

Roll call is in order.

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**Fiscal Impact**

**Attachments**

Resolution

Picken Temporary Easement

Picken Easement

Picken Easement Plat

Thompson Easement

Thompson Easement Plat

Apex Easement

Apex Easement 1

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

**A RESOLUTION APPROVING EASEMENT AGREEMENTS  
FOR HILLCREST TRAIL PROJECT**

---

**WHEREAS**, the City of Indianola is in need of certain easements in order to complete the Hillcrest Trail Project; and

**WHEREAS**, the City Council believes it to be in the best interest of the City to approve and accept the easement agreements for purposes of completing said project.

**BE IT, THEREFORE, RESOLVED** by the City of Indianola, Iowa, that the Easement Agreements from Kathleen Picken, Dennis and Cynthia Thompson and Apex Storage Solutions, LLC, in the forms attached hereto as Exhibits, are hereby approved and accepted.

**BE IT FURTHER RESOLVED** that the Mayor and the City Clerk, if required by the easement agreements, are hereby authorized to execute said Agreements on behalf of the City of Indianola, Iowa.

**DATED** this \_\_\_\_\_ day of \_\_\_\_\_ 2019.

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Kelly B. Shaw, MAYOR

ATTEST:

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Diana Bowlin, CITY CLERK

**WHEN RECORDED RETURN TO:**

Amy S. Beattie  
6701 Westown Parkway, Suite 100  
West Des Moines, Iowa 50266

Preparer Information: Amy S. Beattie, 6701 Westown Parkway, Suite 100, West Des Moines, Iowa 50266 (515) 274-1450

**TEMPORARY EASEMENT FOR CONSTRUCTION AND  
CONSTRUCTION-RELATED ACTIVITIES**

Kathleen Picken (hereinafter referred to as the "Grantor"), in consideration of Ten and No/100 Dollars (\$10.00) to be paid by the City of Indianola, Iowa, upon final approval and acceptance of this Temporary Easement by the City, does hereby convey unto the City of Indianola, Iowa, a municipal corporation, (hereinafter referred to as the "City"), a Temporary Easement for Construction under, over, through and across the following described property.

Ten-foot temporary construction easement north of the Recreational Trail Easement as indicated on attached Exhibit "A".

(hereinafter referred to as the "Easement Area") Said Easement allows the City, its agents, contractors and employees, and other permitted parties including but not limited to electric, cable and telecommunications utilities and their respective agents, contractors and employees, a right of entry in, upon and onto the above described Easement Area for the Hillcrest Trail, which purpose includes any and all construction-related activities.

It is understood that, upon completion of this project, the City shall restore the Easement Area to its original condition as reasonably possible, including but not limited to restoration of lawns by sodding or seeding, replacement of concrete or asphalt driveways removed for grading or access purposes, and replacement of fences or other structures that may be removed or damaged by the City and/or permitted parties during the course of construction, except that the following items shall not be restored by the City or permitted parties but are instead compensated for the consideration paid for in this Easement by the City as set forth above. (List items below or state "none").

NONE

It is further understood that the consideration set forth in this Easement shall constitute full and adequate compensation for damages to the above listed items.

It is further understood that the foregoing Easement and release shall be null and void and of no

effect whatsoever unless accepted by the City of Indianola and shall be subject to the following terms and conditions to which the City, upon acceptance of this instrument by the City, shall be deemed and to have stipulated and agreed:

1. **DURATION.** It is understood and agreed that this Easement allowing entry in, upon and onto the Easement Area described shall be in effect beginning on the date that the Grantor signs this document until completion of construction of this improvement above described and the City's performance of its obligation hereunder. This Easement shall be binding on Grantor and on Grantor's successors and assigns during construction of this improvement.

2. **GRANTOR'S REPRESENTATION AS TO TENANTS.**

The Grantor states and warrants that there are no tenants on the property where the Property Interests are located, except as listed below:

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Furthermore, Grantor shall convey the Property free and clear of leasehold interests and leasehold claims and shall indemnify City against any such claims as a result of this project, unless the claim is due to City's gross negligence.

3. **REMOVAL OF EQUIPMENT.** It is further understood and agreed that the City and/or permitted parties will remove all of said materials and equipment from the above described premises within 10 days after the above described project has been completed.

4. **SPECIAL PROVISIONS.** NONE

IN WITNESS WHEREOF, we have hereunto affixed our hands this 19<sup>th</sup> day of July, 2019.

Kathleen Picken  
Kathleen Picken

STATE OF IOWA, WARREN COUNTY, ss:

On this 19<sup>th</sup> day of July, 2019, before me the undersigned, a Notary Public in and for said State, personally appeared **Kathleen Picken**, to me known to be the person named in and who executed the foregoing instrument to which is attached; and acknowledged that she executed the instrument as her voluntary act and deed.



Kristin R Brekelmans  
Notary Public in and for the State of Iowa

**DONATION (OPTIONAL)**

It is the understanding of the Grantor that, although the City will provide compensation for the granting of this easement, it is the Grantor's wish to **donate** this trail easement and **not** receive said compensation, and Grantor waives any and all rights to compensation.

Kathleen P. Bowen

**ACCEPTANCE BY CITY**

STATE OF IOWA                    )  
                                          ) ss:  
COUNTY OF WARREN            )

I, Diana Bowlin, City Clerk of the City of Indianola, Iowa, do hereby certify that the within and foregoing Easement was duly approved and accepted by the City Council of said City by Resolution No. \_\_\_\_\_, passed on the \_\_\_\_ day of \_\_\_\_\_, 2019, and this certificate is made pursuant to authority contained in said Resolution.

Signed this \_\_\_\_ day of \_\_\_\_\_, 2019.

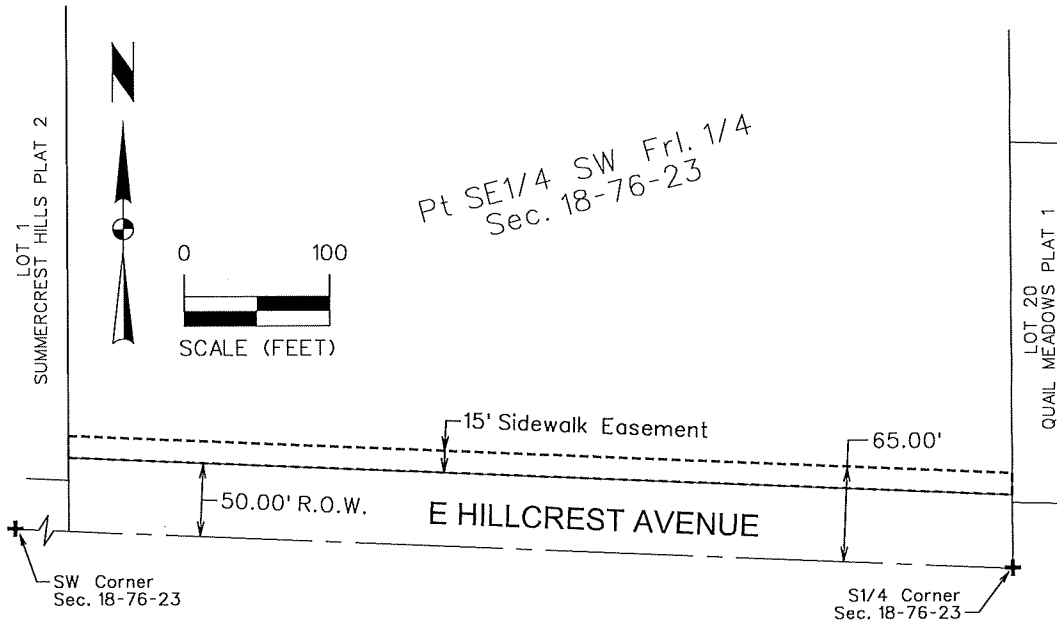
\_\_\_\_\_  
Diana Bowlin, City Clerk of the City of Indianola, Iowa

|                                                                                                                                                                                                                                                                                                                                                               |  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>INDEX LEGEND</b><br>SURVEYOR'S NAME / RETURN TO:<br>ERIN D. GRIFFIN<br>SNYDER & ASSOCIATES, INC.<br>2727 SW SNYDER BOULEVARD<br>ANKENY, IOWA 50023<br>515-964-2020<br>egriffin@snyder-associates.com<br>SERVICE PROVIDED BY:<br>SNYDER & ASSOCIATES, INC.<br>SURVEY LOCATED:<br>PT SE1/4 SW Frl 1/4<br>SEC. 18-76-23<br>REQUESTED BY:<br>CITY OF INDIANOLA |  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|

**EASEMENT PLAT**

**SIDEWALK EASEMENT DESCRIPTION**

THE NORTH 15.00 FEET OF THE SOUTH 65.00 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHWEST FRACTIONAL 1/4 OF SECTION 18, TOWNSHIP 76 NORTH, RANGE 23 WEST OF THE 5TH P.M., CITY OF INDIANOLA, WARREN COUNTY, IOWA, LYING EAST OF LOT 1, SUMMERCREST HILLS PLAT 2, AN OFFICIAL PLAT AND CONTAINING 0.22 ACRES (9,683 S.F.).



**DATE OF SURVEY**  
DECEMBER 18, 2018

**OWNER/ADDRESS**  
KATHLEEN PICKEN  
8954 125TH AVENUE  
INDIANOLA, IA 50125

**LEGEND**

| Survey                                                            | Found | Set |
|-------------------------------------------------------------------|-------|-----|
| Section Corner                                                    | ▲     | △   |
| 1/2" Rebar, Yellow Plastic Cap #19710<br>(Unless Otherwise Noted) | ●     | ○   |
| ROW Rail                                                          | I     |     |
| Calculated Point                                                  | +     |     |
| Platted Distance                                                  | P     |     |
| Measured Bearing & Distance                                       | M     |     |
| Recorded As                                                       | R     |     |
| Deed Distance                                                     | D     |     |
| Calculated Distance                                               | C     |     |
| Centerline                                                        | ---   |     |
| Section Line                                                      | ---   |     |
| 1/4 Section Line                                                  | ---   |     |
| 1/4 1/4 Section Line                                              | ---   |     |
| Easement Line                                                     | ---   |     |

|  |                                                                                                                                                                                                                                                       |
|--|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa. |
|  | Erin D. Griffin, PLS      Date<br>License Number 19710<br>My License Renewal Date is December 31, 2019<br>Pages or sheets covered by this seal:<br>Sheet 1 of 1                                                                                       |

|                                                                                                 |                     |
|-------------------------------------------------------------------------------------------------|---------------------|
| <b>PT. SE1/4 SW FRL. 1/4 SEC. 18-76-23</b>                                                      | SHEET 1 OF 1        |
| <b>SIDEWALK EASEMENT PLAT</b>                                                                   | PN: 1190129         |
| <br><b>SNYDER &amp; ASSOCIATES</b><br>2727 S.W. SNYDER BLVD.<br>ANKENY, IA 50023 (515) 964-2020 | FLD BK:1164A PG: 16 |
|                                                                                                 | DATE: 02/27/19      |
|                                                                                                 | PM/TECH: EDG/SGK    |

**WHEN RECORDED RETURN TO:**

Amy S. Beattie  
6701 Westown Parkway, Suite 100  
West Des Moines, Iowa 50266

Preparer Information: Amy S. Beattie, 6701 Westown Parkway, Suite 100, West Des Moines, Iowa 50266 (515) 274-1450

**RECREATIONAL TRAIL EASEMENT**

**KNOW ALL MEN BY THESE PRESENTS:**

That the undersigned, Kathleen Picken of the City of Indianola, Warren County, Iowa, hereinafter referred to as "Grantor", in consideration of the Grantor paying forty percent (40%) of the cost of construction, but in no event shall the amount paid exceed the sum of \$30,000, and the City of Indianola paying the balance of the cost of construction, 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:

See attached Exhibit "A" ("Easement Area")

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:

**Hillcrest Trail**

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 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. Maintenance. The City shall be responsible for all trail inspections and cleaning including trash removal and sweeping, snow removal and panel replacement. The Grantor shall be responsible for mowing adjacent to the trail, avoid parking on the trail, avoid planting and landscaping that encroaches on the trail and avoid placing debris, including grass clippings and snow piles on the trail.

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

8. 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.

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 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.

IN WITNESS WHEREOF, we have hereunto affixed our hands this 1 day of

July, 2019.

Kathleen Picken  
Kathleen Picken

STATE OF IOWA, POLK COUNTY, ss:

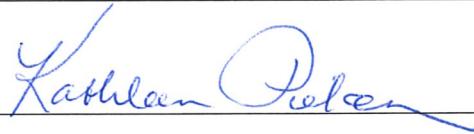
On this 1 day of July, 2019, before me the undersigned, a Notary Public in and for said State, personally appeared **Kathleen Picken**, to me known to be the person named in and who executed the foregoing instrument to which is attached; and acknowledged that she executed the instrument as her voluntary act and deed.



Kristin Renae Brekelmans  
Notary Public in and for the State of Iowa

**DONATION (OPTIONAL)**

It is the understanding of the Grantor that, although the City will provide compensation for the granting of this easement, it is the Grantor's wish to **donate** this trail easement and **not** receive said compensation, and Grantor waives any and all rights to compensation.

  
\_\_\_\_\_

**ACCEPTANCE BY CITY**

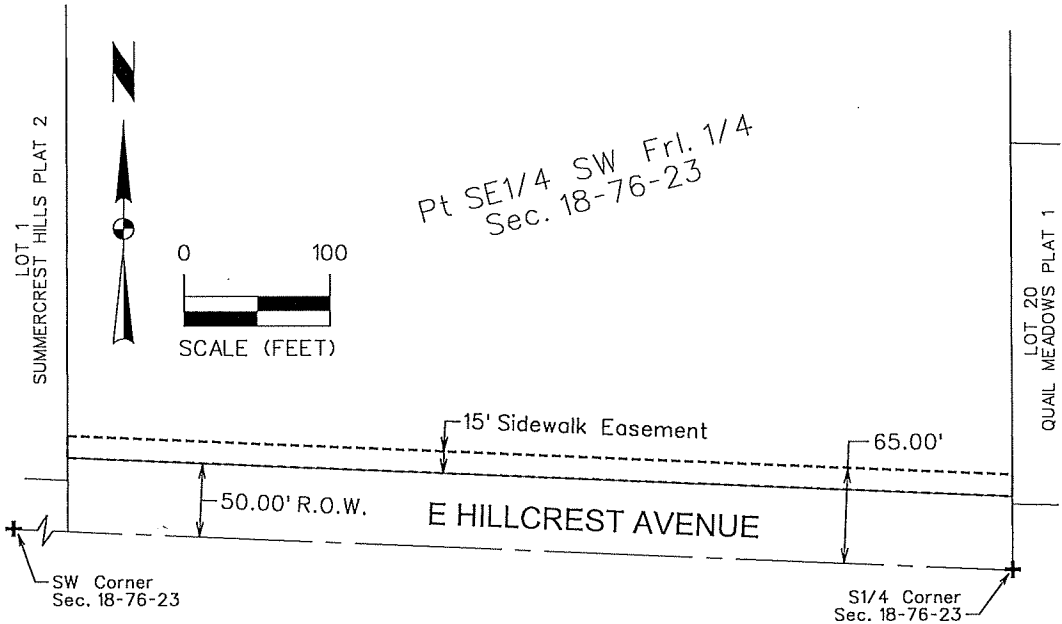
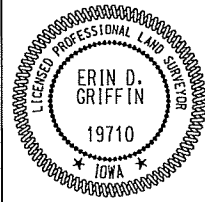
STATE OF IOWA                    )  
                                          ) ss:  
COUNTY OF WARREN            )

I, Diana Bowlin, City Clerk of the City of Indianola, Iowa, do hereby certify that the within and foregoing Easement was duly approved and accepted by the City Council of said City by Resolution No. \_\_\_\_\_, passed on the \_\_\_\_ day of \_\_\_\_\_, 2019, and this certificate is made pursuant to authority contained in said Resolution.

Signed this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Diana Bowlin, City Clerk of the City of Indianola, Iowa

| INDEX LEGEND                                                                                                                                                                                                                                                                                                                                                                |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <p>SURVEYOR'S NAME / RETURN TO:<br/>ERIN D. GRIFFIN<br/>SNYDER &amp; ASSOCIATES, INC.<br/>2727 SW SNYDER BOULEVARD<br/>ANKENY, IOWA 50023<br/>515-964-2020<br/>egriffin@snyder-associates.com</p> <p>SERVICE PROVIDED BY:<br/>SNYDER &amp; ASSOCIATES, INC.</p> <p>SURVEY LOCATED:<br/>PT SE1/4 SW Frl 1/4<br/>SEC. 18-76-23</p> <p>REQUESTED BY:<br/>CITY OF INDIANOLA</p> |  |

| EASEMENT PLAT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |        |       |     |                |   |   |                                                                |   |   |          |   |  |                  |   |  |                  |   |  |                             |   |  |             |   |  |               |   |  |                     |   |  |            |     |  |              |     |  |                  |     |  |                      |     |  |               |     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|-------|-----|----------------|---|---|----------------------------------------------------------------|---|---|----------|---|--|------------------|---|--|------------------|---|--|-----------------------------|---|--|-------------|---|--|---------------|---|--|---------------------|---|--|------------|-----|--|--------------|-----|--|------------------|-----|--|----------------------|-----|--|---------------|-----|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>SIDEWALK EASEMENT DESCRIPTION</b></p> <p>THE NORTH 15.00 FEET OF THE SOUTH 65.00 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHWEST FRACTIONAL 1/4 OF SECTION 18, TOWNSHIP 76 NORTH, RANGE 23 WEST OF THE 5TH P.M., CITY OF INDIANOLA, WARREN COUNTY, IOWA, LYING EAST OF LOT 1, SUMMERCREST HILLS PLAT 2, AN OFFICIAL PLAT AND CONTAINING 0.22 ACRES (9,683 S.F.).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |        |       |     |                |   |   |                                                                |   |   |          |   |  |                  |   |  |                  |   |  |                             |   |  |             |   |  |               |   |  |                     |   |  |            |     |  |              |     |  |                  |     |  |                      |     |  |               |     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |        |       |     |                |   |   |                                                                |   |   |          |   |  |                  |   |  |                  |   |  |                             |   |  |             |   |  |               |   |  |                     |   |  |            |     |  |              |     |  |                  |     |  |                      |     |  |               |     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <p><b>DATE OF SURVEY</b><br/>DECEMBER 18, 2018</p> <p><b>OWNER/ADDRESS</b><br/>KATHLEEN PICKEN<br/>8954 125TH AVENUE<br/>INDIANOLA, IA 50125</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |        |       |     |                |   |   |                                                                |   |   |          |   |  |                  |   |  |                  |   |  |                             |   |  |             |   |  |               |   |  |                     |   |  |            |     |  |              |     |  |                  |     |  |                      |     |  |               |     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <p><b>LEGEND</b></p> <table border="1"><thead><tr><th>Survey</th><th>Found</th><th>Set</th></tr></thead><tbody><tr><td>Section Corner</td><td>▲</td><td>△</td></tr><tr><td>1/2" Rebar, Yellow Plastic Cap #19710 (Unless Otherwise Noted)</td><td>●</td><td>○</td></tr><tr><td>ROW Rail</td><td>H</td><td></td></tr><tr><td>Calculated Point</td><td>+</td><td></td></tr><tr><td>Platted Distance</td><td>P</td><td></td></tr><tr><td>Measured Bearing &amp; Distance</td><td>M</td><td></td></tr><tr><td>Recorded As</td><td>R</td><td></td></tr><tr><td>Deed Distance</td><td>D</td><td></td></tr><tr><td>Calculated Distance</td><td>C</td><td></td></tr><tr><td>Centerline</td><td>---</td><td></td></tr><tr><td>Section Line</td><td>---</td><td></td></tr><tr><td>1/4 Section Line</td><td>---</td><td></td></tr><tr><td>1/4 1/4 Section Line</td><td>---</td><td></td></tr><tr><td>Easement Line</td><td>---</td><td></td></tr></tbody></table> | Survey | Found | Set | Section Corner | ▲ | △ | 1/2" Rebar, Yellow Plastic Cap #19710 (Unless Otherwise Noted) | ● | ○ | ROW Rail | H |  | Calculated Point | + |  | Platted Distance | P |  | Measured Bearing & Distance | M |  | Recorded As | R |  | Deed Distance | D |  | Calculated Distance | C |  | Centerline | --- |  | Section Line | --- |  | 1/4 Section Line | --- |  | 1/4 1/4 Section Line | --- |  | Easement Line | --- |  | <div><p>I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.</p><p>Erin D. Griffin, PLS _____ Date _____</p><p>License Number 19710</p><p>My License Renewal Date is December 31, 2019</p><p>Pages or sheets covered by this seal:<br/>Sheet 1 of 1</p></div> |
| Survey                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Found  | Set   |     |                |   |   |                                                                |   |   |          |   |  |                  |   |  |                  |   |  |                             |   |  |             |   |  |               |   |  |                     |   |  |            |     |  |              |     |  |                  |     |  |                      |     |  |               |     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Section Corner                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | ▲      | △     |     |                |   |   |                                                                |   |   |          |   |  |                  |   |  |                  |   |  |                             |   |  |             |   |  |               |   |  |                     |   |  |            |     |  |              |     |  |                  |     |  |                      |     |  |               |     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
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| ROW Rail                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | H      |       |     |                |   |   |                                                                |   |   |          |   |  |                  |   |  |                  |   |  |                             |   |  |             |   |  |               |   |  |                     |   |  |            |     |  |              |     |  |                  |     |  |                      |     |  |               |     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Calculated Point                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | +      |       |     |                |   |   |                                                                |   |   |          |   |  |                  |   |  |                  |   |  |                             |   |  |             |   |  |               |   |  |                     |   |  |            |     |  |              |     |  |                  |     |  |                      |     |  |               |     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Platted Distance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | P      |       |     |                |   |   |                                                                |   |   |          |   |  |                  |   |  |                  |   |  |                             |   |  |             |   |  |               |   |  |                     |   |  |            |     |  |              |     |  |                  |     |  |                      |     |  |               |     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Measured Bearing & Distance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | M      |       |     |                |   |   |                                                                |   |   |          |   |  |                  |   |  |                  |   |  |                             |   |  |             |   |  |               |   |  |                     |   |  |            |     |  |              |     |  |                  |     |  |                      |     |  |               |     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Recorded As                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | R      |       |     |                |   |   |                                                                |   |   |          |   |  |                  |   |  |                  |   |  |                             |   |  |             |   |  |               |   |  |                     |   |  |            |     |  |              |     |  |                  |     |  |                      |     |  |               |     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Deed Distance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | D      |       |     |                |   |   |                                                                |   |   |          |   |  |                  |   |  |                  |   |  |                             |   |  |             |   |  |               |   |  |                     |   |  |            |     |  |              |     |  |                  |     |  |                      |     |  |               |     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Calculated Distance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | C      |       |     |                |   |   |                                                                |   |   |          |   |  |                  |   |  |                  |   |  |                             |   |  |             |   |  |               |   |  |                     |   |  |            |     |  |              |     |  |                  |     |  |                      |     |  |               |     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Centerline                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | ---    |       |     |                |   |   |                                                                |   |   |          |   |  |                  |   |  |                  |   |  |                             |   |  |             |   |  |               |   |  |                     |   |  |            |     |  |              |     |  |                  |     |  |                      |     |  |               |     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Section Line                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | ---    |       |     |                |   |   |                                                                |   |   |          |   |  |                  |   |  |                  |   |  |                             |   |  |             |   |  |               |   |  |                     |   |  |            |     |  |              |     |  |                  |     |  |                      |     |  |               |     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 1/4 Section Line                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | ---    |       |     |                |   |   |                                                                |   |   |          |   |  |                  |   |  |                  |   |  |                             |   |  |             |   |  |               |   |  |                     |   |  |            |     |  |              |     |  |                  |     |  |                      |     |  |               |     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 1/4 1/4 Section Line                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | ---    |       |     |                |   |   |                                                                |   |   |          |   |  |                  |   |  |                  |   |  |                             |   |  |             |   |  |               |   |  |                     |   |  |            |     |  |              |     |  |                  |     |  |                      |     |  |               |     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Easement Line                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | ---    |       |     |                |   |   |                                                                |   |   |          |   |  |                  |   |  |                  |   |  |                             |   |  |             |   |  |               |   |  |                     |   |  |            |     |  |              |     |  |                  |     |  |                      |     |  |               |     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <p><b>PT. SE1/4 SW FRL. 1/4 SEC. 18-76-23</b></p> <p><b>SIDEWALK EASEMENT PLAT</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |        |       |     |                |   |   |                                                                |   |   |          |   |  |                  |   |  |                  |   |  |                             |   |  |             |   |  |               |   |  |                     |   |  |            |     |  |              |     |  |                  |     |  |                      |     |  |               |     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <div><p>2727 S.W. SNYDER BLVD.<br/>ANKENY, IA 50023 (515) 964-2020</p></div> <div><p>SHEET 1 OF 1</p><p>PN: 1190129</p><p>FLD BK: 1164A PG: 16</p><p>DATE: 02/27/19</p><p>PM/TECH: EDG/SGK</p></div>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |        |       |     |                |   |   |                                                                |   |   |          |   |  |                  |   |  |                  |   |  |                             |   |  |             |   |  |               |   |  |                     |   |  |            |     |  |              |     |  |                  |     |  |                      |     |  |               |     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

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3/8/2019  
Snyder

**WHEN RECORDED RETURN TO:**

Amy S. Beattie  
6701 Westown Parkway, Suite 100  
West Des Moines, Iowa 50266

Preparer Information: Amy S. Beattie, 6701 Westown Parkway, Suite 100, West Des Moines, Iowa 50266 (515) 274-1450

**RECREATIONAL TRAIL EASEMENT**

**KNOW ALL MEN BY THESE PRESENTS:**

That the undersigned, Dennis R. and Cynthia H. Thompson of the City of Indianola, Warren County, Iowa (hereinafter referred to as "Grantor"), in consideration of the City of Indianola paying for one hundred percent (100%) of the cost of construction and the sum of Five Thousand Dollars (\$5000.00), 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:

See attached Exhibit "A" ("Easement Area")

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5. Public Enters at Own Risk. Use of any portion of the Easement Area by members of the general public is at their own risk. Grantor does not assume any duty to or for the benefit of the general public for defects in the location, design, installation, maintenance, or repair of the trail; for unsafe conditions within the Easement Area; or for the failure to inspect for or warn against possibly unsafe conditions.

6. Liability. Grantor shall not be liable for any injury or property damage occurring in or to the Easement Area. City agrees to indemnify, defend, and hold Grantor harmless from any loss, damage, injury, or any claim or lawsuit for loss, damage, or injury arising out of or resulting from the use of the trail, unless caused by the negligent or intentional acts or omissions of Grantor or its employees, agents, or representatives.

7. Maintenance. The City shall be responsible for all trail inspections and cleaning including trash removal and sweeping, snow removal and panel replacement. The Grantor shall be responsible for mowing adjacent to the trail, avoid parking on the trail, avoid planting and landscaping that encroaches on the trail and avoid placing debris, including grass clippings and snow piles on the trail.

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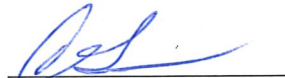
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IN WITNESS WHEREOF, we have hereunto affixed our hands this 14 day of

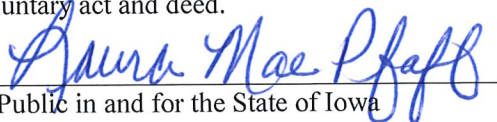
JUNE, 2019.

  
Dennis R. Thompson

  
Cynthia H. Thompson

STATE OF IOWA, POLK COUNTY, ss:

On this 14 day of June, 2019, before me the undersigned, a Notary Public in and for said State, personally appeared **Dennis R. Thompson and Cynthia H. Thompson**, to me known to be the person named in and who executed the foregoing instrument to which is attached; and acknowledged that she executed the instrument as her voluntary act and deed.

  
Notary Public in and for the State of Iowa



**DONATION (OPTIONAL)**

It is the understanding of the Grantor that, although the City will provide compensation for the granting of this easement, it is the Grantor's wish to **donate** this trail easement and **not** receive said compensation, and Grantor waives any and all rights to compensation.

\_\_\_\_\_  
\_\_\_\_\_

**ACCEPTANCE BY CITY**

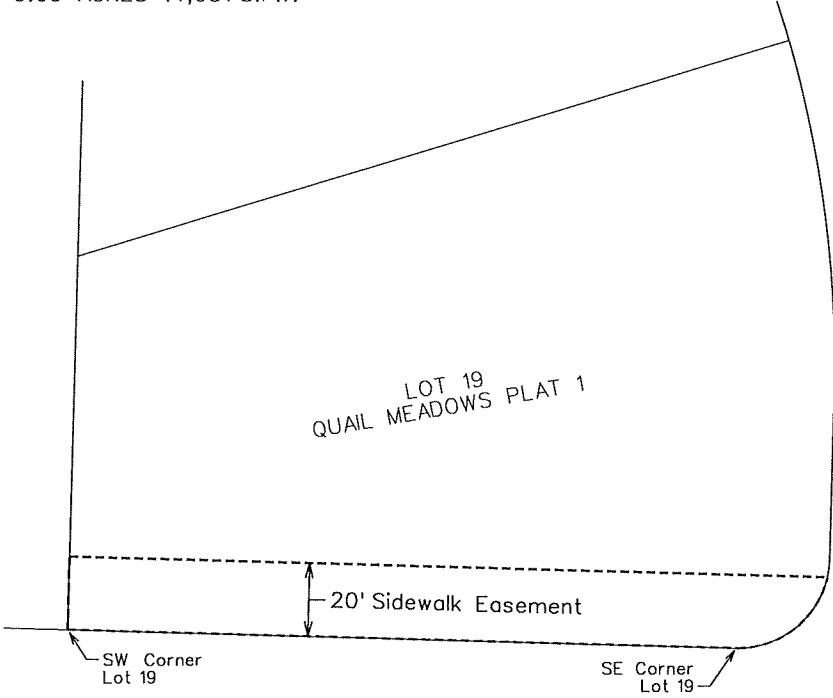
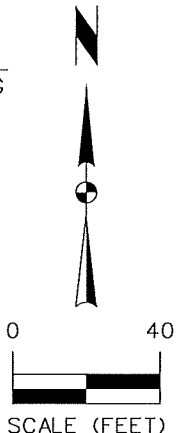
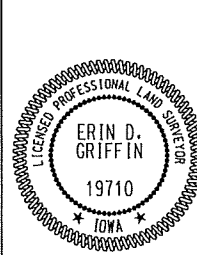
STATE OF IOWA                    )  
                                          ) ss:  
COUNTY OF WARREN            )

I, Diana Bowlin, City Clerk of the City of Indianola, Iowa, do hereby certify that the within and foregoing Easement was duly approved and accepted by the City Council of said City by Resolution No. \_\_\_\_\_, passed on the \_\_\_\_ day of \_\_\_\_\_, 2019, and this certificate is made pursuant to authority contained in said Resolution.

Signed this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Diana Bowlin, City Clerk of the City of Indianola, Iowa



| <b>INDEX LEGEND</b><br>SURVEYOR'S NAME / RETURN TO:<br>ERIN D. GRIFFIN<br>SNYDER & ASSOCIATES, INC.<br>2727 SW SNYDER BOULEVARD<br>ANKENY, IOWA 50023<br>515-964-2020<br>egriffin@snyder-associates.com<br>SERVICE PROVIDED BY:<br>SNYDER & ASSOCIATES, INC.<br>SURVEY LOCATED:<br>LOT 19<br>QUAIL MEADOWS PLAT 1<br>SW1/4 SE1/4<br>SEC. 18-76-23<br>REQUESTED BY:<br>CITY OF INDIANOLA                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |       |                                                                                                      |       |     |                |   |   |                                                                   |   |   |          |   |  |                  |   |  |                  |   |  |                             |   |  |             |   |  |               |   |  |                     |   |  |            |     |  |              |     |  |                  |     |  |                      |     |  |               |     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|------------------------------------------------------------------------------------------------------|-------|-----|----------------|---|---|-------------------------------------------------------------------|---|---|----------|---|--|------------------|---|--|------------------|---|--|-----------------------------|---|--|-------------|---|--|---------------|---|--|---------------------|---|--|------------|-----|--|--------------|-----|--|------------------|-----|--|----------------------|-----|--|---------------|-----|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>EASEMENT PLAT</b><br><br><b>SIDEWALK EASEMENT DESCRIPTION</b><br>THE SOUTH 20.00 FEET OF LOT 19, QUAIL MEADOWS PLAT 1, AN OFFICIAL PLAT IN THE CITY OF INDIANOLA, WARREN COUNTY, IOWA AND CONTAINING 0.09 ACRES (4,031 S.F.).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |       |                                                                                                      |       |     |                |   |   |                                                                   |   |   |          |   |  |                  |   |  |                  |   |  |                             |   |  |             |   |  |               |   |  |                     |   |  |            |     |  |              |     |  |                  |     |  |                      |     |  |               |     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |       | <br>SCALE (FEET)  |       |     |                |   |   |                                                                   |   |   |          |   |  |                  |   |  |                  |   |  |                             |   |  |             |   |  |               |   |  |                     |   |  |            |     |  |              |     |  |                  |     |  |                      |     |  |               |     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |
| <b>DATE OF SURVEY</b><br>DECEMBER 18, 2018                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |       | <b>OWNERS/ADDRESS</b><br>DENNIS R. & CYNTHIA H. THOMPSON<br>2001 N 9TH STREET<br>INDIANOLA, IA 50125 |       |     |                |   |   |                                                                   |   |   |          |   |  |                  |   |  |                  |   |  |                             |   |  |             |   |  |               |   |  |                     |   |  |            |     |  |              |     |  |                  |     |  |                      |     |  |               |     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |
| <b>LEGEND</b><br><table border="0"><thead><tr><th>Survey</th><th>Found</th><th>Set</th></tr></thead><tbody><tr><td>Section Corner</td><td>▲</td><td>△</td></tr><tr><td>1/2" Rebar, Yellow Plastic Cap #19710<br/>(Unless Otherwise Noted)</td><td>●</td><td>○</td></tr><tr><td>ROW Rail</td><td>+</td><td></td></tr><tr><td>Calculated Point</td><td>I</td><td></td></tr><tr><td>Platted Distance</td><td>P</td><td></td></tr><tr><td>Measured Bearing &amp; Distance</td><td>M</td><td></td></tr><tr><td>Recorded As</td><td>R</td><td></td></tr><tr><td>Deed Distance</td><td>D</td><td></td></tr><tr><td>Calculated Distance</td><td>C</td><td></td></tr><tr><td>Centerline</td><td>---</td><td></td></tr><tr><td>Section Line</td><td>---</td><td></td></tr><tr><td>1/4 Section Line</td><td>---</td><td></td></tr><tr><td>1/4 1/4 Section Line</td><td>---</td><td></td></tr><tr><td>Easement Line</td><td>---</td><td></td></tr></tbody></table> |       | Survey                                                                                               | Found | Set | Section Corner | ▲ | △ | 1/2" Rebar, Yellow Plastic Cap #19710<br>(Unless Otherwise Noted) | ● | ○ | ROW Rail | + |  | Calculated Point | I |  | Platted Distance | P |  | Measured Bearing & Distance | M |  | Recorded As | R |  | Deed Distance | D |  | Calculated Distance | C |  | Centerline | --- |  | Section Line | --- |  | 1/4 Section Line | --- |  | 1/4 1/4 Section Line | --- |  | Easement Line | --- |  | <div></div> <div>I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.<br/><br/>Erin D. Griffin, PLS      Date<br/><br/>License Number 19710<br/>My License Renewal Date is December 31, 2019<br/>Pages or sheets covered by this seal:<br/>Sheet 1 of 1</div> |  |
| Survey                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Found | Set                                                                                                  |       |     |                |   |   |                                                                   |   |   |          |   |  |                  |   |  |                  |   |  |                             |   |  |             |   |  |               |   |  |                     |   |  |            |     |  |              |     |  |                  |     |  |                      |     |  |               |     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |
| Section Corner                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | ▲     | △                                                                                                    |       |     |                |   |   |                                                                   |   |   |          |   |  |                  |   |  |                  |   |  |                             |   |  |             |   |  |               |   |  |                     |   |  |            |     |  |              |     |  |                  |     |  |                      |     |  |               |     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |
| 1/2" Rebar, Yellow Plastic Cap #19710<br>(Unless Otherwise Noted)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | ●     | ○                                                                                                    |       |     |                |   |   |                                                                   |   |   |          |   |  |                  |   |  |                  |   |  |                             |   |  |             |   |  |               |   |  |                     |   |  |            |     |  |              |     |  |                  |     |  |                      |     |  |               |     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |
| ROW Rail                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | +     |                                                                                                      |       |     |                |   |   |                                                                   |   |   |          |   |  |                  |   |  |                  |   |  |                             |   |  |             |   |  |               |   |  |                     |   |  |            |     |  |              |     |  |                  |     |  |                      |     |  |               |     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |
| Calculated Point                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | I     |                                                                                                      |       |     |                |   |   |                                                                   |   |   |          |   |  |                  |   |  |                  |   |  |                             |   |  |             |   |  |               |   |  |                     |   |  |            |     |  |              |     |  |                  |     |  |                      |     |  |               |     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |
| Platted Distance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | P     |                                                                                                      |       |     |                |   |   |                                                                   |   |   |          |   |  |                  |   |  |                  |   |  |                             |   |  |             |   |  |               |   |  |                     |   |  |            |     |  |              |     |  |                  |     |  |                      |     |  |               |     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |
| Measured Bearing & Distance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | M     |                                                                                                      |       |     |                |   |   |                                                                   |   |   |          |   |  |                  |   |  |                  |   |  |                             |   |  |             |   |  |               |   |  |                     |   |  |            |     |  |              |     |  |                  |     |  |                      |     |  |               |     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |
| Recorded As                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | R     |                                                                                                      |       |     |                |   |   |                                                                   |   |   |          |   |  |                  |   |  |                  |   |  |                             |   |  |             |   |  |               |   |  |                     |   |  |            |     |  |              |     |  |                  |     |  |                      |     |  |               |     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |
| Deed Distance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | D     |                                                                                                      |       |     |                |   |   |                                                                   |   |   |          |   |  |                  |   |  |                  |   |  |                             |   |  |             |   |  |               |   |  |                     |   |  |            |     |  |              |     |  |                  |     |  |                      |     |  |               |     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |
| Calculated Distance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | C     |                                                                                                      |       |     |                |   |   |                                                                   |   |   |          |   |  |                  |   |  |                  |   |  |                             |   |  |             |   |  |               |   |  |                     |   |  |            |     |  |              |     |  |                  |     |  |                      |     |  |               |     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |
| Centerline                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | ---   |                                                                                                      |       |     |                |   |   |                                                                   |   |   |          |   |  |                  |   |  |                  |   |  |                             |   |  |             |   |  |               |   |  |                     |   |  |            |     |  |              |     |  |                  |     |  |                      |     |  |               |     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |
| Section Line                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | ---   |                                                                                                      |       |     |                |   |   |                                                                   |   |   |          |   |  |                  |   |  |                  |   |  |                             |   |  |             |   |  |               |   |  |                     |   |  |            |     |  |              |     |  |                  |     |  |                      |     |  |               |     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |
| 1/4 Section Line                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | ---   |                                                                                                      |       |     |                |   |   |                                                                   |   |   |          |   |  |                  |   |  |                  |   |  |                             |   |  |             |   |  |               |   |  |                     |   |  |            |     |  |              |     |  |                  |     |  |                      |     |  |               |     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |
| 1/4 1/4 Section Line                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | ---   |                                                                                                      |       |     |                |   |   |                                                                   |   |   |          |   |  |                  |   |  |                  |   |  |                             |   |  |             |   |  |               |   |  |                     |   |  |            |     |  |              |     |  |                  |     |  |                      |     |  |               |     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |
| Easement Line                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | ---   |                                                                                                      |       |     |                |   |   |                                                                   |   |   |          |   |  |                  |   |  |                  |   |  |                             |   |  |             |   |  |               |   |  |                     |   |  |            |     |  |              |     |  |                  |     |  |                      |     |  |               |     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |
| <b>PT. LOT 19, QUAIL MEADOWS PLAT 1</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |       | SHEET 1 OF 1                                                                                         |       |     |                |   |   |                                                                   |   |   |          |   |  |                  |   |  |                  |   |  |                             |   |  |             |   |  |               |   |  |                     |   |  |            |     |  |              |     |  |                  |     |  |                      |     |  |               |     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |
| <b>SIDEWALK EASEMENT PLAT</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |       | PN: 1190129                                                                                          |       |     |                |   |   |                                                                   |   |   |          |   |  |                  |   |  |                  |   |  |                             |   |  |             |   |  |               |   |  |                     |   |  |            |     |  |              |     |  |                  |     |  |                      |     |  |               |     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |       | FLD BK:1164A PG: 16                                                                                  |       |     |                |   |   |                                                                   |   |   |          |   |  |                  |   |  |                  |   |  |                             |   |  |             |   |  |               |   |  |                     |   |  |            |     |  |              |     |  |                  |     |  |                      |     |  |               |     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |
| 2727 S.W. SNYDER BLVD.<br>ANKENY, IA 50023 (515) 964-2020                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |       | DATE: 02/26/19                                                                                       |       |     |                |   |   |                                                                   |   |   |          |   |  |                  |   |  |                  |   |  |                             |   |  |             |   |  |               |   |  |                     |   |  |            |     |  |              |     |  |                  |     |  |                      |     |  |               |     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |       | PM/TECH: EDG/SGK                                                                                     |       |     |                |   |   |                                                                   |   |   |          |   |  |                  |   |  |                  |   |  |                             |   |  |             |   |  |               |   |  |                     |   |  |            |     |  |              |     |  |                  |     |  |                      |     |  |               |     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |

**WHEN RECORDED RETURN TO:**

Amy S. Beattie  
6701 Westown Parkway, Suite 100  
West Des Moines, Iowa 50266

Preparer Information: Amy S. Beattie, 6701 Westown Parkway, Suite 100, West Des Moines, Iowa 50266 (515) 274-1450

**TEMPORARY EASEMENT FOR CONSTRUCTION AND  
CONSTRUCTION-RELATED ACTIVITIES**

Apex Storage Solutions, LLC (hereinafter referred to as the "Grantor"), in consideration of Ten and No/100 Dollars (\$10.00) to be paid by the City of Indianola, Iowa, upon final approval and acceptance of this Temporary Easement by the City, does hereby convey unto the City of Indianola, Iowa, a municipal corporation, (hereinafter referred to as the "City"), a Temporary Easement for Construction under, over, through and across the following described property.

Five-foot temporary construction easement north of the Recreational Trail Easement as indicated on attached Exhibit "A".

(hereinafter referred to as the "Easement Area") Said Easement allows the City, its agents, contractors and employees, and other permitted parties including but not limited to electric, cable and telecommunications utilities and their respective agents, contractors and employees, a right of entry in, upon and onto the above described Easement Area for the Hillcrest Trail, which purpose includes any and all construction-related activities.

It is understood that, upon completion of this project, the City shall restore the Easement Area to its original condition as reasonably possible, including but not limited to restoration of lawns by sodding or seeding, replacement of concrete or asphalt driveways removed for grading or access purposes, and replacement of fences or other structures that may be removed or damaged by the City and/or permitted parties during the course of construction, except that the following items shall not be restored by the City or permitted parties but are instead compensated for the consideration paid for in this Easement by the City as set forth above. (List items below or state "none").

NONE

It is further understood that the consideration set forth in this Easement shall constitute full and adequate compensation for damages to the above listed items.

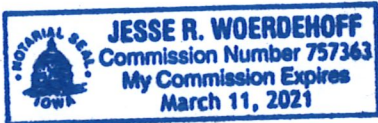
IN WITNESS WHEREOF, we have hereunto affixed our hands this 15<sup>th</sup> day of July, 2019.

Apex Storage Solutions, LLC

By: [Signature]  
Name: Andrew Hart  
Title: President

STATE OF IOWA, COUNTY OF WARREN, ss:

On the 15<sup>th</sup> day of July, 2019, before me, a Notary Public in and for the said State, personally appeared Andrew Hart, to me personally known, who, being by me duly sworn, did say that that person is President of said limited liability company; that no seal has been procured by the said limited liability company and that said instrument was signed on behalf of the said limited liability company by authority of its managers and the said President acknowledged the execution of said instrument to be the voluntary act and deed of said limited liability company by it voluntarily executed.



[Signature]  
Notary Public in and for said State of Iowa

CURRENT LENDER:

Consented to by: City State Bank

By: [Signature] V.P.  
Authorized Signature

Its: Vice President

STATE OF IOWA )  
COUNTY OF Warren ) ss:  
)

On this 15<sup>th</sup> day of July, 2019, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Jesse Woerdehoff to me personally know, who being by me duly sworn, did say that he/she is the Vice president of the corporation executed the within and foregoing instrument, that the instrument was signed on behalf of the corporation and by authority of its Board of Directors; and that Jesse Woerdehoff, as Vice President, acknowledged the execution of the foregoing instrument to be the voluntary act and deed of the corporation, by it and by him/her voluntarily executed.



[Signature]  
Notary Public in and for the State of Iowa

**DONATION (OPTIONAL)**

It is the understanding of the Grantor that, although the City will provide compensation for the granting of this easement, it is the Grantor's wish to **donate** this trail easement and **not** receive said compensation, and Grantor waives any and all rights to compensation.

\_\_\_\_\_  
\_\_\_\_\_

**ACCEPTANCE BY CITY**

STATE OF IOWA                    )  
                                          ) ss:  
COUNTY OF WARREN            )

I, Diana Bowlin, City Clerk of the City of Indianola, Iowa, do hereby certify that the within and foregoing Easement was duly approved and accepted by the City Council of said City by Resolution No. \_\_\_\_\_, passed on the \_\_\_\_ day of \_\_\_\_\_, 2019, and this certificate is made pursuant to authority contained in said Resolution.

Signed this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Diana Bowlin, City Clerk of the City of Indianola, Iowa

## INDEX LEGEND

SURVEYOR'S NAME / RETURN TO:  
ERIN D. GRIFFIN  
SNYDER & ASSOCIATES, INC.  
2727 SW SNYDER BOULEVARD  
ANKENY, IOWA 50023  
515-964-2020  
egriffin@snyder-associates.com  
SERVICE PROVIDED BY:  
SNYDER & ASSOCIATES, INC.  
SURVEY LOCATED:  
LOT 20  
QUAIL MEADOWS PLAT 1  
SW1/4 SE1/4  
SEC. 18-76-23  
REQUESTED BY:  
CITY OF INDIANOLA

# EASEMENT PLAT

### SIDEWALK EASEMENT DESCRIPTION

A PART OF LOT 20, QUAIL MEADOWS PLAT 1, AN OFFICIAL PLAT IN THE CITY OF INDIANOLA, WARREN COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 20; THENCE NORTH 00°12'15" WEST ALONG THE WEST LINE OF SAID LOT 20, A DISTANCE OF 20.05 FEET; THENCE SOUTH 87°35'38" EAST, 25.00 FEET; THENCE SOUTH 67°37'21" EAST, 21.46 FEET; THENCE SOUTH 88°29'34" EAST, 335.22 FEET; THENCE NORTH 73°20'45" EAST, 25.67 FEET; THENCE SOUTH 88°29'34" EAST, 77.20 FEET TO THE EAST LINE OF SAID LOT 20; THENCE SOUTH 01°30'26" WEST ALONG SAID EAST LINE, 20.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 20; THENCE NORTH 88°29'34" WEST ALONG THE SOUTH LINE OF SAID LOT 20, A DISTANCE OF 481.26 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.16 ACRES (6,764 S.F.).

## DATE OF SURVEY

DECEMBER 18, 2018

## OWNER/ADDRESS

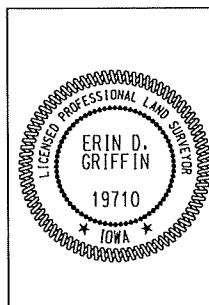
APEX STORAGE SOLUTIONS, LLC  
802 E. HILLCREST AVENUE  
INDIANOLA, IA 50125

## BASIS OF BEARING

THE SOUTH LINE OF THE SOUTHEAST 1/4  
OF SECTION 18-76-23 IS ASSUMED TO  
BEAR N88°29'34"W.

## LEGEND

| <u>Survey</u>                                                     | <u>Found</u> | <u>Set</u> |
|-------------------------------------------------------------------|--------------|------------|
| Section Corner                                                    | ▲            | △          |
| 1/2" Rebar, Yellow Plastic Cap #19710<br>(Unless Otherwise Noted) | ●            | ○          |
| ROW Rail                                                          | ⚡            |            |
| Calculated Point                                                  | +            |            |
| Platted Distance                                                  | P            |            |
| Measured Bearing & Distance                                       | M            |            |
| Recorded As                                                       | R            |            |
| Deed Distance                                                     | D            |            |
| Calculated Distance                                               | C            |            |
| Centerline                                                        | -----        |            |
| Section Line                                                      | -----        |            |
| 1/4 Section Line                                                  | -----        |            |
| 1/4 1/4 Section Line                                              | -----        |            |
| Easement Line                                                     | -----        |            |



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

Erin D. Griffin, PLS Date

License Number 19710

My License Renewal Date is December 31, 2019

Pages or sheets covered by this seal:  
Sheets 1 & 2 of 2

PT. LOT 20, QUAIL MEADOWS PLAT 1

# SIDEWALK EASEMENT PLAT



2727 S.W. SNYDER BLVD.  
ANKENY, IA 50023 (515) 964-2020

SHEET 1 OF 2

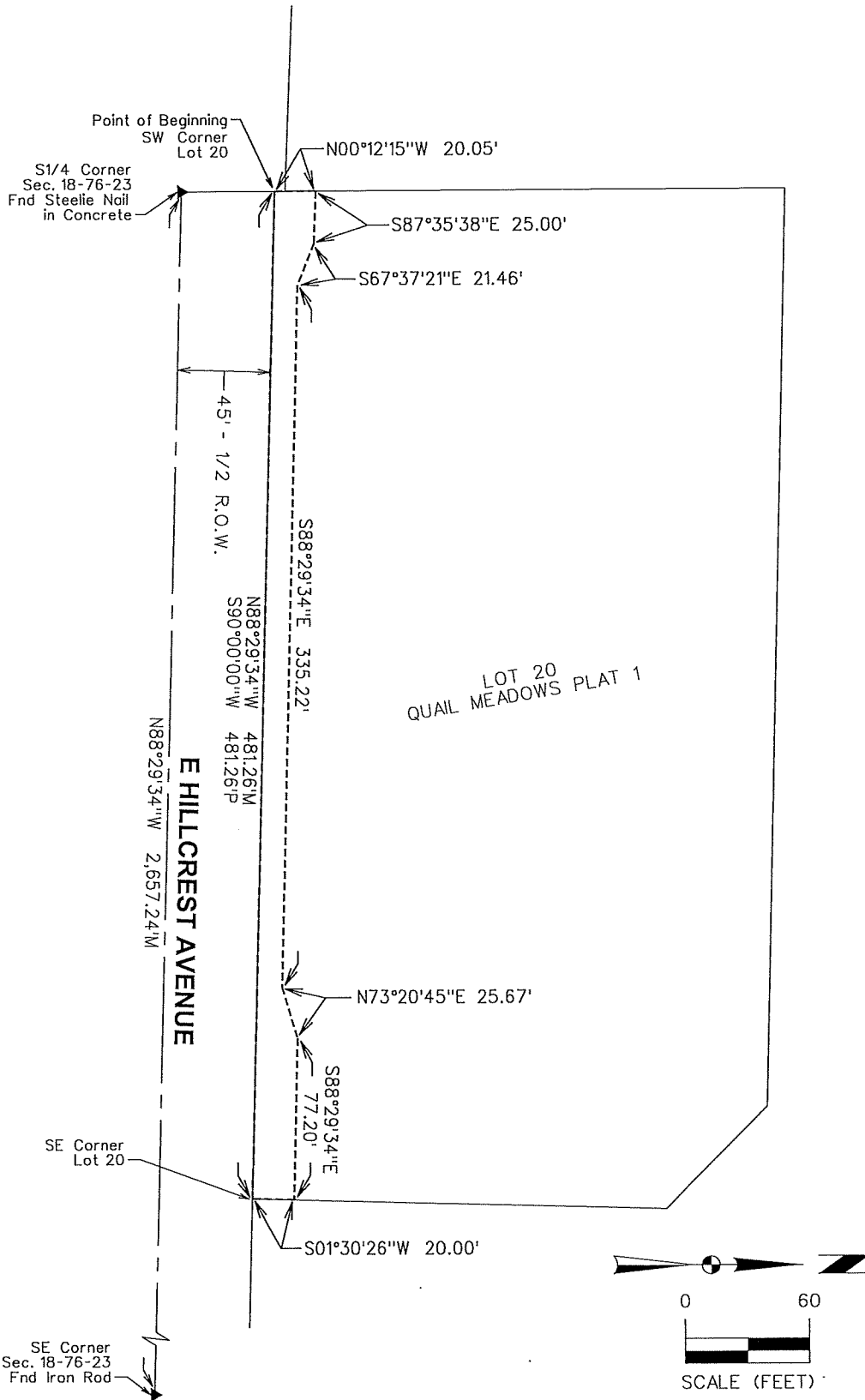
PN: 1190129

FLD BK:1164A PG: 16

DATE: 02/26/19

PM/TECH: EDG/SGK

# EASEMENT PLAT



**PT. LOT 20, QUAIL MEADOWS PLAT 1**  
**SIDEWALK EASEMENT PLAT**

SHEET 2 OF 2  
PN: 1190129  
FLD BK:1164A PG: 16  
DATE: 02/26/19  
PM/TECH: EDG/SGK

**S** SNYDER  
& ASSOCIATES

2727 S.W. SNYDER BLVD.  
ANKENY, IA 50023 (515) 964-2020

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**WHEN RECORDED RETURN TO:**

Amy S. Beattie  
6701 Westown Parkway, Suite 100  
West Des Moines, Iowa 50266

Preparer Information: Amy S. Beattie, 6701 Westown Parkway, Suite 100, West Des Moines, Iowa 50266 (515) 274-1450

**RECREATIONAL TRAIL EASEMENT**

**KNOW ALL MEN BY THESE PRESENTS:**

That the undersigned, Apex Storage Solutions, LLC of the City of Indianola, Warren County, Iowa, hereinafter referred to as "Grantor", 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:

See attached Exhibit "A" ("Easement Area")

That the parties agree that the easement valuation has been determined to be \$3,626.48. The parties further agree that under the terms of a Sidewalk Agreement between the parties, after netting out the easement valuation, Grantor shall pay 40% of the cost of sidewalk construction but in no event shall the amount to be paid by the Grantor to City for sidewalk construction exceed the sum of \$8,000. Grantor shall pay said sum within five (5) days of presentment of an invoice by the City. The parties further agree that this Recreational Trail Easement is given in consideration of the termination of the Sidewalk Agreement between the parties recorded October 25, 2017 as Instrument 2017-09146, and that upon payment by the Grantor the City shall record a termination of the Sidewalk Agreement.

That in consideration as set out above, this 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:

**Hillcrest Trail**

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 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. Maintenance. The City shall be responsible for all trail inspections and cleaning including trash removal and sweeping, snow removal and panel replacement. The Grantor shall be responsible for mowing adjacent to the trail, avoid parking on the trail, avoid planting and landscaping that encroaches on the trail and avoid placing debris, including grass clippings and snow piles on the trail.

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

8. 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.

9. 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.

10. 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 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.

IN WITNESS WHEREOF, we have hereunto affixed our hands this 15<sup>th</sup> day of July, 2019.

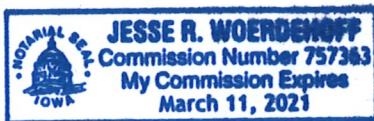
Apex Storage Solutions, LLC

By: Andrew Hart  
Name: Andrew Hart  
Title: President

STATE OF IOWA, COUNTY OF WARREN, ss:

On the 15<sup>th</sup> day of July, 2019, before me, a Notary Public in and for the said State, personally appeared Andrew Hart, to me personally known, who, being by me duly sworn, did say that that person is President of said limited liability company; that no seal has been procured by the said limited liability company and that said instrument was signed on behalf of the said limited liability company by authority of its managers and the said President acknowledged the execution of said instrument to be the voluntary act and deed of said limited liability company by it voluntarily executed.

Jesse R. Woerdenhoff  
Notary Public in and for said State of Iowa



CURRENT LENDER:

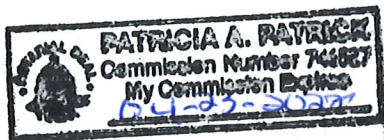
Consented to by: City State Bank

By: Jesse R. Woerdhoff V.P.  
Authorized Signature

Its: Vice President

STATE OF IOWA )  
COUNTY OF Warren ) ss:  
)

On this 15<sup>th</sup> day of July, 2019, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Jesse Woerdhoff to me personally know, who being by me duly sworn, did say that he/she is the Vice President of the corporation executed the within and foregoing instrument, that the instrument was signed on behalf of the corporation and by authority of its Board of Directors; and that Jesse Woerdhoff, as Vice President, acknowledged the execution of the foregoing instrument to be the voluntary act and deed of the corporation, by it and by him/her voluntarily executed.



Patricia A. Patrick  
Notary Public in and for the State of Iowa

**DONATION (OPTIONAL)**

It is the understanding of the Grantor that, although the City will provide compensation for the granting of this easement, it is the Grantor's wish to **donate** this trail easement and **not** receive said compensation, and Grantor waives any and all rights to compensation.

\_\_\_\_\_  
\_\_\_\_\_

**ACCEPTANCE BY CITY**

STATE OF IOWA                    )  
                                          ) ss:  
COUNTY OF WARREN            )

I, Diana Bowlin, City Clerk of the City of Indianola, Iowa, do hereby certify that the within and foregoing Easement was duly approved and accepted by the City Council of said City by Resolution No. \_\_\_\_\_, passed on the \_\_\_\_ day of \_\_\_\_\_, 2019, and this certificate is made pursuant to authority contained in said Resolution.

Signed this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Diana Bowlin, City Clerk of the City of Indianola, Iowa

|                                                                                                                                                                                                                                                                                                                                                                                         |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>INDEX LEGEND</b><br>SURVEYOR'S NAME / RETURN TO:<br>ERIN D. GRIFFIN<br>SNYDER & ASSOCIATES, INC.<br>2727 SW SNYDER BOULEVARD<br>ANKENY, IOWA 50023<br>515-964-2020<br>egriffin@snyder-associates.com<br>SERVICE PROVIDED BY:<br>SNYDER & ASSOCIATES, INC.<br>SURVEY LOCATED:<br>LOT 20<br>QUAIL MEADOWS PLAT 1<br>SW1/4 SE1/4<br>SEC. 18-76-23<br>REQUESTED BY:<br>CITY OF INDIANOLA |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|

**EASEMENT PLAT**

**SIDEWALK EASEMENT DESCRIPTION**

A PART OF LOT 20, QUAIL MEADOWS PLAT 1, AN OFFICIAL PLAT IN THE CITY OF INDIANOLA, WARREN COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 20; THENCE NORTH 00°12'15" WEST ALONG THE WEST LINE OF SAID LOT 20, A DISTANCE OF 20.05 FEET; THENCE SOUTH 87°35'38" EAST, 25.00 FEET; THENCE SOUTH 67°37'21" EAST, 21.46 FEET; THENCE SOUTH 88°29'34" EAST, 335.22 FEET; THENCE NORTH 73°20'45" EAST, 25.67 FEET; THENCE SOUTH 88°29'34" EAST, 77.20 FEET TO THE EAST LINE OF SAID LOT 20; THENCE SOUTH 01°30'26" WEST ALONG SAID EAST LINE, 20.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 20; THENCE NORTH 88°29'34" WEST ALONG THE SOUTH LINE OF SAID LOT 20, A DISTANCE OF 481.26 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.16 ACRES (6,764 S.F.).

**DATE OF SURVEY**  
DECEMBER 18, 2018

**OWNER/ADDRESS**  
APEX STORAGE SOLUTIONS, LLC  
802 E. HILLCREST AVENUE  
INDIANOLA, IA 50125

**BASIS OF BEARING**  
THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SECTION 18-76-23 IS ASSUMED TO BEAR N88°29'34"W.

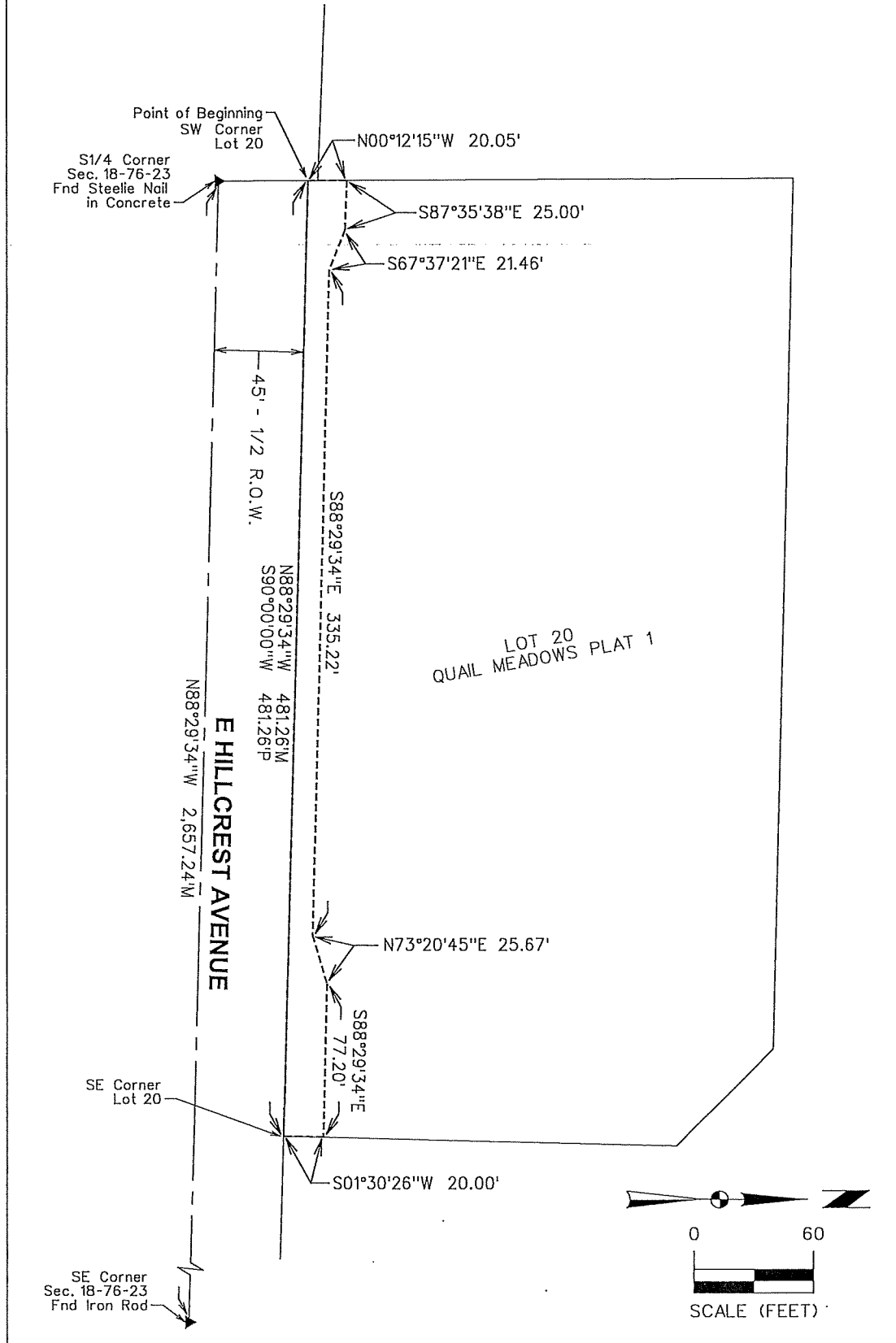
**LEGEND**

| Survey                                                            | Found | Set |
|-------------------------------------------------------------------|-------|-----|
| Section Corner                                                    | ▲     | △   |
| 1/2" Rebar, Yellow Plastic Cap #19710<br>(Unless Otherwise Noted) | ●     | ○   |
| ROW Rail                                                          | H     |     |
| Calculated Point                                                  | +     |     |
| Plotted Distance                                                  | P     |     |
| Measured Bearing & Distance                                       | M     |     |
| Recorded As                                                       | R     |     |
| Deed Distance                                                     | D     |     |
| Calculated Distance                                               | C     |     |
| Centerline                                                        | ---   |     |
| Section Line                                                      | ---   |     |
| 1/4 Section Line                                                  | ---   |     |
| 1/4 1/4 Section Line                                              | ---   |     |
| Easement Line                                                     | ---   |     |

|                                                                                     |                                                                                                                                                                                                                                                       |
|-------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa. |
|                                                                                     | Erin D. Griffin, PLS _____ Date _____                                                                                                                                                                                                                 |
|                                                                                     | License Number 19710                                                                                                                                                                                                                                  |
|                                                                                     | My License Renewal Date is December 31, 2019                                                                                                                                                                                                          |
|                                                                                     | Pages or sheets covered by this seal:<br>Sheets 1 & 2 of 2                                                                                                                                                                                            |

|                                                                                                                                                                                                |                     |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| <b>PT. LOT 20, QUAIL MEADOWS PLAT 1</b><br><b>SIDEWALK EASEMENT PLAT</b><br> <b>SNYDER &amp; ASSOCIATES</b> | SHEET 1 OF 2        |
|                                                                                                                                                                                                | PN: 1190129         |
|                                                                                                                                                                                                | FLD BK:1164A PG: 16 |
|                                                                                                                                                                                                | DATE: 02/26/19      |
|                                                                                                                                                                                                | PM/TECH: EDG/SGK    |

# EASEMENT PLAT



PT. LOT 20, QUAIL MEADOWS PLAT 1  
SIDEWALK EASEMENT PLAT

**S** SNYDER  
& ASSOCIATES

2727 S.W. SNYDER BLVD.  
ANKENY, IA 50023 (515) 964-2020

|          |              |
|----------|--------------|
| SHEET    | 2 OF 2       |
| PN:      | 1190129      |
| FLD BK:  | 1164A PG: 16 |
| DATE:    | 02/26/19     |
| PM/TECH: | EDG/SGK      |

Meeting Date: 08/05/2019

---

**Subject**

Resolution approving contract and bond for the East Hillcrest Avenue Trail

**Information**

Council will need to consider the resolution (packet) approving the contract and bond (packet) with Howrey Construction in an amount of \$151,901.00 for the East Hillcrest Avenue Trail Project.

Roll call is in order.

---

**Fiscal Impact**

**Attachments**

Resolution

Contract and Bond

---

RESOLUTION NO. 2018-\_\_\_\_  
RESOLUTION APPROVING CONSTRUCTION CONTRACTS AND BONDS

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

Section 1. The construction contract and bond executed by Howrey Construction dated the \_\_\_\_ day of \_\_\_\_\_, 2019, for the 2019 East Hillcrest Trail Connector for the City of Indianola, Iowa, described in the Plans and Specifications previously adopted by the City Council, and which have been signed by the Mayor and City Clerk on behalf of the City Council be approved.

PASSED AND APPROVED this 5th day of August, 2019.

\_\_\_\_\_  
KELLY B. SHAW, Mayor

ATTEST:

\_\_\_\_\_  
DIANA BOWLIN, City Clerk

SURETY BOND NO. IAC589104**PERFORMANCE, PAYMENT, AND MAINTENANCE BOND**

KNOW ALL BY THESE PRESENTS:

That we, Howrey Construction, Inc., as Principal (hereinafter the "Contractor" or "Principal" and Merchants Bonding Company (Mutual), as Surety are held and firmly bound unto The City of Indianola, as Oblige (hereinafter referred to as "the Jurisdiction"), and to all persons who may be injured by any breach of any of the conditions of this Bond in the penal sum of ONE HUNDRED FIFTY-ONE THOUSAND NINE HUNDRED ONE AND 00/100 DOLLARS (\$151,901.00), lawful money of the United States, for the payment of which sum, well and truly to be made, we bind ourselves, our heirs, legal representatives and assigns, jointly or severally, firmly by these presents.

The conditions of the above obligations are such that whereas said Contractor entered into a contract with the Jurisdiction, bearing date the 15<sup>th</sup> day of July, 2019, hereinafter the "Contract") wherein said Contractor undertakes and agrees to construct the following described improvements:

The extent of work on this project includes all materials, equipment, transportation, and labor necessary to complete the improvements generally described as follows: trail paving, earthwork, drainage improvements, and surface restoration along East Hillcrest Avenue from West of North 7<sup>th</sup> Street to North 9<sup>th</sup> Street. Project quantities include approximately 1500 SY of PCC, 60 LF of RCP, 0.65 AC of Clearing and Grubbing, 0.35 AC of seeding, excavation, topsoil strip/store/spread, sidewalk construction, and miscellaneous associated work, including cleanup.

and to faithfully perform all the terms and requirements of said Contract within the time therein specified, in a good and workmanlike manner, and in accordance with the Contract Documents. Provided, however, that one year after the date of acceptance as complete of the work under the above referenced Contract, the maintenance portion of this Bond shall continue in force but the penal sum for maintenance shall be reduced to the sum of ONE HUNDRED FIFTY-ONE THOUSAND NINE HUNDRED ONE AND 00/100 DOLLARS (\$151,901.00), which is the cost associated with those items shown on the proposal and in the Contract that require a maintenance bond period in excess of one year.

It is expressly understood and agreed by the Contractor and Surety in this bond that the following provisions are a part of this Bond and are binding upon said Contractor and Surety, to-wit:

1. **PERFORMANCE:** The Contractor shall well and faithfully observe, perform, fulfill, and abide by each and every covenant, condition, and part of said Contract and Contract Documents, by reference made a part hereof, for the above referenced improvements, and shall indemnify and save harmless the Jurisdiction from all outlay and expense incurred by the Jurisdiction by reason of the Contractor's default of failure to perform as required. The Contractor shall also be responsible for the default or failure to perform as required under the Contract and Contract Documents by all its subcontractors, suppliers, agents, or employees furnishing materials or providing labor in the performance of the Contract.
2. **PAYMENT:** The Contractor and the Surety on this Bond hereby agreed to pay all just claims submitted by persons, firms, subcontractors, and corporations furnishing materials for or performing labor in the performance of the Contract on account of which this Bond is given, including but not limited to claims for all amounts due for labor, materials, lubricants, oil, gasoline, repairs on machinery, equipment, and tools, consumed or used by the Contractor or any subcontractor, wherein



the same are not satisfied out of the portion of the contract price the Jurisdiction is required to retain until completion of the improvement, but the Contractor and Surety shall not be liable to said persons, firms, or corporations unless the claims of said claimants against said portion of the contract price shall have been established as provided by law. The Contractor and Surety hereby bind themselves to the obligations and conditions set forth in Chapter 573 of the Iowa Code, which by this reference is made a part hereof as though fully set out herein.

3. MAINTENANCE: The Contractor and the Surety on this Bond hereby agree, at their own expense:
  - A. To remedy any and all defects that may develop in or result from work to be performed under the Contract within the period of four (4) year (s) from the date of acceptance of the work under the Contract, by reason of defects in workmanship or materials used in construction of said work;
  - B. To keep all work in continuous good repair; and
  - C. To pay the Jurisdiction's reasonable costs of monitoring and inspection to assure that any defects are remedied, and to repay the Jurisdiction all outlay and expense incurred as a result of Contractor's and Surety's failure to remedy any defect as required by this section.
4. GENERAL: Every Surety on this Bond shall be deemed and held bound, any contract to the contrary notwithstanding, to the following provisions:
  - A. To consent without notice to any extension of time to the Contractor in which to perform the Contract;
  - B. To consent without notice to any change in the Contract or Contract Documents, which thereby increases the total contract price and the penal sum of this bond, provided that all such changes do not, in the aggregate, involve an increase of more than 20% of the total contract price, and that this bond shall then be released as to such excess increase; and
  - C. To consent without notice that this Bond shall remain in full force and effect until the Contract is completed, whether completed within the specified contract period, within an extension thereof, or within a period of time after the contract period has elapsed and the liquidated damage penalty is being charged against the Contractor.
  - D. That no provision of this Bond or of any other contract shall be valid that limits to less than five years after the acceptance of the work under the Contract the right to sue on this Bond.
  - E. That as used herein, the phrase "all outlay and expense" is not to be limited in any way, but shall include the actual and reasonable costs and expenses incurred by the Jurisdiction including interest, benefits, and overhead where applicable. Accordingly, "all outlay and expense" would include but not be limited to all contract or employee expense, all equipment usage or rental, materials, testing, outside experts, attorneys fees (including overhead expenses of the Jurisdiction's staff attorneys), and all costs and expenses of litigation as they are incurred by the Jurisdiction. It is intended the Contractor and Surety will defend and indemnify the Jurisdiction on all claims made against the Jurisdiction on account of Contractor's failure to perform as required in the Contract and Contract Documents, that all agreements and promises set forth in the Contract and Contract Documents, in approved change orders, and in this Bond will be fulfilled, and that the

Jurisdiction will be fully indemnified so that it will be put into the position it would have been in had the Contract been performed in the first instance as required.

In the event the Jurisdiction incurs any "outlay and expense" in defending itself against any claim as to which the Contractor or Surety should have provided the defense, or in the enforcement of the promises given by the Contractor in the Contract, Contract Documents, or approved change orders, or in the enforcement of the promises given by the Contractor and Surety in this Bond, the Contractor and Surety agree that they will make the Jurisdiction whole for all such outlay and expense, provided that the Surety's obligation under this bond shall not exceed 125% of the penal sum of this bond.

In the event that any actions or proceedings are initiated regarding this Bond, the parties agree that the venue thereof shall be Warren County, State of Iowa. If legal action is required by the Jurisdiction to enforce the provisions of this Bond or to collect the monetary obligation incurring to the benefit of the Jurisdiction, the Contractor and the Surety agree, jointly, and severally, to pay the Jurisdiction all outlay and expense incurred therefor by the Jurisdiction. All rights, powers, and remedies of the Jurisdiction hereunder shall be cumulative and not alternative and shall be in addition to all rights, powers, and remedies given to the Jurisdiction, by law. The Jurisdiction may proceed against surety for any amount guaranteed hereunder whether action is brought against the Contractor or whether Contractor is joined in any such action(s) or not.

NOW THEREFORE, the condition of this obligation is such that if said Principal shall faithfully perform all the promises of the Principal, as set forth and provided in the Contract, in the Contract Documents, and in this Bond, then this obligation shall be null and void, otherwise it shall remain in full force and effect.

When a work, term, or phrase is used in this Bond, it shall be interpreted or construed first as defined in this Bond, the Contract, or the Contract Documents; second, if not defined in the Bond, Contract, or Contract Documents, it shall be interpreted or construed as defined in applicable provisions of the Iowa Code; third, if not defined in the Iowa Code, it shall be interpreted or construed according to its generally accepted meaning in the construction industry; and fourth, if it has no generally accepted meaning in the construction industry, it shall be interpreted or construed according to its common or customary usage.

Failure to specify or particularize shall not exclude terms or provisions not mentioned and shall not limit liability hereunder. The Contract and Contract Documents are hereby made a part of this Bond.

Witness our hands, in triplicate, this 15th day of July, 2019.

Surety Countersigned By:

Nancy D. Baltutat  
Signature of Agent

Nancy D. Baltutat  
Printed Name of Agent

LMC Insurance & Risk Management  
Company Name

4200 University Avenue #200  
Company Address

West Des Moines IA 50266  
City, State, Zip Code

515-244-0166  
Company Telephone Number

**FORM APPROVED BY:**

\_\_\_\_\_  
Attorney for Jurisdiction

**PRINCIPAL:**

Howrey Construction, Inc.  
Contractor

By: [Signature]  
Signature  
PRESIDENT  
Title

**SURETY:**

Merchants Bonding Company (Mutual)  
Surety Company

By: Nancy D. Baltutat  
Signature Attorney-in-Fact Officer

Nancy D. Baltutat  
Printed Name of Attorney-in-Fact Officer

LMC Insurance & Risk Management  
Company Name

4200 University Avenue #200  
Company Address

West Des Moines IA 50266  
City, State, Zip Code

515-244-0166  
Company Telephone Number

**NOTE:**

1. All signatures on this performance, payment, and maintenance bond must be original signatures in ink; copies, facsimile, or electronic signatures will not be accepted.
2. This bond must be sealed with the Surety's raised, embossing seal.
3. The Certificate or Power of Attorney accompanying this bond must be valid on its face and sealed with the Surety's raised, embossing seal.
4. The name and signature of the Surety's Attorney-in-Fact/Officer entered on this bond must be exactly as listed on the Certificate or Power of Attorney accompanying this bond.

**MERCHANTS**  
**BONDING COMPANY™**  
**POWER OF ATTORNEY**

Know All Persons By These Presents, that MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., both being corporations of the State of Iowa (herein collectively called the "Companies") do hereby make, constitute and appoint, individually,

Christopher R Seiberling; Greg T LaMair; Jeffrey R Baker; Jill Shaffer; Joseph I Schmit; Nancy D Baltutat; Patrick K Duff

their true and lawful Attorney(s)-in-Fact, to sign its name as surety(ies) and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

This Power-of-Attorney is granted and is signed and sealed by facsimile under and by authority of the following By-Laws adopted by the Board of Directors of Merchants Bonding Company (Mutual) on April 23, 2011 and amended August 14, 2015 and adopted by the Board of Directors of Merchants National Bonding, Inc., on October 16, 2015.

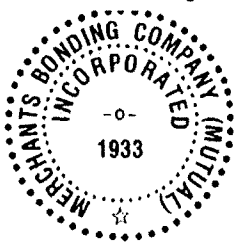
"The President, Secretary, Treasurer, or any Assistant Treasurer or any Assistant Secretary or any Vice President shall have power and authority to appoint Attorneys-in-Fact, and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof."

"The signature of any authorized officer and the seal of the Company may be affixed by facsimile or electronic transmission to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed."

In connection with obligations in favor of the Florida Department of Transportation only, it is agreed that the power and authority hereby given to the Attorney-in-Fact includes any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts required by the State of Florida Department of Transportation. It is fully understood that consenting to the State of Florida Department of Transportation making payment of the final estimate to the Contractor and/or its assignee, shall not relieve this surety company of any of its obligations under its bond.

In connection with obligations in favor of the Kentucky Department of Highways only, it is agreed that the power and authority hereby given to the Attorney-in-Fact cannot be modified or revoked unless prior written personal notice of such intent has been given to the Commissioner-Department of Highways of the Commonwealth of Kentucky at least thirty (30) days prior to the modification or revocation.

In Witness Whereof, the Companies have caused this instrument to be signed and sealed this 17th day of April, 2019.



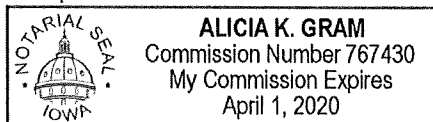
MERCHANTS BONDING COMPANY (MUTUAL)  
MERCHANTS NATIONAL BONDING, INC.

By

*Larry Taylor*  
President

STATE OF IOWA  
COUNTY OF DALLAS ss.

On this this 17th day of April, 2019, before me appeared Larry Taylor, to me personally known, who being by me duly sworn did say that he is President of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC.; and that the seals affixed to the foregoing instrument are the Corporate Seals of the Companies; and that the said instrument was signed and sealed in behalf of the Companies by authority of their respective Boards of Directors.



*Alicia K. Gram*

Notary Public

(Expiration of notary's commission  
does not invalidate this instrument)

I, William Warner, Jr., Secretary of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., do hereby certify that the above and foregoing is a true and correct copy of the POWER-OF-ATTORNEY executed by said Companies, which is still in full force and effect and has not been amended or revoked.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Companies on this 15th day of July, 2019.



*William Warner Jr.*  
Secretary

CONTRACT NO. 119.0129

DATE \_\_\_\_\_

**CONTRACT**

THIS CONTRACT, made and entered into at Council Chambers, City Hall, 110 N. 1<sup>st</sup> Street, Indianola, Iowa this 15<sup>th</sup> day of July, 2019, by and between the City of Indianola by its Mayor, upon order of its City Council hereinafter called the "Jurisdiction," and Howrey Construction, Inc. 316 Austin Street, Rockwell City, Iowa 50579, hereinafter called the "Contractor."

**WITNESSETH:**

The Contractor hereby agrees to complete the work comprising the below referenced improvement as specified in the contract documents, which are officially on file with the Jurisdiction, in the office of the City Administrator. This contract includes all contract documents. The work under this contract shall be constructed in accordance with the SUDAS Standard Specifications, 2019 Edition, and as further modified by the supplemental specifications and special provisions included in said contract documents, and the Contract Attachment - Item 1: General, which is attached hereto. The Contractor further agrees to complete the work in strict accordance with said contract documents, and to guarantee the work as required by law, for the time required in said contract documents, after its acceptance by the Jurisdiction.

This contract is awarded and executed for completion of the work specified in the contract documents for the bid prices shown on the Contract Attachment - Item 2: Bid Items, Quantities, and Prices, which were proposed by the Contractor in its proposal submitted in accordance with the Notice to Bidders and Notice of Public Hearing for the following described improvements:

The extent of work on this project includes all materials, equipment, transportation, and labor necessary to complete the improvements generally described as follows: trail paving, earthwork, drainage improvements, and surface restoration along East Hillcrest Avenue from West of North 7<sup>th</sup> Street to North 9<sup>th</sup> Street. Project quantities include approximately 1500 SY of PCC, 60 LF of RCP, 0.65 AC of Clearing and Grubbing, 0.35 AC of seeding, excavation, topsoil strip/store/spread, sidewalk construction, and miscellaneous associated work, including cleanup.

The Contractor agrees to perform said work for and in consideration of the Jurisdiction's payment of the bid amount of ONE HUNDRED FIFTY-ONE THOUSAND NINE HUNDRED ONE AND 00/100 dollars (\$151,901.00) which amount shall constitute the required amount of the performance, maintenance, and payment bond. The Contractor hereby agrees to commence work under this contract on or before a date to be specified in a written notice to proceed by the Jurisdiction and to fully complete the East Hillcrest Ave Trail Connector; and to pay liquidated damages for noncompliance with said completion provisions at the rate One Thousand dollars (\$1,000) for each working day thereafter that the work remains incomplete.

IN WITNESS WHEREOF, the Parties hereto have executed this instrument, in triplicate on the date first shown written.

JURISDICTION

By \_\_\_\_\_

(Seal)  
ATTEST:

\_\_\_\_\_

FORM APPROVED BY:

\_\_\_\_\_  
Attorney for Jurisdiction

CONTRACTOR

Howrey Construction, Inc.  
Contractor

By [Signature]  
Signature

PRESIDENT  
Title

316 AUSTIN STREET  
Street Address

ROCKWELL CITY, IA 50579  
City, State, Zip Code

712-297-8182  
Telephone

CONTRACTOR PUBLIC REGISTRATION INFORMATION To Be Provided By:

1. All Contractors: The Contractor shall enter its Public Registration Number CO 911 - 95 issued by the Iowa Commissioner of Labor pursuant to Section 91C.5 of the Iowa Code.
2. Out-of-State Contractors:
  - A. Pursuant to Section 91C.7 of the Iowa Code, an out-of-state contractor, before commencing a contract in excess of five thousand dollars in value in Iowa, shall file a bond with the division of labor services of the department of workforce development. It is the contractor's responsibility to comply with said Section 91C.7 before commencing this work.
  - B. Prior to entering into contract, the designated low bidder, if it is a corporation organized under the laws of a state other than Iowa, shall file with the Engineer a certificate from the Secretary of the State of Iowa showing that it has complied with all the provisions of Chapter 490 of the Iowa Code, or as amended, governing foreign corporations.

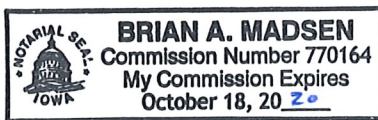
NOTE: All signatures on this contract must be original signatures in ink; copies, facsimile, or electronic signatures will not be accepted.



## CORPORATE ACKNOWLEDGMENT

State of Iowa )  
Polk ) SS  
County)

On this 11 day of July, 20 19, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Lucas Howard and \_\_\_\_\_, to me known, who, being by me duly sworn, did say that they are the PRESIDENT, and \_\_\_\_\_, respectively, of the corporation executing the foregoing instrument; that (no seal has been procured by) (the seal affixed thereto is the seal of) the corporation; that said instrument was signed (and sealed) on behalf of the corporation by authority of this Board of Directors; that Lucas Howard and \_\_\_\_\_ acknowledged the execution of the instrument to be the voluntary act and deed of the corporation, by it and by them voluntarily executed.



Brian A. Madsen  
Notary Public in and for the State of Iowa  
My commission expires October 18, 20 20

## PARTNERSHIP ACKNOWLEDGMENT

State of \_\_\_\_\_ )  
) SS  
\_\_\_\_\_ County)

On this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_, before me, the undersigned, a Notary Public in and for the State of \_\_\_\_\_, personally appeared \_\_\_\_\_ to me personally known, who being by me duly sworn, did say that the person is one of the partners of \_\_\_\_\_, a partnership, and that the instrument was signed on behalf of the partnership by authority of the partners and the partner acknowledged the execution of the instrument to be the voluntary act and deed of the partnership by it and by the partner voluntarily executed.

\_\_\_\_\_  
Notary Public in and for the State of \_\_\_\_\_  
My commission expires \_\_\_\_\_, 20 \_\_\_\_

INDIVIDUAL ACKNOWLEDGMENT

State of \_\_\_\_\_ )  
 ) SS  
\_\_\_\_\_ County)

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned, a Notary Public in and for the State of \_\_\_\_\_, personally appeared \_\_\_\_\_ and \_\_\_\_\_, to me known to be the identical person(s) named in and who executed the foregoing instrument, and acknowledged that (he) (she) (they) executed the instrument as (his) (her) (their) voluntary act and deed.

\_\_\_\_\_  
Notary Public in and for the State of \_\_\_\_\_  
My commission expires \_\_\_\_\_, 20\_\_\_\_

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

State of \_\_\_\_\_ )  
 ) SS  
\_\_\_\_\_ County)

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me a Notary Public in and for said county, personally appeared \_\_\_\_\_, to me personally known, who being by me duly sworn did say that person is \_\_\_\_\_ of said \_\_\_\_\_, that (the seal affixed to said instrument is the seal of said \_\_\_\_\_ OR no seal has been procured by the said) \_\_\_\_\_, and that said instrument was signed and sealed on behalf of the said \_\_\_\_\_, by authority of its managers and the said \_\_\_\_\_ acknowledged the execution of said instrument to be the voluntary act and deed of said \_\_\_\_\_, by it voluntarily executed.

\_\_\_\_\_  
Notary Public in and for the State of \_\_\_\_\_  
My commission expires \_\_\_\_\_, 20\_\_\_\_



CONTRACT ATTACHMENT

Project Name \_\_\_\_\_

**CONTRACT ATTACHMENT: BID ITEMS AND QUANTITIES**

| ITEM                                     | DESCRIPTION                                      | QUANTITY | UNITS | UNIT PRICE | TOTAL PRICE |
|------------------------------------------|--------------------------------------------------|----------|-------|------------|-------------|
| <b>EARTHWORK</b>                         |                                                  |          |       |            |             |
| 2.1                                      | CLEARING AND GRUBBING                            | 0.65     | ACRE  | 19,500.00  | 12,675.00   |
| 2.2                                      | EARTHWORK                                        | 1        | LS    | 25,350.00  | 25,350.00   |
| <b>SEWERS AND DRAINS</b>                 |                                                  |          |       |            |             |
| 4.1                                      | PIPE CULVERT, TRENCHED, RCP, 12"                 | 38       | LF    | 140.00     | 5,320.00    |
| 4.2                                      | PIPE CULVERT, TRENCHED, RCP, 15"                 | 18       | LF    | 160.00     | 2,880.00    |
| 4.3                                      | PIPE APRON, RCP, 12"                             | 3        | EA    | 1,350.00   | 4,050.00    |
| 4.4                                      | PIPE APRON, RCP, 15"                             | 1        | EA    | 1,450.00   | 1,450.00    |
| 4.5                                      | SUBDRAIN, PVC, 6"                                | 62       | LF    | 20.00      | 1,240.00    |
| 4.6                                      | SUBDRAIN CLEANOUT, A-1, 6"                       | 2        | EA    | 400.00     | 800.00      |
| 4.7                                      | HICKENBOTTOM DRAIN, HBI-6610                     | 1        | EA    | 600.00     | 600.00      |
| <b>STRUCTURES FOR SANITARY AND STORM</b> |                                                  |          |       |            |             |
| 6.1                                      | INTAKE, SW-512, 18"                              | 2        | EA    | 3,250.00   | 6,500.00    |
| 6.2                                      | INTAKE, SW-512, 24"                              | 1        | EA    | 3,750.00   | 3,750.00    |
| 6.3                                      | MANHOLE ADJUSTMENT, MINOR                        | 1        | EA    | 650.00     | 650.00      |
| <b>STREETS AND RELATED WORK</b>          |                                                  |          |       |            |             |
| 7.1                                      | PCC PAVEMENT SAMPLES AND TESTING                 | 1        | LS    | 2,000.00   | 2,000.00    |
| 7.2                                      | REMOVAL OF SIDEWALK                              | 6        | SY    | 25.00      | 150.00      |
| 7.3                                      | REMOVAL OF CURB                                  | 20       | LF    | 20.00      | 400.00      |
| 7.4                                      | SHARED USE PATH, PCC, 6"                         | 1483     | SY    | 35.00      | 51,905.00   |
| 7.5                                      | SPECIAL SUBGRADE PREPARATION FOR SHARED USE PATH | 1780     | SY    | 3.30       | 5,874.00    |
| 7.6                                      | SIDEWALK, PCC, 4"                                | 6        | SY    | 75.00      | 450.00      |
| 7.7                                      | DETECTABLE WARNING                               | 20       | SF    | 28.00      | 560.00      |
| 7.8                                      | DRIVEWAY, GRANULAR                               | 6.5      | TON   | 38.00      | 247.00      |

|                                |                                  |      |      |           |            |
|--------------------------------|----------------------------------|------|------|-----------|------------|
|                                | <b>TRAFFIC CONTORL</b>           |      |      |           |            |
| 8.1                            | TEMPORARY TRAFFIC CONTROL        | 1    | LS   | 4,500.00  | 4,500.00   |
|                                |                                  |      |      | \$        | \$         |
|                                | <b>SITE WORK AND LANDSCAPING</b> |      |      |           |            |
| 9.1                            | SEEDING                          | 0.35 | ACRE | 10,000.00 | 3,500.00   |
|                                |                                  |      |      | \$        | \$         |
| 9.2                            | SILT FENCE                       | 2500 | LF   | 1.50      | 3,750.00   |
|                                |                                  |      |      | \$        | \$         |
|                                | <b>MISCELLANEOUS</b>             |      |      |           |            |
| 11.1                           | MOBILIZATION                     | 1    | LS   | 9,500.00  | 9,500.00   |
|                                |                                  |      |      | \$        | \$         |
| 11.2                           | CONSTRUCTION SURVEY              | 1    | LS   | 3,800.00  | 3,800.00   |
|                                |                                  |      |      | \$        | \$         |
| <b>TOTAL CONSTRUCTION COST</b> |                                  |      |      | \$        | 151,901.00 |

Meeting Date: 08/05/2019

---

**Subject**

Resolution approving the City of Indianola, Iowa Downtown Square Master Plan

**Information**

Council will need to consider the resolution (packet) approving the Downtown Square Master Plan (packet).

Highlights include:

- An on-line survey was taken by 200 residents of Indianola to get their ideas and opinions about the Downtown Square area.
- The Downtown Assessment Team hosted two Community Meetings attended by 55 community members.
- To assist with the streetscape improvement recommendations to the Downtown Square, the City consulted with Bolton and Menk to create a streetscape master plan for Indianola's Downtown Square.
- A series of meetings were held with the steering committee that led to the presentation of a refined concept that was made available for comment at a public open house in May.
- The overall goal is to create a more pedestrian friendly, inviting and activated square where businesses thrive and where residents and visitors choose to spend time.

Roll call is in order.

---

**Fiscal Impact**

**Attachments**

Resolution

Report

---

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

**A RESOLUTION APPROVING THE CITY OF INDIANOLA,  
IOWA DOWNTOWN SQUARE MASTER PLAN**

---

**WHEREAS**, in August of 2018, Warren County voters approved a nearly \$30 Million bond referendum to construct a new justice center for Warren County in the heart of the City of Indianola's Downtown Square; and

**WHEREAS**, in September of 2018, the City of Indianola partnered with the Indianola Chamber of Commerce and Warren County Economic Development Council to have the Iowa Economic Development Authority conduct a Downtown Assessment on Indianola's Downtown Square; and

**WHEREAS**, prior to the Downtown Assessment Visit, the Iowa Downtown Resource Center administered an on-line survey taken by 200 residents of Indianola to get their ideas and opinions about the Downtown Square area; and

**WHEREAS**, the Downtown Assessment Team hosted two Community Meetings attended by 55 community members; and

**WHEREAS**, the results of the Downtown Assessment Visit recommended the City of Indianola focus on six key areas, one of which was to evaluate the Downtown Square's infrastructure and identify improvements that could be made to the streetscape during the construction of Warren County's Justice Center; and

**WHEREAS**, to assist with streetscape improvement recommendations to the Downtown Square, the City consulted with Bolton and Menk in February of this year to create a streetscape master plan for Indianola's Downtown Square; and

**WHEREAS**, the streetscape master planning process was led by a local steering committee made up of business owners in the Downtown Square, residents and other interested parties; and

**WHEREAS**, a series of meetings were held with the steering committee that led to the presentation of a refined concept that was made available for comment at a public open house in May, as well as presentations to other local groups and committees within the City; and

**WHEREAS**, the input gathered from the open house and other meetings was presented to the steering committee and incorporated into the City of Indianola, Iowa Downtown Square Master Plan; and

**WHEREAS**, the steering committee has made its final recommendation to the City Council of Indianola to approve the City of Indianola, Iowa Downtown Square Master Plan; and

**WHEREAS**, the City of Indianola, Iowa Downtown Square Master Plan was presented to the City Council at its August 15<sup>th</sup> Study Session during the Council expressed support for the recommendation;

**AND WHEREAS**, the City of Indianola, Iowa Downtown Square Master Plan is a result of the process noted herein, where the overall goal is to create a more pedestrian friendly, inviting and activated space where businesses thrive and where residents and visitors choose to spend time.

**BE IT, THEREFORE, RESOLVED** by the City of Indianola, Iowa, that the City of Indianola, Iowa Downtown Square Master Plan is hereby approved and accepted.

**DATED** this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Kelly B. Shaw, MAYOR

ATTEST:

\_\_\_\_\_  
Diana Bowlin, CITY CLERK



# CITY SQUARE MASTER PLAN

---

CITY OF INDIANOLA, IOWA  
JULY 2019

# ACKNOWLEDGMENTS

## SPECIAL THANKS TO:

The many community members and public participants who provided feedback to help define the final recommendations for this document.

## PROJECT STEERING COMMITTEE:

- Terry Pauling
- Bob Lane
- Heather Gaumer
- Rob Keller
- Jennifer Pfeifer–Malaney
- Amanda Ripperger
- Wendy Wohlwend
- Barb Bendon
- Mary Donaghy–Richards
- Bryant Houston
- Rachel Gocken
- Andrew Swadner
- Misty Soldwisch
- Brad Rudolf
- Seth Lampman
- Meg Schneider
- Angie Buchanan
- Rod Curtis
- Brenda Easter
- Erin Freeberg
- Steve Gray
- Marvin Gribbons
- Leslie Held
- Kathy Magruder

## CITY STAFF:

- Ryan Waller – City Manager
- Charlie E. Dissell, AICP – Director of Community & Economic Development

## CITY COUNCIL:

- Kelly B. Shaw – Mayor
- John Parker Jr. – 1st Ward
- Bob Kling – 2nd Ward
- Joe Gezel – 3rd Ward
- Greta Southall – 4th Ward
- Shirley Clark – At Large
- Greg Marchant – At Large

## DESIGN TEAM:

- Chadd Kahlsdorf, P.E., PMP – Principal Engineer
- Jim Harbaugh, PLA, ASLA – Project Manager
- Rose Brown, AICP – Senior Urban Planner
- Nate Weitzl, PLA – Landscape Architect
- Brianna Holden, ASLA – Landscape Designer
- Tyler Danielson – GIS Specialist

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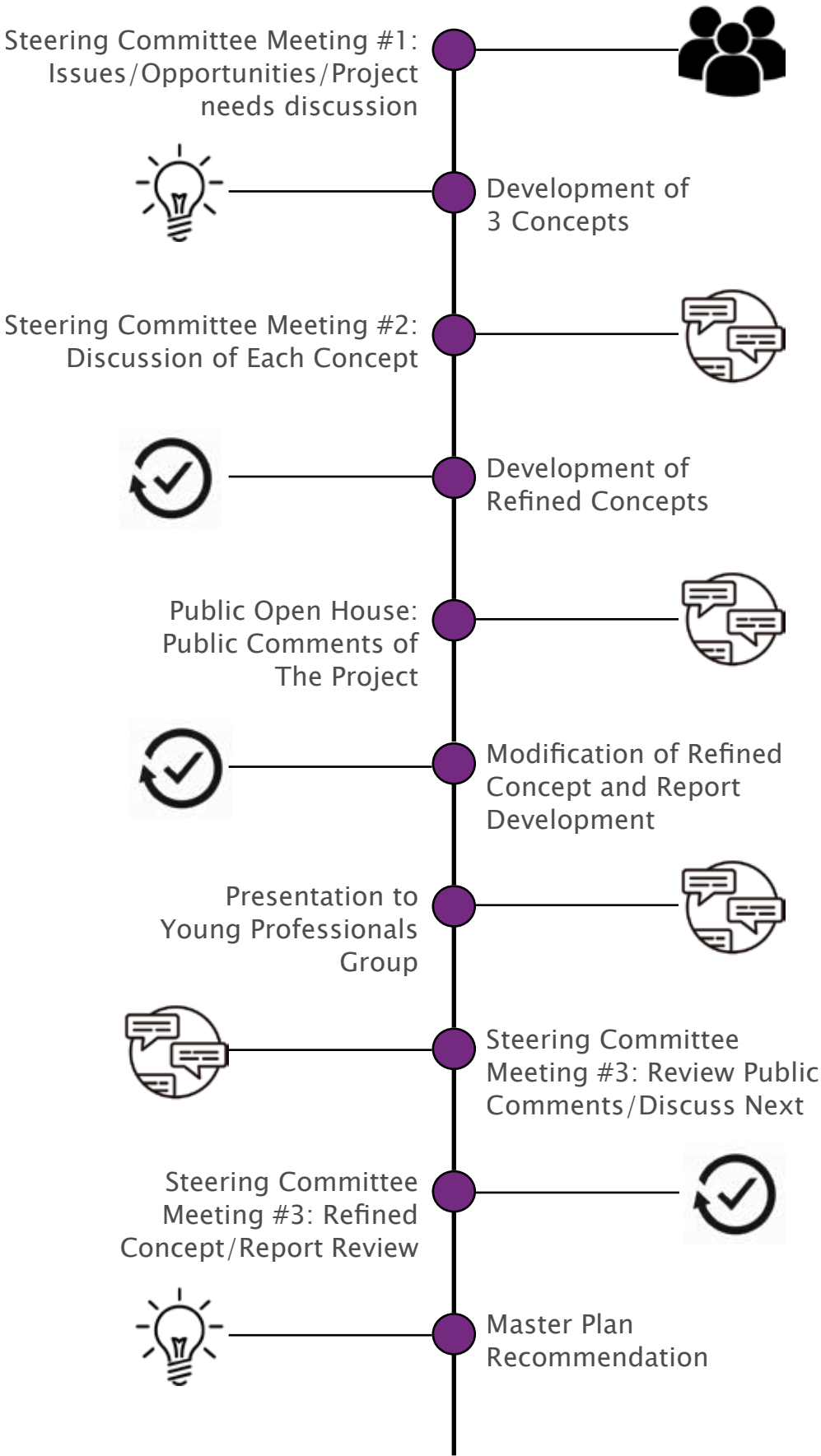
# EXECUTIVE SUMMARY

## INTRODUCTION

In September of 2018, the City of Indianola partnered with the Indianola Chamber of Commerce, Warren County Economic Development Council and the Iowa Economic Development Authority to assess the downtown square. A key recommendation of the assessment was to develop a streetscape concept plan. The new justice center facility provides an opportunity to create unifying and sustainable streetscape enhancements that the community can be proud of well into the future.

A downtown city square is the heart of a community. It is a place where people gather, spend time, and shop local. The demolition of the Warren County courthouse and replacement with the new justice center facility will have a significant impact on the appearance and function of the downtown square. The city is taking proactive steps to develop a streetscape master plan for the downtown square.

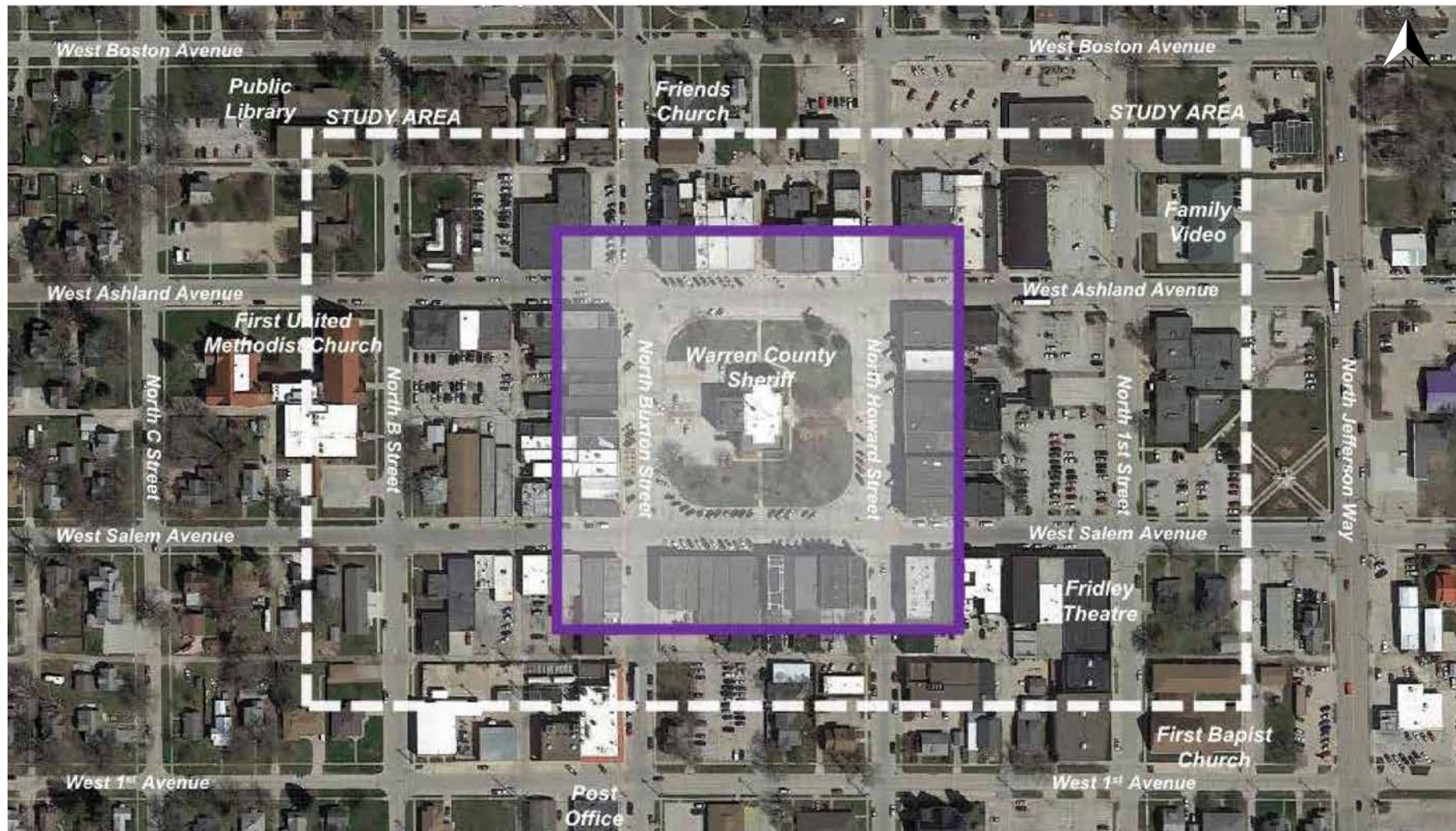
## THE PROCESS





## PROJECT LIMIT

The image below shows the immediate project area and the broader study area. The area of the immediate project includes the four streets of North Howard Street, West Salem Avenue, North Buxton Street and West Ashland Avenue. A successful project must consider the impacts to a larger area beyond the square. Design elements including traffic pattern and parking can positively impact a greater area of the community.



(NOT TO SCALE)



# MASTER PLAN RECOMMENDATIONS

## RECOMMENDATIONS

The overall goal of the project is to create a more pedestrian friendly, inviting and activated space where businesses thrive and where residents and visitors choose to spend time. The project should position the community for success well into the future. The steering committee recommends a master plan that includes the following design elements and features:

### CITY COUNCIL WORK SESSION – (July 15th, 2019)

In addition to the recommendations of the steering committee, The City Council discussed and recommended changing Buxton Street & Howard Street from one-way to two-way throughout their length. Changing streets from one-way to two-way will allow for easier access turning in and out of the Justice Center, safer pedestrian crossings, and will stop the misconception of the two-lane roads from being one-lane.



# NEXT STEPS TO SUPPORT PROJECT INCLUDE:

|  |    |                                                                                                                                                                                                                                                                          |
|--|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | #1 | COMPLETE FINAL ENGINEERING DESIGN                                                                                                                                                                                                                                        |
|  | #2 | ESTABLISH AN EASEMENT WITH WARREN COUNTY FOR THE PORTION OF THE COUNTY-OWNED PARCEL THAT EXTENDS INTO THE STREET AREA. THE EASEMENT SHOULD INCLUDE RIGHTS FOR PARKING AND THE LOCATION AND OPERATION OF PUBLIC AND PRIVATE FRANCHISE UTILITIES FOR THE PUBLIC’S BENEFIT. |
|  | #3 | CONTINUE TO COORDINATE CONSTRUCTION AND DESIGN EFFORTS WITH WARREN COUNTY FOR THE BENEFIT OF THE CONSTRUCTION OF THE JUSTICE CENTER AND THE STREETScape ENHANCEMENTS                                                                                                     |
|  | #4 | EXPAND PUBLIC PARKING OPPORTUNITIES THROUGHOUT DOWNTOWN                                                                                                                                                                                                                  |
|  | #5 | IMPLEMENT A WAYFINDING SYSTEM THAT INCLUDES SIGNAGE FROM HIGHWAY 92 AND HIGHWAY 65. EXPLORE UNIQUE DESIGN ELEMENTS FOR THE SYSTEM THAT COULD INCLUDE ARCHWAY/GATEWAY ELEMENTS                                                                                            |
|  | #6 | IMPLEMENT A PHASED APPROACH TO EXTEND THE COMMON DESIGN ELEMENTS OF THE STREETScape INTO OTHER AREAS OF THE DOWNTOWN                                                                                                                                                     |
|  | #7 | PURSUE GRANT FUNDING OPPORTUNITIES TO FINANCE THE STREETScape ENHANCEMENT PROJECT                                                                                                                                                                                        |

## EXISTING CONDITIONS

The downtown square acts as a two-lane, one-way directional square, with angled parking on both sides of the square. The angled parking on the interior of the square follows the radius of the intersection and does not appear to meet any established standard for the geometrics of a parking stall. The current configuration includes a mid-block pedestrian crossing with no areas for refuge on each side. The amount of vegetation provided within the public right-of-way is limited to planting baskets of annual blooming flowers on the street light poles and landscaping on county property.

The interior of the block is in the process of demolition to prepare for the construction of the new Justice Center. The site is an active construction site and a significant amount of greenspace will be removed as part of the project.

The section displayed is the existing layout of North Howard Street.

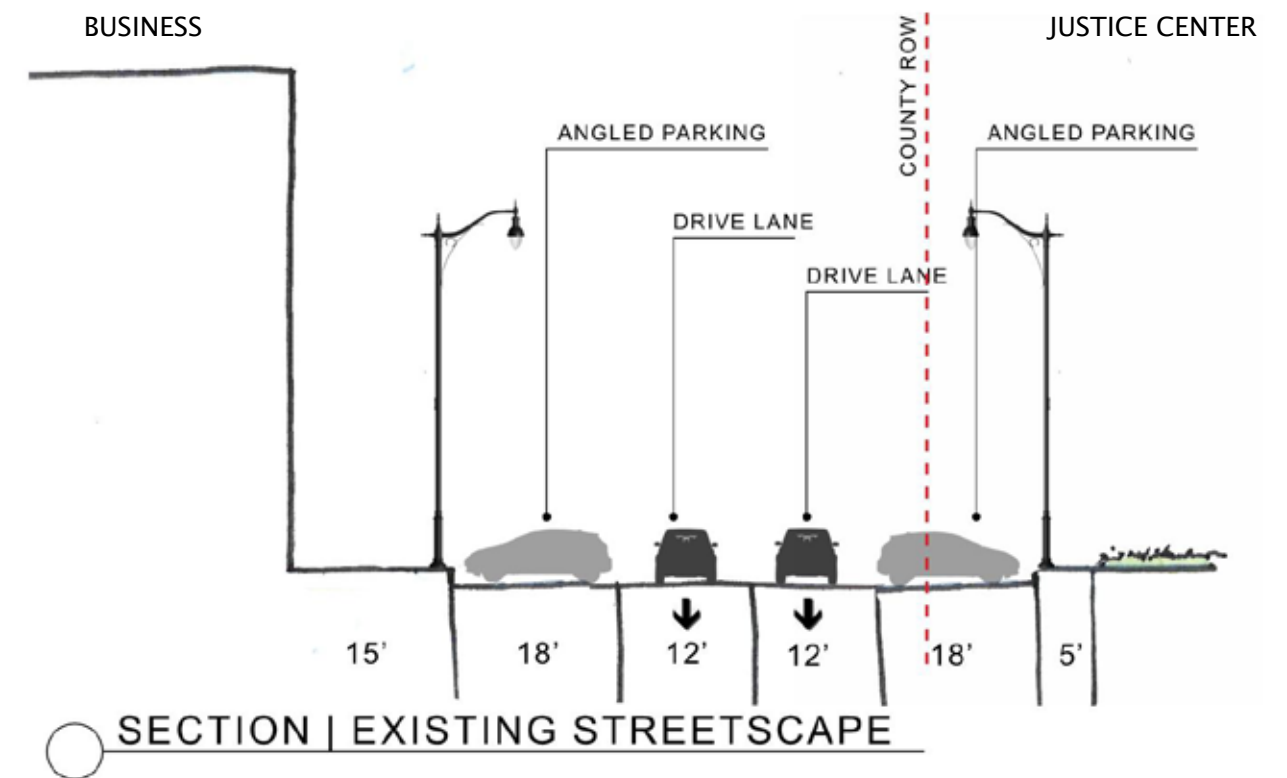


IMAGE FROM GOOGLE



IMAGE FROM GOOGLE



IMAGE FROM GOOGLE



IMAGE FROM GOOGLE

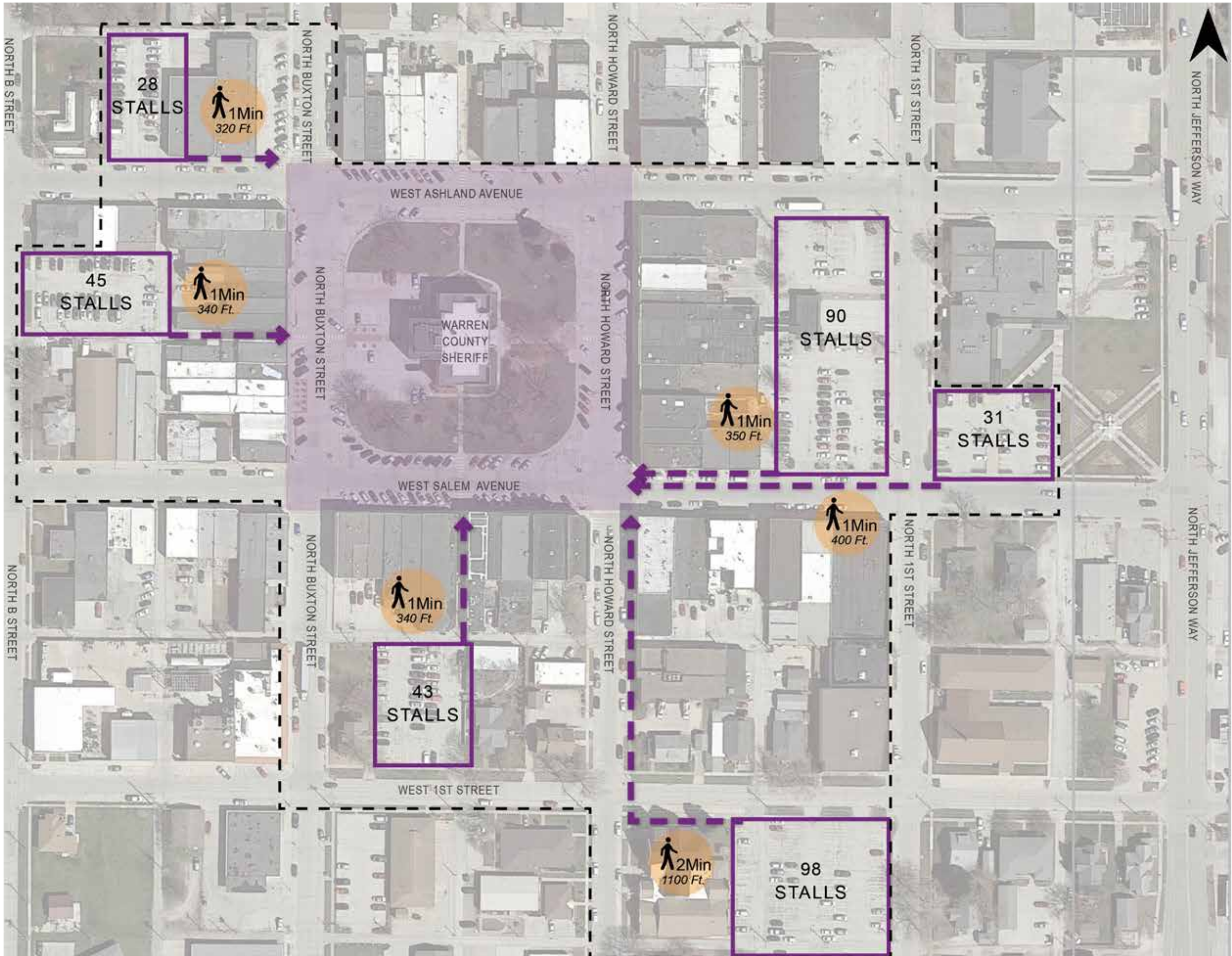
# PROJECT CONSIDERATIONS

- ☐ What **historic elements** showcase Indianola Downtown?
- ☐ What is currently the **biggest issue** with the Downtown Streetscape?
- ☐ What **challenges** need to be addressed in order to make this study and its outcomes successful?
- ☐ What special **events** take place Downtown Indianola? What is lacking for those special events? Parking? Event Power? Accessibility?
- ☐ What **elements do you dislike**? What **elements do you like**?
- ☐ What does a **safer street** mean to you?
- ☐ Establish **critical success factors** – what are the factors that will determine the success of the project?
- ☐ What is the **downtown vision** for the study area? How does it **compare** to the existing conditions?
- ☐ What current issues affect the downtown **functionality**?
- ☐ Does the current **parking function** well? If not, how would you improve it?
- ☐ Do you feel downtown is **pedestrian friendly**? How can it be improved?



# PUBLIC PARKING DISTANCE STUDY MAP

- ✓ WALKABILITY
- ✓ ACCESSIBILITY
- ✓ PEDESTRIAN FRIENDLY





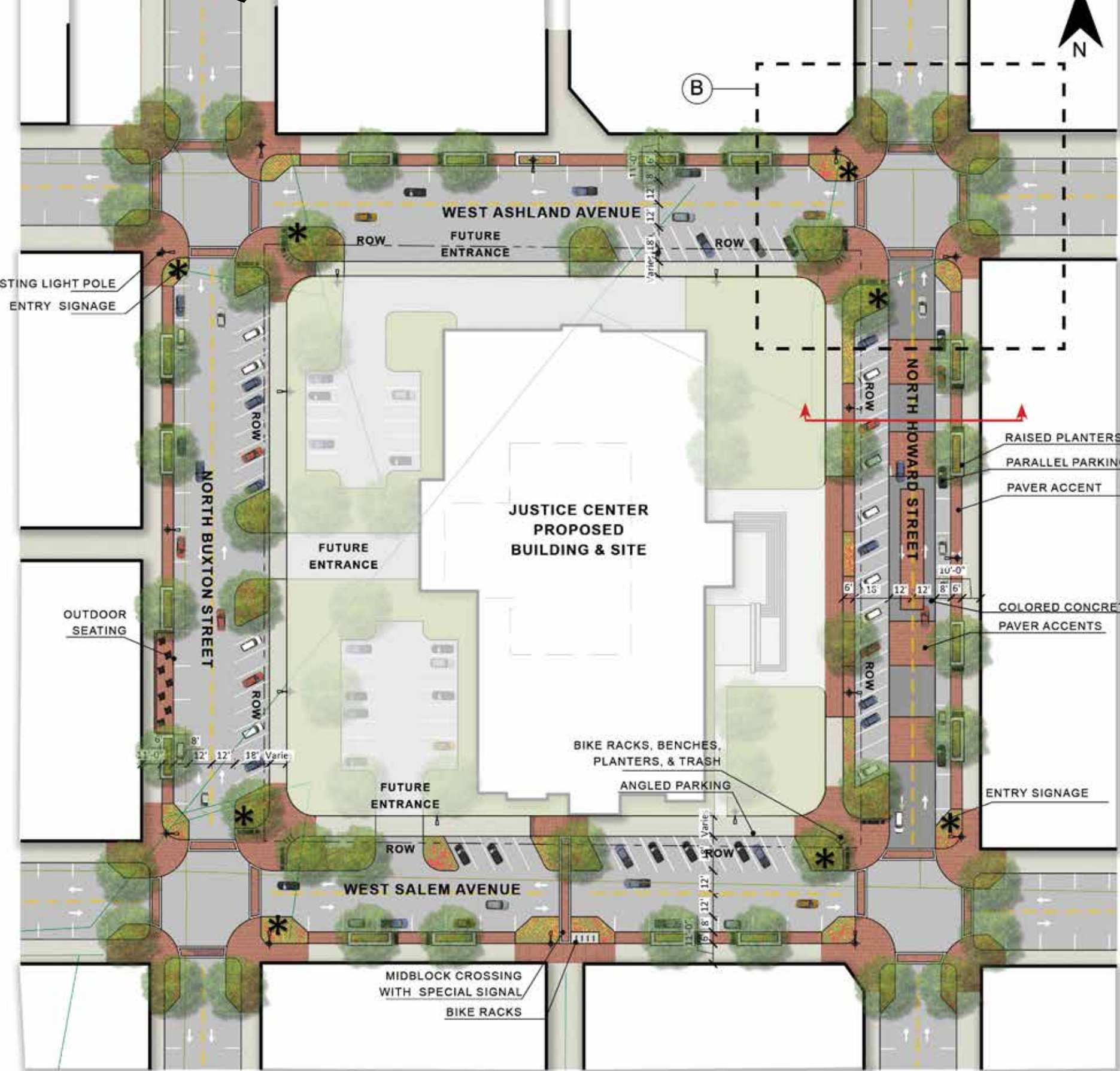
### PUBLIC PARKING OBSERVATION

- The refined concept provides for parallel parking on the outside of the public right-of-way and angled parking on the interior of the square.
- The reconfiguration of parking along with the changes to driveway locations to serve the justice center result in a net loss of the total number of on-street parking stalls.
- As such, an observation of other publicly available parking areas within a reasonable walk of the square were identified. Five parking lots located within a one-minute walk from the square provide 237 parking spaces available for public use.
- The refined concept provides 134 spaces of on-street parking. When added to the 237 off street spaces, this gives a total of 371 public parking spaces for the downtown square. An additional lot located within a two-minute walk provides an additional 98 spaces.





# CITY SQUARE MASTER PLAN RECOMMENDATION



A CITY SQUARE REFINED CONCEPT

## CITY SQUARE MASTER PLAN

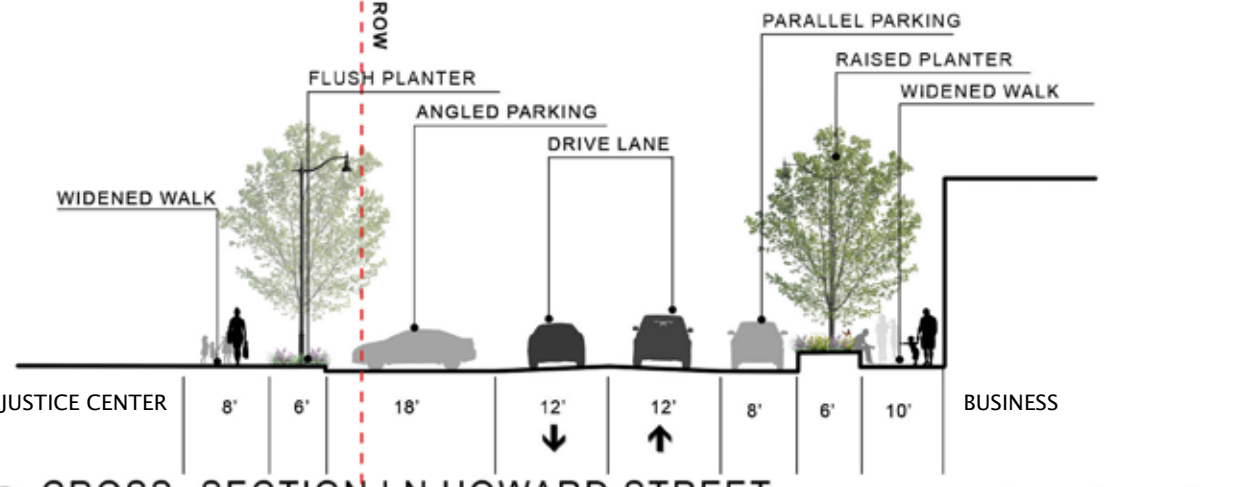
The refined and preferred alternative features two-way traffic, parallel parking on the business side of the square, angled parking on the inside of the square, bump-outs with colored crosswalks for pedestrian safety, signage/wayfinding locations, raised planters, outdoor furniture and fixtures. North Howard Street is designed so that it can be closed for special events and utilize the justice center as a stage area.

The image displayed below is a cross-section of the street. Image B on the following page illustrates that the overall geometrics of the refined concept is functional with minor adjustments for either scenario.

## ON SQUARE PARKING:

- Existing Parking – 164 Stalls
- County Update Parking – 153 Stalls
- Street Redesign Parking – 134 Stalls

Total Loss: 30 Stalls



C CROSS-SECTION | N HOWARD STREET



# STREETSCAPE REDESIGN ALTERNATES

## STREETSCAPE DESIGN ALTERNATIVES

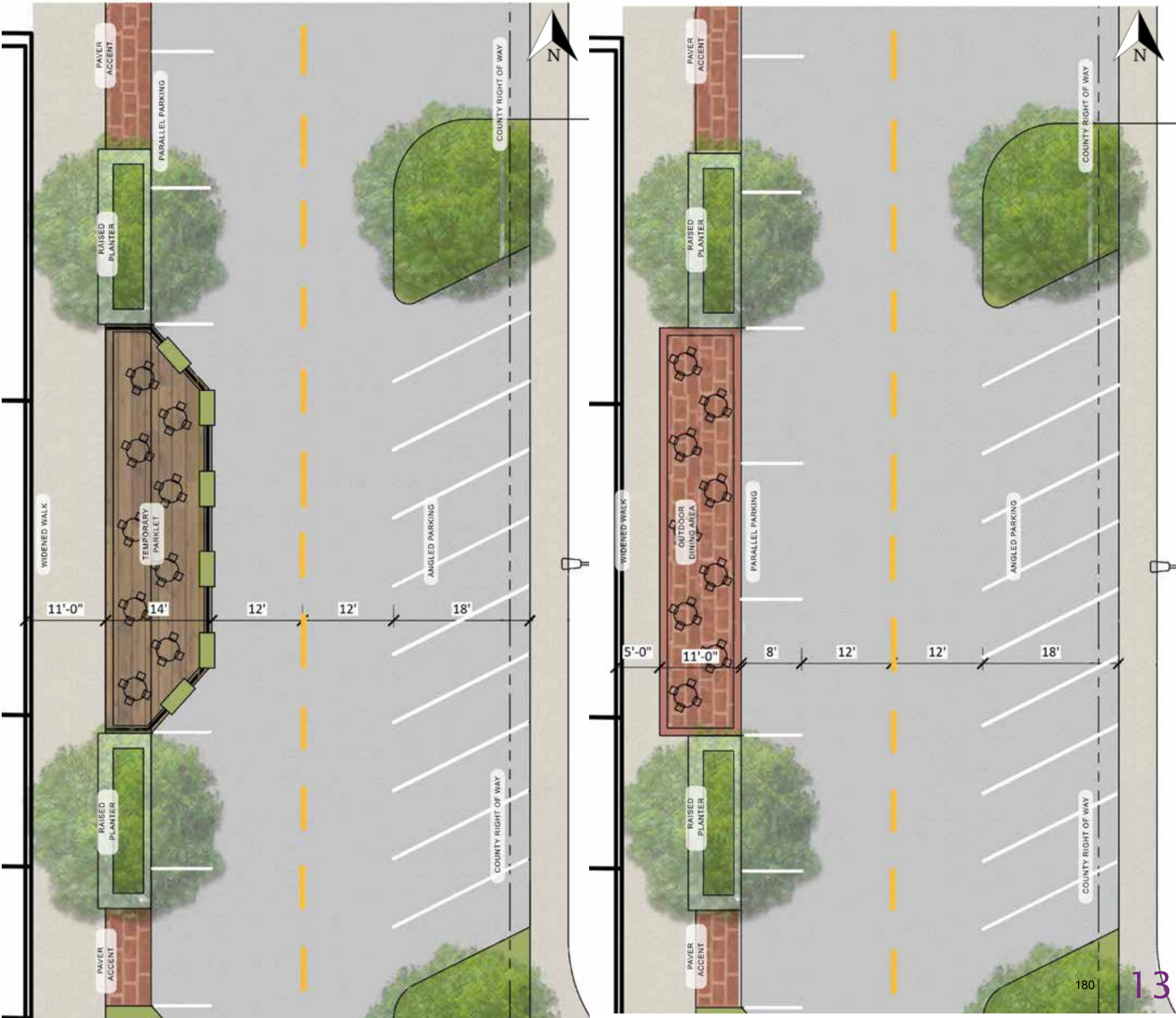
One of the overall objectives of the streetscape project is to activate the space and create opportunities for gathering. The options shown demonstrate different approaches to providing outdoor space for adjacent businesses. The scenarios shown provide for outdoor dining, but the space could also be available in the same way for occasional outdoor sales and demonstrations associated with other types of business.

**Future Outdoor Dining Space** was the favored scenario from the public open house. The option still allows for a five-foot-wide unobstructed pedestrian way for the enjoyment of the public.

**Existing Parklet with Reconfigured Street** is similar to the existing condition. It retains the full width of the sidewalk for public enjoyment but does eliminate an on-street public parking space.

Existing Parklet with Reconfigured Street

Future Outdoor Dining Space



B CITY SQUARE ONE-WAY ALTERNATE



FURNITURE



PREFERRED



PAVEMENT



PREFERRED



PREFERRED



PLANTERS



PREFERRED

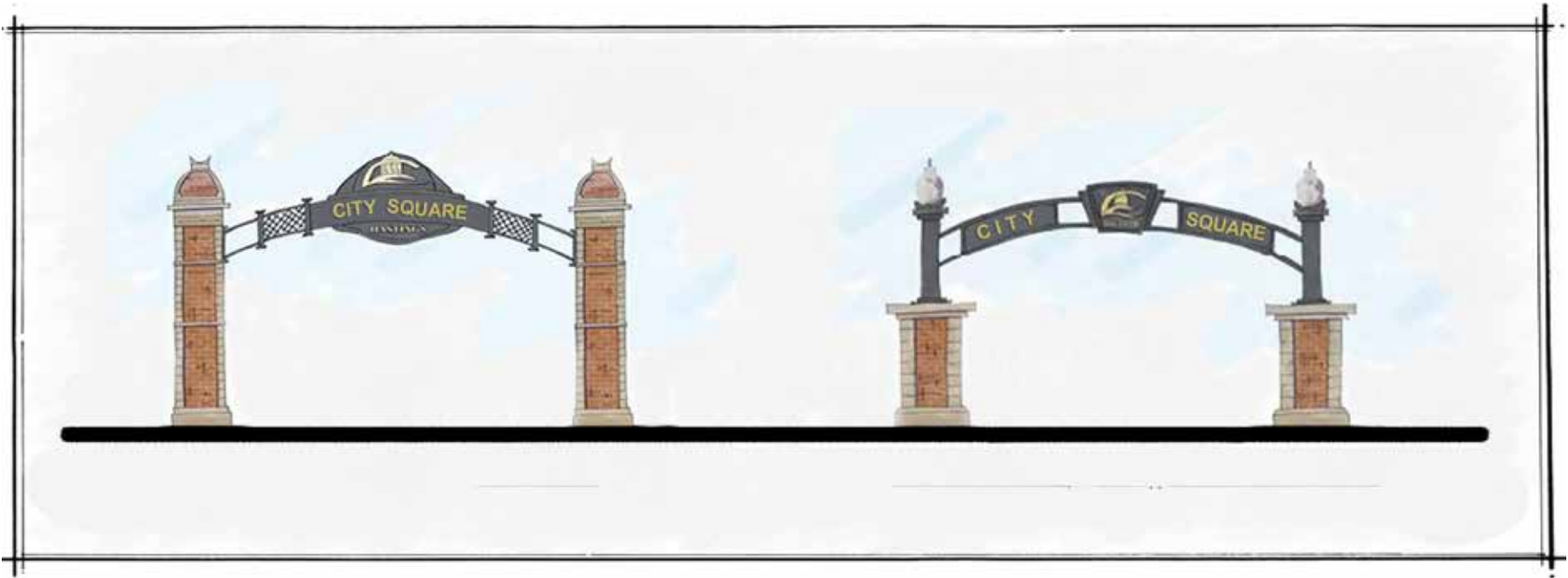
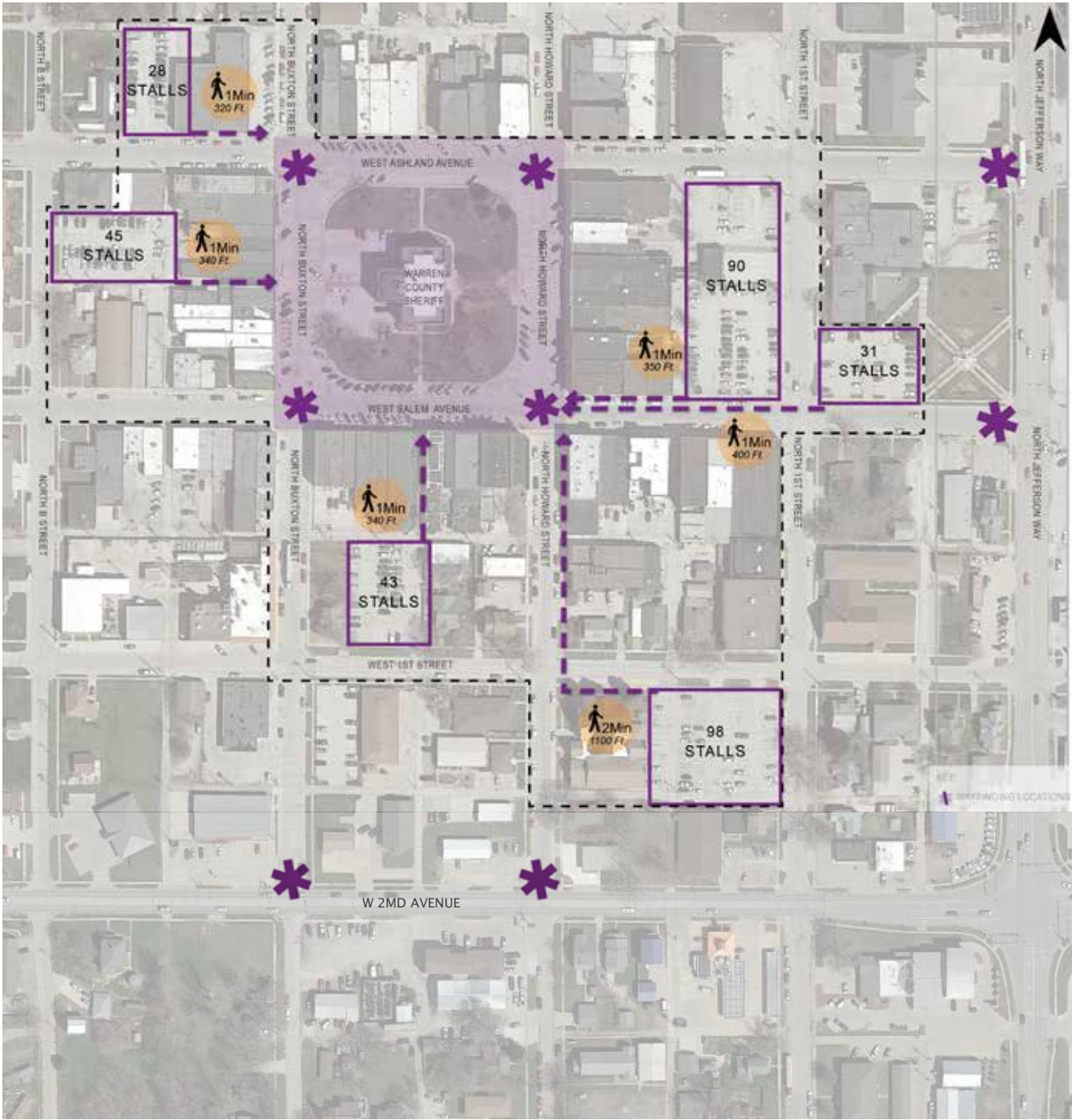


PREFERRED





# WAYFINDING/MONUMENTS



## BRANDING & IDENTIFYING

The square of Indianola is the heart of the community. It is vitally important to give the area an identity and direct people to the area. Wayfinding and monuments are an effective way to brand a downtown. Above are some examples of monuments and wayfinding that can be placed within the streetscape to welcome users to the area.

The map displayed shows recommended locations where monuments can be placed, as symbolized with a purple asterisk. Key locations are at each corner of the square and at the highway for each street that enters you into the square to direct visitors to the downtown area. A secondary wayfinding system is necessary to direct drivers to public parking lots located away from the square.

*(Intentional Page Break)*

# CHAMBER OF COMMERCE BUSINESS MAP



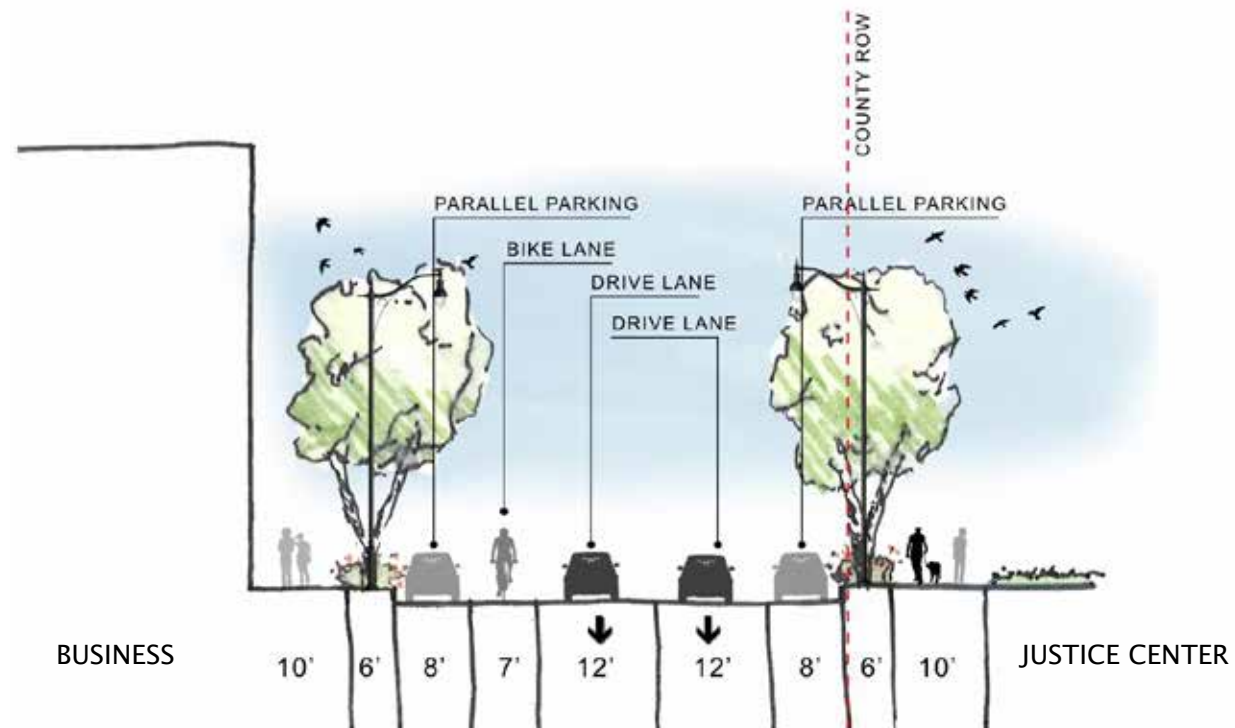


# PRELIMINARY CONCEPT A

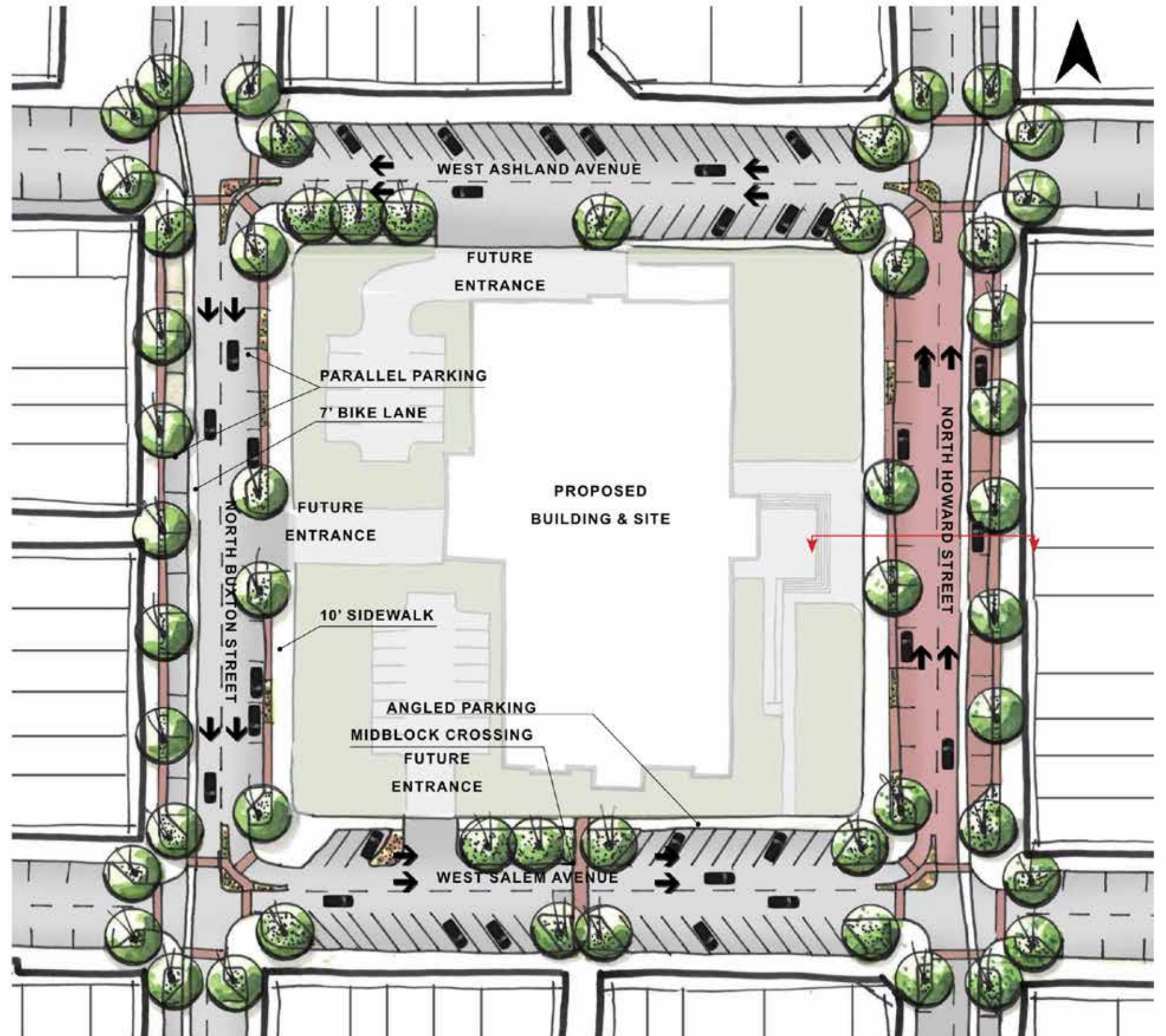
## CITY SQUARE PRELIMINARY CONCEPT A

Option A explores the opportunity of changing North Howard Street & North Buxton Street to parallel parking. The change creates room for a bike lane, maintaining one-way traffic, adding bump-outs and colored crosswalks. After analyzing this concept bike lanes were not a priority.

This option negatively impacts parking stall counts leaving the square with a total loss of 44 stalls.



A SECTION | ONE-WAY WITH BIKE LANE



A CONCEPT A | ONE-WAY WITH BIKE LANE

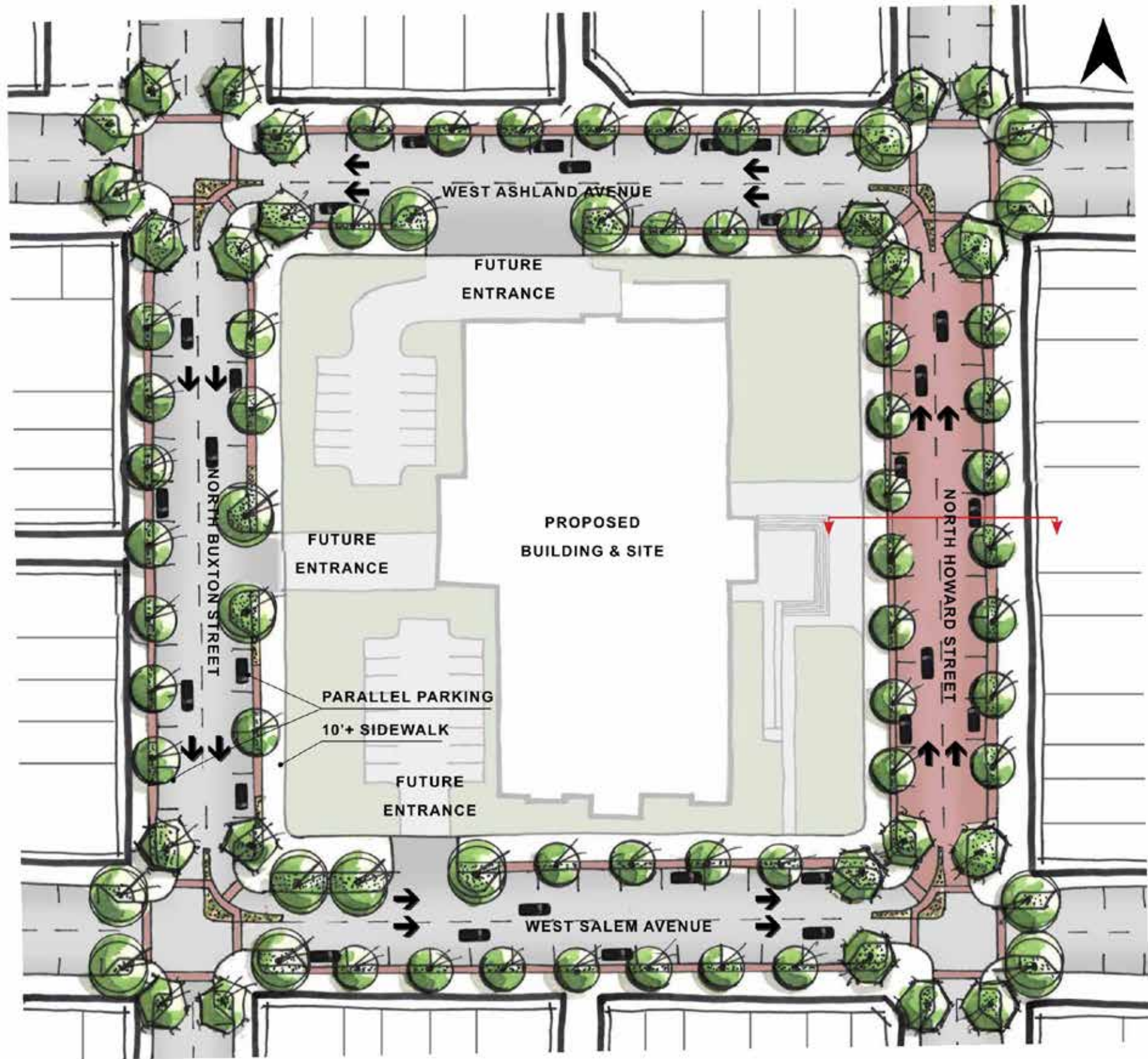


# PRELIMINARY CONCEPT B

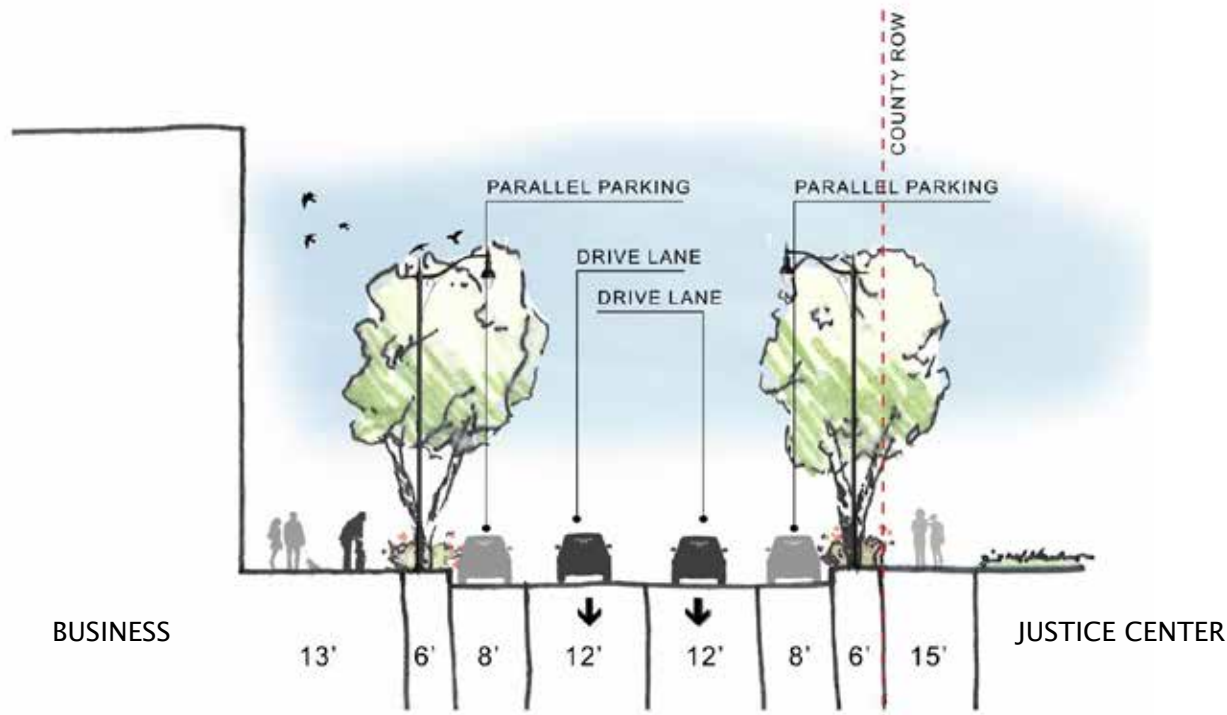
## CITY SQUARE PRELIMINARY CONCEPT B

Option B explores the opportunity of changing all four streets on the square to parallel parking creating widened sidewalks that can offer outdoor seating between landscape planters. The concept maintains one-way traffic, adds bump-outs and colored crosswalks.

The option negatively impacts parking stall counts leaving the square with a total loss of 77 Stalls.



**B** CONCEPT B | ONE-WAY DRIVE LANES



**B** SECTION | ONE-WAY DRIVE LANES

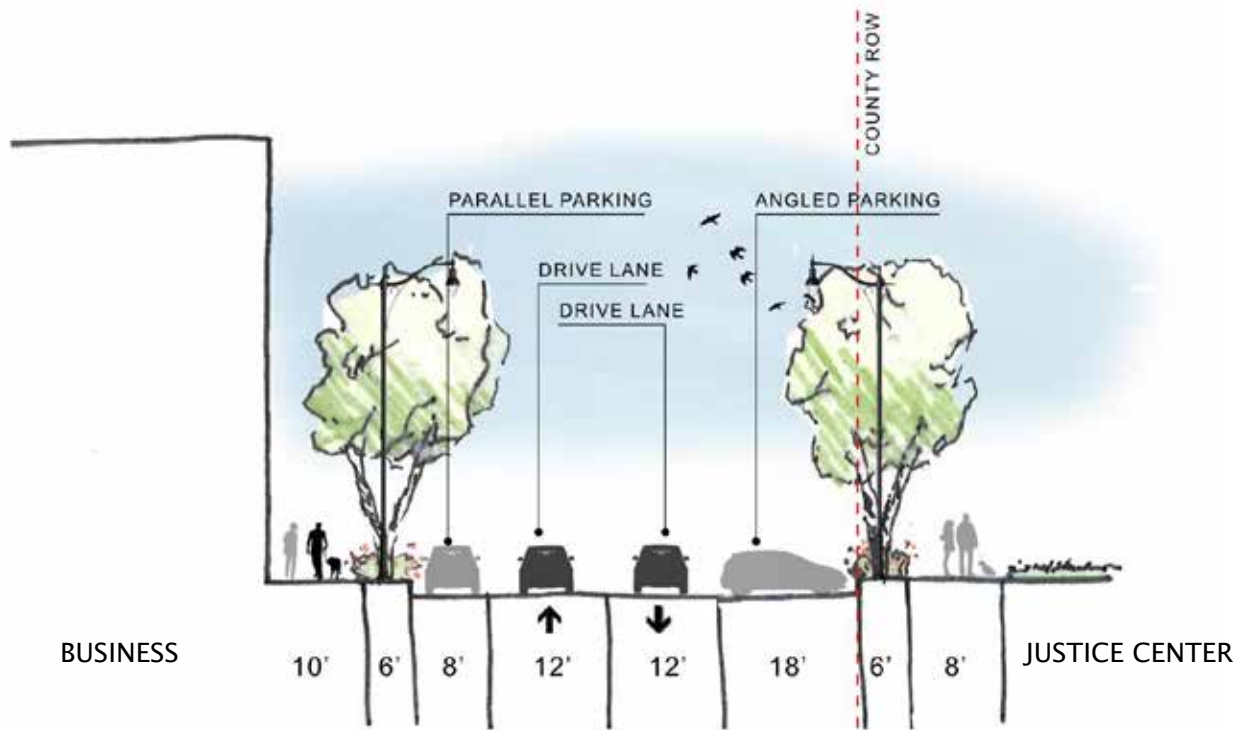


# PRELIMINARY CONCEPT C

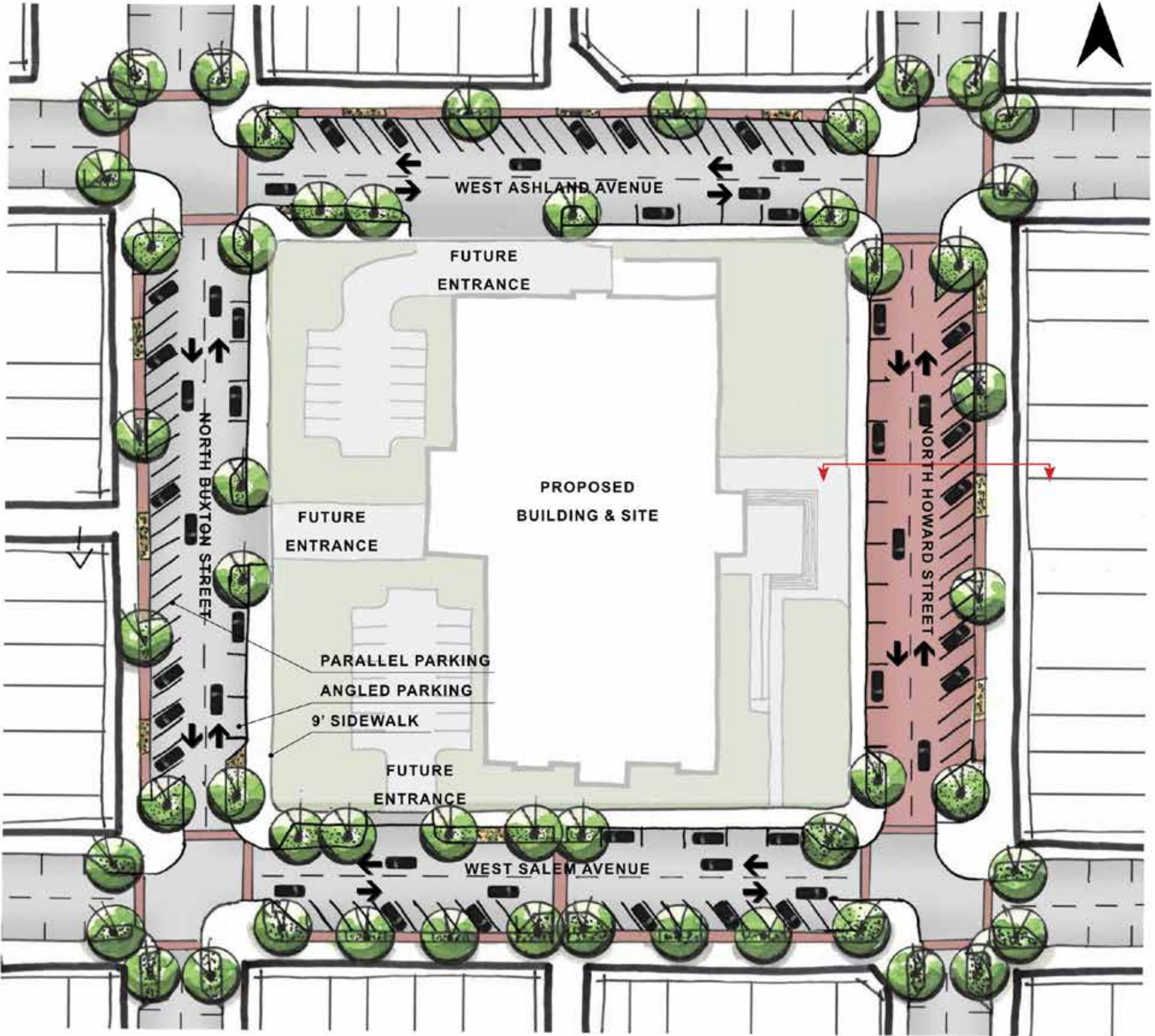
## CITY SQUARE PRELIMINARY CONCEPT C

Option C explores the opportunity of two-way traffic, changing all four streets on the square to have one row of parallel parking, while maintain one row of angled parking to allow for widened sidewalks, adding bump-outs and colored cross-walks.

This concept was discussed and favored by the committee and resulted in a net loss of 37 stalls.



C SECTION | TWO-WAY DRIVE LANES



C CONCEPT C | TWO-WAY DRIVE LANES



# OPINION OF PROBABLE COST

City Square Master Plan | City of Indianola, Iowa

CONCEPTUAL MASTER PLAN - OPINION OF PROBABLE COSTS

JULY 2019

\*Quantities are approximate, based on preliminary concept plan included in Master Plan Report dated July 2019.

|                                                            | UNIT | QUANTITY | UNIT COST    | TOTAL          |
|------------------------------------------------------------|------|----------|--------------|----------------|
| MOBILIZATION AND TRAFFIC CONTROL                           | LS   | 1        | \$425,400.00 | \$425,400.00   |
| REMOVALS AND DEMOLITION                                    | LS   | 1        | \$200,000.00 | \$200,000.00   |
| EXCAVATION, CLASS 13                                       | LS   | 1        | \$125,000.00 | \$125,000.00   |
| UTILITIES                                                  | LS   | 1        | \$300,000.00 | \$300,000.00   |
| CURB AND GUTTER                                            | LF   | 3,000    | \$40.00      | \$120,000.00   |
| PCC SIDEWALK                                               | SY   | 3,000    | \$65.00      | \$195,000.00   |
| PCC ROADWAY PAVING                                         | SY   | 8,000    | \$65.00      | \$520,000.00   |
| DECORATIVE SIDEWALK PAVEMENT (CONCRETE UNIT PAVERS)        | SF   | 19,500   | \$24.00      | \$468,000.00   |
| DECORATIVE STREET PAVEMENT (CONCRETE UNIT PAVERS)          | SF   | 4,100    | \$30.00      | \$123,000.00   |
| DECORATIVE CROSSWALKS (CONCRETE UNIT PAVERS)               | SF   | 2,700    | \$30.00      | \$81,000.00    |
| PEDESTRIAN RAMPS                                           | EA   | 32       | \$2,000.00   | \$64,000.00    |
| PEDESTRIAN CROSSING SIGNAL (RRFB)                          | LS   | 1        | \$30,000.00  | \$30,000.00    |
| STREET TREES                                               | EA   | 48       | \$550.00     | \$26,400.00    |
| STRUCTURAL SOIL                                            | CY   | 960      | \$90.00      | \$86,400.00    |
| SITE FURNISHINGS (BENCHES, BIKE RACKS, LITTER RECEPTACLES) | LS   | 1        | \$50,000.00  | \$50,000.00    |
| WAYFINDING SIGNAGE & MONUMENTATION                         | LS   | 1        | \$75,000.00  | \$75,000.00    |
| RAISED PLANTERS                                            | EA   | 17       | \$12,500.00  | \$212,500.00   |
| LANDSCAPE BEDS (PLANT MATERIAL, AMENDED SOIL, MULCH)       | SF   | 8,000    | \$20.00      | \$160,000.00   |
|                                                            |      |          |              |                |
| IMPROVEMENTS SUBTOTAL                                      |      |          |              | \$3,261,700.00 |
| CONTINGENCY (20%)                                          |      |          |              | \$652,340.00   |
| TOTAL                                                      |      |          |              | \$3,914,040.00 |
| ENGINEERING/LEGAL/CONSTRUCTION SERVICES FEES (20%)         |      |          |              | \$782,808.00   |
| TOTAL W/ FEES                                              |      |          |              | \$4,696,848.00 |





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- Not enough parking – angle parking on the side streets might be helpful
- Employees parking – parking is observed to be full by the times businesses open in the morning.
- Open to cross parking arrangements in private parking lot; maintenance concerns
- Public education of available parking locations could be part of overall marketing/promotion of the square.
- Lease parking to businesses in adjacent private lots.
- Public – 2 hr. on-street parking limits. Is this an enforcement issue? Metering – front spots – not desired at all
- Previously 80-85% of on-street parking spaces used by courthouse employees
- Angle parking is ok
- ‘Parking in the rear’ signage is needed to better direct the public to additional parking
- Streetscape timing – community will see the benefit more quickly than other construction occurring in the area.

Don’t change the following:

- Historical buildings
- Don’t make it look ‘like’ another town; keep Indianola Unique
- Public safety as a bonus

The following could be considered challenges:

- Communication will be a critical success factor
- Streetscape construction timing – ensure full access to businesses at all times

The following special events need additional consideration:

- Balloons
- Parades – typically use three sides of the square
- Bike Night – 6,000 bikes
- Consider a public restroom location
- Provide power for special events in the design
- It should have a primary gathering place – courtyard
- The steps at the Justice Center could be used as a natural stage
- Shut down streets for special events

Other considerations/notes:

- Bikes are not allowed on the sidewalks and often use alleyways to avoid the square. Include bike amenities in the design to provide a friendly welcoming space
- Consider outdoor dining space needs
- The aesthetics of the crosswalks are tired. The corner nodes should be improved
- Lighting – important for evening ambiance – Oskaloosa example cited
- Planters for landscaping – balance maintenance needs
- Street trees – need green; some indicated the green should remain on the inside of the square (Justice Center)
- Is there a storefront façade program to assist owners with maintenance?
- Create a downtown district – link the opera house, Simpson College, connect bike trails; add wayfinding; but don’t lose that it’s the ‘Square’
- Gateway elements on entryways into downtown
- The square should be designed and marketed as a destination to linger at and not just a place to complete one task and leave. It should have a WOW factor. Today it seems more task oriented and it should transition to more experience oriented. A place to spend time.
- Desire for public art – murals – culture

**Downtown Streetscape Master Plan – Meeting Minutes  
Indianola, Iowa**

**Steering Committee Meeting #1: Friday, March 8, 2019      9:00 AM**

**Agenda:**

**1. Introductions**

- a. Bolton & Menk, Inc. team
- b. City staff
- c. Steering Committee Members

**2. Project Purpose and Scope**

Discussed the overall project intent.

**3. Project Goals and Objectives**

Discussed the overall project intent.

**4. Process**

Explained that this is step one in the design process.

**5. Issues & Information Collection**

Several issues/opportunities were discussed. The list that follows is a summary:

- One-way traffic (may) cause avoidance of the square area and limit the amount of traffic/foot traffic
- Good to increase traffic passing by businesses – many other communities have competed one/two-way conversions
- Would like connections to bike trails, bike lanes through the area
- Continue two-way traffic south toward Howard and Buxton
- Pedestrian crossings – mid-block crossings aren’t useful, but the crossing distance at the corners is significant
- Very car friendly, but not very ‘people’ friendly
- Access to downtown is somewhat limited because of all the turning movements
- Main focus is on traffic, not the adjoining businesses
- Traffic signals warranted to help with a potential traffic change? Likely not- the ADT count would need to increase significantly
- Design should consider the maintenance for flower baskets. Irrigation line in streetlight poles?
- Left turn movements into parking areas will increase conflict points – safety consideration
- Delivery vehicles are heavy in volume – delivery schedule from businesses would be helpful to gain an understanding
- Not a fan of deliveries in the back of buildings – operational business concerns
- Are the alleys accessible – does there need to be maintenance – case studies



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**Downtown Streetscape Master Plan  
Indianola, Iowa**

**Steering Committee Meeting #2: Friday, April 19th, 2019  
8:30 AM**

**Agenda:**

- 1. Introductions**
  - a. Bolton & Menk, Inc. team
  - b. City staff
  - c. Steering Committee Members
  
- 2. Project Scope**

Review of what we have done, who we are, and what the goal is.  
Review of prior meeting minutes – no comments or revisions
  
- 3. Streetscape Concepts**

Concept A:

  - Seasonal parking/Brickhouse patio
  - Who maintains on County side?
  - Questions on outdoor seating space.
  - How do I get around the square?
    - Bike lane East & West, may lose parking spaces & will be strange
    - Bike paths to the square & Euclid

Concept B:

  - Less parking, more pedestrian space
  - Need to add signage and wayfinding to existing public parking lots
  - Need space for bike parking
  - Street trees
    - Keep on County side
    - Use other features for human scale
    - There are other ways to create scale without trees -lighting
    - Use planters/seasonal changes
    - Consideration of signage on buildings
  - Consider the special event space & sight lines to possible stage location

Concept C:

  - Possibly flip angle and parallel parking locations
    - Angled on the interior side (County) - Preferred
  - A hybrid of B&C – like the idea of 13’ wide SW – businesses could have freedom for sidewalk sales/outdoor dining/seating
  - Get to downtown on a bike is more confusing to only have 2 streets
  - Two-way traffic– Preferred

- Statement that residents won’t like the change
  - Like wide open/no landscaping on the East Side – views for the stage
  
- 4. Parking and Walkability**

Mix parallel & angle parking – Concept C  
5-7 very in favor of parallel parking on businesses & retail
  
- 5. Materials and Fixtures**

Benches – Preferred C – they are artistic but should verify  
Planters – Preferred B & D combined. Like the idea of a planter wall acting as bench/seating  
Pavement styles – Preferred C & D – concerns about snow removal

  - Simpson College has a street of pavers. There has been some shifting; it is not for vehicular use, only pedestrian
  
- 6. General**
  - Fire & public safety need to be on-board with traffic changes
  
- 7. Next Steps**
  - Preferred Concept refinement
  - Public open house





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**Downtown Streetscape Master Plan  
Indianola, Iowa**

**Open House Meeting #1**  
**DATE: May 15, 2019**  
**TIME: 7 – 8:30 pm**

The comments that were received at the public open house have been categorized by subject matter and summarized in the document that follows.

**Parking Availability**

Many comments were received regarding parking. The areas of identified concern regarding parking included: loss in the number of parking spaces, the use of parallel parking spaces, the availability of ADA compliant parking and the need to use parking that was located ‘away’ from the square. The concerns relative to the loss of parking mostly came from the business owners who believe they will lose business if their customers can’t park directly in front of their establishment. The overall concern of parking challenges on the square because of the loss of parking stalls was a concern for most everyone in attendance at the open house.

The concept of modifying existing angled parking to utilizing some parallel parking on the business side of the square resulted in two main concerns. The first concern was the loss of the number of parking stalls and the other was the opinion that many people don’t have the skill to parallel park. Comments were received that the number of ADA compliant parking spaces would be reduced, because the overall number of spaces would be reduced. The response to the availability of public parking located ‘off’ the square was met with criticism, stating that having to park further away would lower the number of people willing to shop in the square. Concern was expressed about the impact that employees of the Warren County Justice Center may have to parking on the square.

**Traffic Pattern**

The consideration of changing the traffic pattern around the square from one-way to two-way traffic brought differing opinions. The most predominant opinion was to leave the square as a one-way street all the way around the square as it is currently configured. It was the opinion of many attendees that one-way traffic provided less impact to the number of parking spaces. It should be noted that although this was a frequent opinion, that when asked many said that a two-way concept could be an “OK” decision. The overall preference was for the square to remain one-way because there was not a reason and/or need to change it.

**Sidewalk Width**

The expansion of the sidewalk was considered by some business owners as unnecessary and perceived as possibly damaging to the buildings around the square. Some attendees stated that the increase of the sidewalk width was expensive and was going to cause more problems than it was going to solve. Others

indicated that the wider sidewalk would only benefit certain types of businesses, but that all adjacent property owners would have more seasonal maintenance responsibilities.

**Trees and Green Space**

Green space and the trees that will be added to the square came with a variety of input from the public. The input ranged from individuals wanting as much green space as possible, to some not wanting any trees at all to be placed near the buildings. People in opposition to the trees being placed indicated concerns about tree roots damaging building foundations and the attraction of birds that would litter the sidewalk. Concerns were raised about the ability to appropriately maintain vegetation. There is a wide range of what people want in the square relative to vegetation.

**Biking Ability and Bike Lanes**

Bike access and ability to use bikes in/along the square was very polarizing regarding the comments received. Individuals that provided an opinion about bike amenities were divided in their opinions. Some dislike a dedicated bike lane of any kind around the square for safety reasons and parking space reasons, while others desired a dedicated bike lane by any means necessary. Many that supported bike lanes cited the improved access that it could provide.

**Wayfinding**

A significant amount of input was not received on the subject. However, those that commented noted the need for better directional signage to public parking and added that a wayfinding system could create a unique feel to the square.

**General Negative Feedback**

The cause of the negative feedback was not specific, but most of the comments targeted the project as a whole and considered it to be too expensive, time consuming, and that it had no overall benefits. Many of the general negative comments indicated that there were no problems with the square today and that it did not need to be modified. Some comments received were outside the scope of the project work or were directed at the City in general.

**General Positive Feedback**

General comments were received supporting the project and expressing excitement for the changes that could be made in the future.

# MEETING CONDUCTED BY CITY STAFF

## YOUNG PROFESSIONALS OF INDIANOLA FEEDBACK:

- What were the concerns to warrant the recommendation of two-way traffic from the steering committee?
- Noted that there are frequently people going to the wrong way on the Square due to one way traffic being less familiar.
- Would the City look at the entire length of Buxton and Howard for two-way traffic, or just around the Square.
- Would like to see the Square become a destination for both Indianola citizens and visitors.
- General consensus was there was enough parking, but how do you get employees to park further away. This will especially be important when the courthouse opens back up.
- Agreement that the square is auto-oriented. Would like to see it be able to accommodate pedestrian traffic better, while still being auto friendly.
- What about public art?
- Can we add more of a gateway to the Square? Wayfinding and signage is important as well. Signage also needs to be updated for public parking lots.
- How will this design be able to incorporate all the events that have traditionally take place on the square? How about power for vendors?
- Is it possible to get more greenspace into the Square?
- Were bike lanes looked at? How do we incorporate more bike parking into this plan?
- How will the project coincide with the County's project? How will the City pay for this project?



# MEETING SIGN IN SHEETS



|                                                             |                                            |
|-------------------------------------------------------------|--------------------------------------------|
| <b>Downtown Streetscape Master Plan: Steering Committee</b> |                                            |
| <b>Meeting #1</b>                                           |                                            |
| <b>Sign-In Sheet</b>                                        |                                            |
| <b>Project:</b> Streetscape Plan                            | <b>Meeting Date:</b> March 8, 2019 9:00 am |
| <b>Facilitator:</b> Bolton & Menk                           |                                            |

| Name                 | Address | Email                             |
|----------------------|---------|-----------------------------------|
| Terry Paul           |         |                                   |
| Bob Lane             |         |                                   |
| Heather Gaumer       |         |                                   |
| Rob Keller           |         |                                   |
| Jenn Pfeifer-Malaney |         | jmpfeife@hotmail.com              |
| Amanda Ripberger     |         |                                   |
| Wendy Wohlwend       |         |                                   |
| Batbata Brandon      |         | <del>REDACTED</del>               |
| Mary Richards        |         | mary@marydonaghy.com              |
| Bryant Houston       |         | funarosdeli@gmail.com             |
| Rachel Gocken        |         | rgocken@wcedc.com                 |
| Andrew Swadner       |         | swadnerand@gmail.com              |
| Misty Soldwisch      |         | misty@mistysold.com               |
| Brian Rudolf         |         | brudolf@ruderfinstern.com         |
| SETH LAMPMAN         |         | seth.lampman@sagepointadviser.com |
| Meg Schneider        |         | mschneider@dsmpartnership.com     |
| Brent East           |         | brenda@indianalachamber.com       |
| Angie Buchanan       |         | abuchanan@indianalac.com          |



|                                                             |                                             |
|-------------------------------------------------------------|---------------------------------------------|
| <b>Downtown Streetscape Master Plan: Steering Committee</b> |                                             |
| <b>Meeting #2</b>                                           |                                             |
| <b>Sign-In Sheet</b>                                        |                                             |
| <b>Project:</b> Streetscape Plan                            | <b>Meeting Date:</b> April 19, 2019 8:30 am |
| <b>Facilitator:</b> Bolton & Menk                           |                                             |

| Name                  | Address | Email |
|-----------------------|---------|-------|
| Brent East            |         |       |
| Seth Lampman          |         |       |
| Terry Paul            |         |       |
| Andrew Swadner        |         |       |
| Bob Lane              |         |       |
| Mary Donaghy Richards |         |       |
| FORREST L CURTIS      |         |       |
| Rob Keller            |         |       |
| Amanda Ripberger      |         |       |
| MARVIN GRIBBINS       |         |       |
| Misty Soldwisch       |         |       |
| Bryant Houston        |         |       |
| Rachel Gocken         |         |       |
| Enn Freeman           |         |       |
| Jenn Pfeifer-Malaney  |         |       |
|                       |         |       |
|                       |         |       |
|                       |         |       |
|                       |         |       |

POTENTIAL FUNDING SOURCES:

*The source of available funding is constantly changing. At the time of this summary the sources listed below may be potential sources for certain components of the project.*

**CDBG Community Facilities & Services Fund**

This annual competitive program offers grants to assist communities for a variety of projects including storm water and drainage projects.

**CDBG Downtown Revitalization Fund**

The Downtown Revitalization Fund provides grants to communities for a variety of projects and activities contributing to comprehensive revitalization. Communities can use this fund to rehabilitate blighted downtown buildings.

**CDBG Water & Sewer Fund**

The Water & Sewer Fund is available to assist cities and counties with water and sewer infrastructure improvements including sanitary sewer system improvements, water system improvements, and storm sewer projects.

**Healthy Places for Healthy People**

Healthy Places for Healthy People engages with community leaders and health care partners to create walkable, healthy, economically vibrant downtowns and neighborhoods that can improve health, protect the environment, and support economic growth.

**Iowa’s Transportation Alternatives Program (TAP)**

TAP funds projects defined as transportation alternatives. Recreational trails, traffic calming techniques, bicycle and pedestrian accommodations, and vegetation management/establishment are among a board list of improvements that qualify for funding.

**Storm Water Best Management Practices (BMP) Loan**

This opportunity offers low-interest loans for projects to control stormwater runoff. The loans offer incentives for installing infiltration-based stormwater quality practices.

**Traffic Safety Improvement Program (TSIP)**

TSIP is a funding program for traffic safety improvements or studies on any public roads under county, city, or state jurisdiction.

**Waste Management Charitable Giving**

Waste Management’s charitable giving fund is intended for projects or programs that promote civic pride, economic development and revitalization. Waste Management is most motivated to support projects or programs related to the environment, environmental education, and causes important to the areas where they operate.

**Warren County Fund**

Warren County Philanthropic Partnership is committed to responsibly distributing dollars to improve the lives of those living in Warren County. For this project in Indianola, the Community Grant category would fit best as it is for a single community impact. Another category that may fit is the Trail Grant for the pedestrian and walkability components.

**Wellmark MATCH Grant**

The Wellmark Foundation’s goal is to be a catalyst in bringing groups together to positively impact health within a community. The focus of this grant will be on sustainable initiatives including increasing access to and consumption of nutritious foods and creating safe and healthy environments in which to be active.

**Living Roadways Trust Fund**

The purpose is to promote implementation of integrated roadside vegetation management (IRVM) on city, county or state rights-of-way or areas adjacent to traveled roadways.



Meeting Date: 08/05/2019

---

**Subject**

Resolution authorizing the installation of three temporary Pickleball Courts in the YMCA Parking Lot

**Information**

Staff is requesting to place Pickleball Courts on the east side of the YMCA building (packet). In your packet is the resolution approving temporary Pickleball Courts at the YMCA parking lot and Council approval is required since the court will be placed on city owned property.

One of Indianola's strategic plan goals is to improve quality of life, and when the conversation of an outdoor Pickleball court came to the Park and Recreation Department they knew it would fit into their strategic plan. The nets and fencing will be temporary and can be removed for larger events that are held at the YMCA.

Equipment cost and Equipment needed include:

- A portable Pickleball nets (from \$170 - \$250 per net)
- Fence for surrounding the courts for safety.

Scheduling of the Pickleball Courts:

- The YMCA will be monitoring the schedules.
- City staff will be meeting with the YMCA staff in the coming weeks for future programming.

Roll call is in order.

---

**Fiscal Impact**

**Attachments**

Memo

Resolution

Map

---



## PARKS AND RECREATION

July 30, 2019

To: Mayor and City Council  
From: Brandon DeCook, Recreation Coordinator  
CC: Ryan Waller, Doug Bylund  
RE: Temporary Pickleball Courts at the YMCA

As you know, one of Indianola's strategic plan goals is to improve quality of life, and when the conversation of outdoor pickleball courts came to us, we knew that this would fit into our strategic plan. The YMCA would like to add outdoor courts as well. We can team up to provide barricades/fencing and outdoor nets. Repairing the Middle School Courts was explored, but the school has tentative plans to remove those in the future. Staff is researching options and costs for future courts. We plan to have the future options later this fall for the next budget cycle. This is coming before council to get approved because the pickleball courts will be placed on city owned property. Below is a summary of our findings for the outdoor pickleball court.

1. What is Pickleball?
  - a. A sport that combines elements of tennis, badminton, and ping-pong.
  - b. Equipment that is used
    - i. Paddle: smaller than a tennis racquet but larger than a ping-pong paddle
    - ii. Ball: plastic ball with holes in it, similar to a whiffle ball
  - c. Pickleball courts measure 20 feet by 44 feet.
    - i. The court is marked similar to a tennis court
2. Location of Pickleball Courts
  - a. Located in the Indianola YMCA parking lot.
  - b. The court will be located on the east side of the building
  - c. The nets and fencing will be temporary and can be removed for larger events that are held at the YMCA.
  - d. The boundary lines for the courts will be marked with paint or tape.
  - e. 2-3 courts will be placed in the parking lot.
  - f. Pickleball courts will be available during the spring, summer, and fall when the weather allows.



## PARKS AND RECREATION

3. Scheduling of the Pickleball Courts
  - a. The YMCA will be monitoring the schedules.
  - b. City staff will be meeting with the YMCA staff in the coming weeks for future programming.
4. Temporary vs. Permanent
  - a. Temporary pickleball courts are the short-term solution to having outdoor pickleball courts.
  - b. Permanent pickleball courts are not financially feasible at this time.
    - i. Options and costs are being researched to be included in the next budget cycle.
5. Equipment Cost and Equipment Needed
  - a. Portable pickleball nets.
    - i. From \$170.00-\$250.00 per net.
  - b. Fence for surrounding the courts for safety.
    - i. The preliminary plan is to use the same fence that we currently use at Pickard Park for youth softball tournaments, which are made of a green mesh material. This type of fence will be more aesthetically pleasing than an orange snow fence.



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

RESOLUTION AUTHORIZING THE INSTALLATION OF  
THREE TEMPORARY PICKLEBALL COURTS  
AT THE YMCA

---

**WHEREAS**, one of the City of Indianola's strategic plan goals is to improve quality of life for the citizens of Indianola; and

**WHEREAS**, the Park and Recreation Department believes that an outdoor Pickleball Court fits into their strategic plan; and

**WHEREAS**, the YMCA would like to add outdoor Pickleball Courts; and

**WHEREAS**, the location of the two-three temporary Pickleball Courts will be located in the Indianola YMCA parking lot; and

**WHEREAS**, the Pickleball Courts will be available during the spring, summer and fall when weather allows; and

**WHEREAS**, the scheduling of the Pickleball Courts will be monitored by the YMCA.

**BE IT, THEREFORE, RESOLVED** by the City Council of the City of Indianola, Iowa, that the Temporary Pickleball Courts at the YMCA are hereby approved under the terms as set out above.

**DATED** this \_\_\_\_\_ day of \_\_\_\_\_ 2019.

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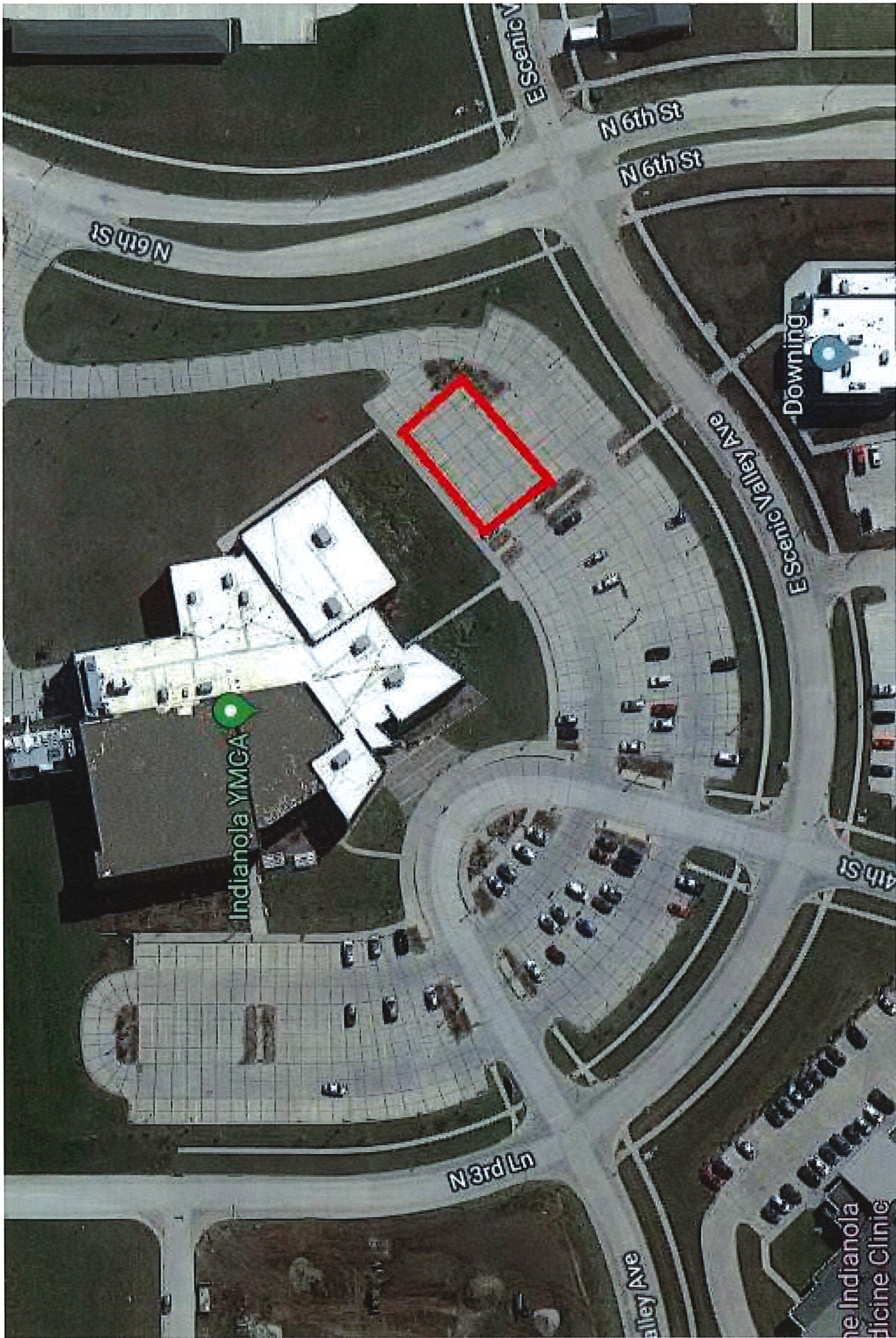
Kelly B. Shaw, MAYOR

ATTEST:

---

Diana Bowlin, CITY CLERK





**Meeting Date:** 08/05/2019

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**Subject**

City Manager's Report - Ryan Waller

\* Receive and file correspondence from July 12, 19 and 26, 2019

**Information**

In your packet are the July 12, 19 and 26, 2019 weekly updates from Ryan Waller, City Manager.

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

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**Fiscal Impact**

**Attachments**

Waller's Weekly 071219  
062019 Permit Report  
Planning Perspective  
Current Project  
Draft 080519 Agenda  
Draft 081919 Agenda  
Exp Permit 071319  
PM 071319  
Poster w Logo  
PRC Letter  
Shout Out - Streets  
Waller's Weekly 071919  
Draft August 5 Agenda  
Draft August 19 Agenda A  
Exp Permit 072019  
Current Projects Update A  
PM 072019  
Iowa Sign  
BRAVO  
Waller's Weekly 072619  
Expired Permits  
Current Project Updates B  
Draft August 19 Agenda B  
Draft August 5 Agenda B  
Shout Out Team  
Shout Out PR  
Brief  
Brief & Argument Info

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## Diana Bowlin

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**From:** Ryan Waller  
**Sent:** Friday, July 12, 2019 9:16 AM  
**To:** Ryan Waller  
**Subject:** FW: Waller's Weekly 7.12.19  
**Attachments:** Shout Out - Streets.pdf; A Planning Perspective\_July2019.pdf; Poster w logo.pdf; Current Projects Update.pdf; 062019 Permit Report.pdf; EXP PERM 07132019.pdf; PM 07132019.pdf; PRC Letter.pdf; Draft August 19, 2019 Agenda.pdf; Draft August 5, 2019 Agenda.pdf

Hi, all.

I hope everyone has had a great week. Here is this week's update email. If there are any questions, please let me know. Thank you all for your assistance with the various aspects of these items!

Have a great weekend!

Ryan

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**From:** Ryan Waller  
**Sent:** Friday, July 12, 2019 8:50 AM  
**Subject:** Waller's Weekly 7.12.19

Good morning, all.

I hope everyone is doing. Below/attached is this week's update email. Please note there are several items we are requesting a response. Thank you for your assistance! As always, if there are any questions please let me know.

Have a great weekend!

Ryan



**Ryan J. Waller**

City Manager

[rwaller@indianolaiowa.gov](mailto:rwaller@indianolaiowa.gov)

p: 515.962.5274

110 N. 1<sup>st</sup> Street – Indianola, Iowa 50125

**Kading Neighborhood Meeting** - As you are aware, Kading Properties have proposed two new developments within the City of Indianola. In the first set of comments from Staff to the developer on the site plan, Staff suggested that the developer host a neighborhood meeting on their project. This meeting has been scheduled for Tuesday, July 16 at 6 pm, and Kading representatives have reached out to invite Council Members. As Kading Properties is hosting/conducting this meeting to discuss a matter that will likely appear before public bodies



(i.e. Planning and Zoning and City Council), please be reminded of open meeting requirements. **Please let me know no later than Monday, July 15 at noon if you plan to attend this meeting** so we can make sure the City is complying with Iowa Open Meetings Law if a majority of Council is attending.

**Mediacom Utility Installations** - This week, staff has received multiple inquiries regarding utility work being conducted by Mediacom in various neighborhoods in Indianola. While the City only is able to permit work within the rights-of-way, and has done so as part of this project, most of the complaints have centered on work being done in residence's front yards. As Council may be aware, most residential subdivision include a 15' Public Utility Easement on the front of each lot in which utilities are able to access for the purposes of installing and replacing utilities. Staff is working to forward complaints to Mediacom as they are received.

**EDA Economic Development Assistance Grant** - This week, staff was notified that EDA's initial review the City's proposal for grant funding to assist in the paving of Iowa Avenue in front of the proposed 50,000 square foot Missouri Valley Line Constructors Apprenticeship & Training Program building was accepted. The notification letter is attached. The estimated total project cost of this paving project is approximately \$1.5 Million, and this grant is able to provide up to 50% funding. Staff will work in the coming month to submit its final application for this grant funding. Thanks to Andy Lent and Charlie Dissell, as well as Dave Moeller and Matt Allender with Snyder and Associates, for their hard work on seeking this grant funding.

**Indianola Downtown Square Streetscape Project** - As the planning process of the Downtown Square Streetscape project is nearly concluded, Council will receive a presentation on the draft final report at its Monday, July 15 Study Meeting. This week, the Downtown Square Streetscape project, which was triggered by the changes to the Warren County Courthouse/Justice Center and based off recommendations from the Iowa Economic Development Authority's Downtown Assessment on Indianola's Downtown Square, was featured in APA – Iowa Chapter's quarterly newsletter "A Planning Perspective". The newsletter is attached.

**Comprehensive Plan Update** - As a reminder, the Comprehensive Plan Update survey has been released. The survey and other information on the Comprehensive Plan Update can be found at [www.elevateindianola.com](http://www.elevateindianola.com). To date, 670 surveys have been completed. Additionally, staff and the consultants will be participating in the National Balloon Classic Parade on Saturday, July 27, 2019, beginning at 11:00 am. During the parade, flyers advertising the survey will be handed out, as well as candy for the kids. A poster advertising the survey has been created and is attached. This advertisement is being shared with our community partners (i.e. School District, YMCA, Chamber, and local businesses to name a few). To gather as much feedback as possible, we ask you to help spread the word to your constituents to participate in the survey!

**RAGBRAI** – Our RAGBRAI committee is in need of additional volunteers and is seeking assistance from the community. Interested folks may register via the community's website at [indianolaragbrai.com/volunteer](http://indianolaragbrai.com/volunteer). If you or other you may know are interested in volunteering, please direct them to this website. Thank you!

**Jerry Kelley Trail** - Construction on the trail project began last week on the area south of Iowa Avenue towards Memorial Park. The initial grading is finished, and they will be working on drainage piping and culverts. The contractor reports they are ahead of schedule and the removal of sidewalk along West Euclid near Wilder school has already begun. The tentative schedule has the contractor beginning to construct the trail from Memorial Park to Iowa Avenue late in the week of July 22 (after RAGBRAI). For safety reasons and to eliminate any construction traffic congestion, crews have been instructed that construction will not be possible July 22-24.

**Kiwanis/Rotary Inclusive Playground Ribbon Cutting** - A Ribbon Cutting ceremony has been scheduled for the new playground on Tuesday, August 6 at 4:00 pm at Pickard Park. Thanks to the fundraising efforts of Kiwanis and Rotary, the new inclusive playground has been constructed. Members of the Rotary Club also worked to set concrete forms, spread wood chips for the safety surfacing and installed benches and a trash can. Recognition is also owed to the Street and Parks and Recreation Departments for their assistance in installing the playground for our residents and the many visitors to Pickard Park.

**Pickleball Courts** – Staff has been working with the YMCA staff the possibility of relocating the community's temporary Pickleball Courts from the Middle School to the southeast parking lot at the YMCA. Under this plan, three courts would be available for the public to use at the YMCA. Staff plans to present this option to the City Council for consideration at the August 5 Council Meeting.

**Departmental "Shout Outs"** – Attached, please find a "shout out" to the Street Department for recent work done on R63.

**Safety Training** – Human Resources is working to set up a joint safety training class for the City Council and IMU Board of Trustees. If you have not yet responded, please be sure to let either Melissa or Diana know.

**Out of the Office** – I am out of the office July 12<sup>th</sup>. During this time, I will be accessible via cell phone and will be checking emails. Chief Chia may also be contacted if there are questions.

**Community Development Updates** – Attached, please find various updates provided by the Community Development Department.

**Upcoming City Council Agenda** – Attached, please find the draft agendas maintained by the Clerk’s Office for the upcoming meetings. As a reminder, these are fluid documents that can change on a regular basis (i.e. some items may get added/rescheduled due to Council direction, as well as other factors that may or may not be within the control of the City departments). If there are items that you would like more information on, please let me know.

**CITY OF INDIANOLA  
BUILDING PERMITS**

**Copy to:** Mayor,  
Council, Trustees,  
CM, Finance  
Director, CC, BZ

**June-19**

| <b><u>Code</u></b>              | <b><u>Type</u></b>      | <b><u>Permits Issued</u></b>   | <b><u>Amount</u></b> | <b><u>Average</u></b>         | <b><u>Non-Taxable</u></b> |
|---------------------------------|-------------------------|--------------------------------|----------------------|-------------------------------|---------------------------|
| 101                             | Single Family Home      | 7                              | \$1,337,350          | \$191,050.00                  | \$0                       |
| 102                             | Single Family Attach    | 0                              | \$0                  |                               | \$0                       |
| 103                             | Two Family              | 0                              | \$0                  |                               | \$0                       |
| 104                             | Three or More Families  | 0                              | \$0                  |                               | \$0                       |
| 322                             | Service Stations        | 0                              | \$0                  |                               | \$0                       |
| 324                             | Office                  | 0                              | \$0                  |                               | \$0                       |
| 328                             | Non-resident buildings  | 0                              | \$0                  |                               | \$0                       |
| 329                             | Pool                    | 0                              | \$0                  |                               | \$0                       |
| 434                             | Residential Add/Alt     | 2                              | \$72,100             | \$36,050.00                   | \$0                       |
| 437                             | Non-residential add/alt | 0                              | \$0                  |                               | \$0                       |
| 438                             | Res garage/carports     | 3                              | \$71,500             | \$23,833.33                   | \$0                       |
| 645                             | Demo - sfd              | 1                              | \$0                  |                               | \$0                       |
| 649                             | Demo - commercial       | 0                              | \$0                  |                               | \$0                       |
| <b>June Total</b>               |                         | <b>13</b>                      | <b>\$1,480,950</b>   |                               | <b>\$0</b>                |
| <b><u>Residential Value</u></b> |                         | <b><u>Commercial Value</u></b> |                      | <b><u>All Non-Taxable</u></b> |                           |
| <b>100.0%</b>                   |                         | <b>0.0%</b>                    |                      | <b>0.0%</b>                   |                           |

**YEAR TO DATE TOTAL**

| <b><u>Code</u></b>              | <b><u>Type</u></b>      | <b><u>Permits Issued</u></b>   | <b><u>Amount</u></b> | <b><u>Average</u></b>         | <b><u>Non-Taxable</u></b> |
|---------------------------------|-------------------------|--------------------------------|----------------------|-------------------------------|---------------------------|
| 101                             | Single Family Home      | 32                             | \$4,788,727          | \$149,648                     |                           |
| 102                             | Single Family Attach    | 8                              | \$972,000            |                               |                           |
| 103                             | Two Family              | 1                              | \$492,000            | \$492,000                     |                           |
| 104                             | Three or More Families  | 0                              | \$0                  |                               |                           |
| 322                             | Service Stations        | 0                              | \$0                  |                               |                           |
| 324                             | Office                  | 0                              | \$0                  |                               |                           |
| 328                             | Non-resident buildings  | 1                              | \$150,000            | \$150,000                     |                           |
| 329                             | Pool                    | 0                              | \$0                  |                               |                           |
| 434                             | Residential add/alt     | 27                             | \$728,099            | \$26,967                      |                           |
| 437                             | Non-residential add/alt | 7                              | \$214,575            | \$30,654                      |                           |
| 438                             | Res garage/carports     | 8                              | \$54,300             | \$6,788                       |                           |
| 645                             | Demo - sfd              | 6                              | \$0                  | \$0                           |                           |
| 649                             | Demo - commercial       | 1                              | \$0                  | \$0                           |                           |
| <b>YTD TOTAL</b>                |                         | <b>91</b>                      | <b>\$7,399,701</b>   | <b>\$81,315</b>               |                           |
| <b><u>Residential Value</u></b> |                         | <b><u>Commercial Value</u></b> |                      | <b><u>All Non-Taxable</u></b> |                           |
| <b>95.1%</b>                    |                         | <b>4.9%</b>                    |                      | <b>0.0%</b>                   |                           |

# A PLANNING PERSPECTIVE

APA-IOWA CHAPTER  
QUARTERLY NEWSLETTER

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JULY 2019, ISSUE 3

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## CHAPTER UPDATE FROM THE APA IA PRESIDENT

SUBMITTED BY DYLAN MULLENIX, AICP  
PRESIDENT | APA IOWA CHAPTER

Happy Summer Iowa Planners!

I wanted to make you aware of several important activities that have occurred over the last several months and that are coming up.

Thank you to the nearly 70 APA Iowa members who traveled to San Francisco for the 2019 National Planning Conference. APA Iowa, Iowa State University's Community and Regional Planning Department, and the University of Iowa's School of Urban and Regional Planning once again held a successful All Iowa Reception during the conference, and several student teams and members presented their work to the national audience.

The conference also is the setting for one of the two in-person leadership meetings for chapter and division presidents, APA board members, the AICP Commission, Professional Development Officers, and others to discuss matters related to the organization. Among the topics discussed was a proposal from the AICP Commission to update mandatory certificate maintenance (CM) requirements. The current mandatory CM topics and associated credits (1.5 credits in law and 1.5 credits in ethics) have not changed since the program began 10 years ago. The AICP Commission has reviewed the program and has recommended changes. These changes would include adding an additional mandatory topic on equity; adding a mandatory topic that will change every four years, with climate being the first topic; and reducing the number of credits required on all mandatory topics from 1.5 to 1 hour.

The APA Iowa board discussed this proposal at its May meeting to formulate a response to the AICP Commission. The APA Iowa board noted that it supports both the reduction in credits for mandatory topics from 1.5 hours to 1 hour and the addition of equity and climate as mandatory topics. However, the board expressed concerns in confusion that may be caused with a rotating topic area and also asked for flexibility in the qualification of speakers and sessions that may cover these new mandatory topics as to not make their provision cost-prohibitive to smaller chapters, like Iowa's. If approved, the changes would be effective as of January 1, 2021, to allow members and CM providers time to implement these changes. Additional information on this can be viewed at <https://www.planning.org/cm/updates/>.

While these CM changes are still being considered, other changes to the provision of CM credits have already been made that should be a welcome change. The minimum length for CM-eligible sessions, aside from the mandatory topics, have been reduced from 30 mins to 15 mins. Additionally, changes have made it easier for CM providers like APA Iowa to partner with other organizations to host CM-eligible events. An example of this benefit is that APA Iowa can now work with ULI Iowa to have their regularly occurring events be CM-eligible.



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# UNIVERSITY OF IOWA URBAN PLANNING ONLINE COURSES FOR FALL 2019

SUBMITTED BY CHARLES CONNERLY, PH.D.

PROFESSOR AND DIRECTOR, SCHOOL OF URBAN & REGIONAL PLANNING, UNIVERSITY OF IOWA  
CHARLES-CONNERLY@UIOWA.EDU

University of Iowa School of Urban & Regional Planning is excited to announce two online courses available this fall--Jim Schwab's Disaster Recovery & Mitigation course and Dave Swenson's Economic Impact Assessment course. Both are hands on courses taught by practitioners and a great opportunity for planning practitioners interested in continuing education opportunities.

To learn more about the Planning for Disaster Mitigation and Recovery course visit:

<https://distance.uiowa.edu/highlighted-urban-planning-course-fall-2019>

To learn more about the Economic Impact Assessment course visit: <https://distance.uiowa.edu/economic-impact-assessment-course-fall-2019>

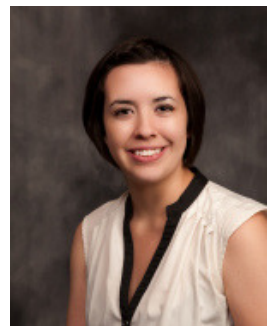
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## NEW APA-IA CHAPTER BOARD MEMBER

SUBMITTED BY DYLAN MULLENIX, AICP

ASSISTANT DIRECTOR, DES MOINES MPO, DMULLENIX@DMAMPO.ORG

At it May meeting, the APA-Iowa Chapter board approved the appointment of Alexis Fleener, AICP, to the position of At-Large representative. Alexis is the Community Development Team Leader at the Southwest Iowa Planning Council in Atlantic. She is replacing Amber Lynch, AICP, with the City of Des Moines, who stepped down after serving eight years on the board. We thank Amber for her many years of service to the APA-Iowa Chapter, and welcome Alexis to the board!



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## NATIONAL MIDDLE NEIGHBORHOODS STEERING COMMITTEE

SUBMITTED BY AMBER LYNCH, AICP

SENIOR CITY PLANNER, CITY OF DES MOINES, AMLYNCH@DMCOV.ORG

Because of the work we're doing in Des Moines to redesign our Neighborhood Revitalization Program, in early 2019 I joined a national Steering Committee working to build advocacy for Middle Neighborhoods. Middle neighborhoods are neither healthy or thriving, nor are they the distressed areas marked by high crime, vacant properties, and concentrated poverty. Because of this, they are often overlooked by policy-makers, federal funding programs, and philanthropists. Yet as cities age and populations shift, middle neighborhoods are crucial to managing change, offering communities an opportunity to intervene before the forces of decline or gentrification take root.

The Middle Neighborhoods movement believes that an ounce of prevention is far less expensive than the pound of remediation necessary once a neighborhood has declined. In many communities, most residents live in middle neighborhoods. In weak-market locations, the homeowners in these neighborhoods – many of whom are people of color – are losing their hard-earned home equity. The loss of property value reduces property tax collections, limiting local governments ability to provide quality services. In strong-market places, existing property owners often can't afford necessary improvements and may have no choice but to sell to investors and leave the area.

Resources for neighborhood work often focus on producing affordable housing and serving low and moderate-income households. While this work is important and should continue, we're missing the tools we need to prevent more neighborhoods from becoming distressed in the first place. The Middle Neighborhoods Steering Committee is shaping a long-term effort aimed at bringing attention and support to America's middle neighborhoods. This includes research and analysis, a national policy campaign, and a growing peer-learning network. In the meantime, planners have an important role to play locally in identifying their middle neighborhoods, analyzing which ones are vulnerable, and advocating for strategies that ensure they become more stable and healthy, while remaining diverse.



# AICP EXAM SCHOLARSHIP AVAILABLE

SUBMITTED BY DAVID WILWERDING, AICP

COMMUNITY DEVELOPMENT DIRECTOR, CITY OF JOHNSTON, DWILWERDING@CITYOFJOHNSTON.COM

Are you interested in taking the AICP Exam but are prevented from doing so because of a financial hardship? If so, APA Iowa offers an AICP Exam Scholarship to qualifying members. The scholarship would reduce the exam fee from \$425 to \$75 dollars. In addition, the applicant would need to also pay the \$70 application fee.

If you're interested in applying for this scholarship, please provide a written explanation of financial hardship (including financial hardship caused by a budget cutback in a firm or agency), which necessitates the request. Please note the applicant selected would otherwise be unlikely to take the exam without the reduced fee and the applicant's employer will not subsidize the exam fee.

Scholarship applications should be submitted to David Wilwerding, APA Iowa Professional Development Officer by email at [dwilwerding@cityofjohnston.com](mailto:dwilwerding@cityofjohnston.com). Applications should be submitted no later than August 15, 2019 to qualify for the November 2019 testing window.

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## RDG PLANNING & DESIGN 2018 DESIGN RESIDENCY

SUBMITTED BY CHARLIE COWELL, AICP

RDG PLANNING & DESIGN, [CCOWELL@RDGUSA.COM](mailto:CCOWELL@RDGUSA.COM)

For 8 years now, RDG Planning and Design has hosted the Design Residency, a 3-day charrette style learning event which gathers the nation's top graduate students from many fields to address complex community problems. The Design Residency was born out of the desire to connect the community to design practitioners by offering an integrated, collaborative opportunity to graduate students in multiple disciplines. The 2018 panel was comprised of ten graduate students from across the country and thirteen nationally known experts including a FEMA advisor/program director, city engineers and city managers, sustainable and economic policy makers, and a co-winner of the 2007 Nobel Peace Prize.



The 2018 Residency focused on resilience, a topic that has risen to the top of importance for leaders on a national scale. The multidisciplinary think tank developed the Design Atlas for Climate Resilience. They realized that effective climate resilience relies as much on good communication and information solutions as it does on physical design. The student residents chose to focus on youth knowing the lasting impact they could have, resulting in a game: SHOCK! The climate change board game prototype was developed to make learning about resiliency both educational and fun. The residents developed interactive learning-through-play prototypes that could be incorporated into school curricula or used in other learning environments both for children and adults. This idea of games to teach resilience is catching on. The County of Marin, CA released a boxed version of its Game of Floods in early 2019, which teaches players about adaptation options to combat sea level rise. More information can be found at: <https://www.marincounty.org/depts/cd/divisions/planning/csmart-sea-level-rise/game-of-floods>.

Climate change is inevitable and is showing its force across the world through more frequent, costly, and deadly natural disasters. Including underrepresented populations such as our youth is important to understanding how resilience can benefit the entire community now and into the future. A video summarizing the 2018 design residency can be found at <https://rdgusa.com/designresidency/>.



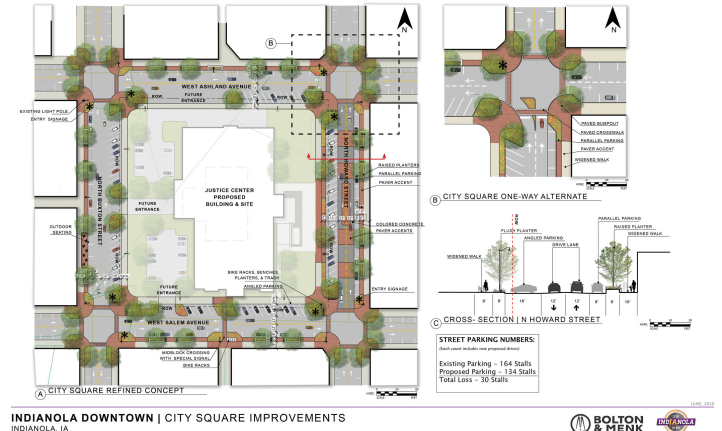
# CHANGES COMING TO INDIANOLA'S DOWNTOWN SQUARE

SUBMITTED BY CHARLIE E. DISSELL, AICP,  
COMMUNITY & ECONOMIC DEVELOPMENT  
DIRECTOR, CITY OF INDIANOLA  
CDISSELL@INDIANOLA.IOWA.GOV

AND ROSE E. BROWN, AICP, SENIOR  
URBAN PLANNER, BOLTON & MENK, INC.  
ROSE.BROWN@BOLTON-MENK.COM

In August of 2018, Warren County voters approved a nearly \$30 Million bond referendum to construct a new justice center for Warren County in the heart of Indianola's Downtown Square. Knowing that changes were coming, in September of 2018, the City of Indianola partnered with the Indianola Chamber of Commerce and Warren County Economic Development Council to have the Iowa Economic Development Authority conduct a Downtown Assessment on Indianola's Downtown Square. The results of the Downtown Assessment visit recommended the City of Indianola focus on six key areas, one of which was to look at the Downtown Square infrastructure and identify improvements that could be made to the streetscape during the construction of the Warren County Justice Center. To assist with this recommendation, the City consulted with Bolton & Menk, Inc. in February of this year to redesign the streetscape of Indianola's Downtown Square. Later this month, the Indianola City Council will receive a presentation on the final recommendations of the Indianola Downtown Square streetscape redesign.

## CITY SQUARE REFINED CONCEPT



The process was led by the leadership of City staff and a local steering committee made up of business owners in the Downtown Square, residents, and other interested parties. A series of meetings were held with the steering committee that led to the presentation of a refined concept that was made available for comment at a public open house in May. The process started with the steering committee identifying issues and opportunities for the Indianola Downtown Square. Topics discussed at the first meeting included: historic elements, current challenges, functionality, and pedestrian circulation. The initial priorities and ideas were used to create three preliminary concepts. The second steering committee meeting was used to discuss each of the concepts and receive direction for further refinement. Each concept portrayed different opportunities for the Downtown Square. The options considered: one-way vs. two-way traffic patterns, bump-outs at the intersections, bike lanes, outdoor seating, parking stall typologies, and pedestrian crosswalks. The refined concept includes: bump-outs, widened sidewalks, a combination of parking types, and hardscape enhancements.

# IOWA INITIATIVE FOR SUSTAINABLE COMMUNITIES

SUBMITTED BY TRAVIS KRAUS  
DIRECTOR, OFFICE OF OUTREACH & ENGAGEMENT, UNIVERSITY OF IOWA, TRAVIS-KRAUS@UIOWA.EDU

While working as a regional planner in southeast Iowa, then later as an economic development and chamber director, and now through my role connecting the University of Iowa with communities across the state, I have never once thought I'd get caught up on my to-do list. In community planning and economic development, the problem is rarely a lack of great ideas, but rather too little time and too few resources. Despite my personal tendency to try and do everything myself, I've learned that working with others to accomplish shared goals is much more productive. This is also true for communities- successful communities understand the value of strong partnerships.

The University of Iowa also grows when we collaborate and co-create, which is why “engagement” is one of the main points of the UI strategic plan. The UI Office of Outreach and Engagement supports that effort through mutually-beneficial partnerships that both enrich learning opportunities for our students and build up Iowa communities. We facilitate a campus-wide effort to enhance the capacity of rural and urban communities in Iowa to address the environmental, equity, economic, and cultural issues facing us today and to help plan for a sustainable future.

One way that we work with communities is through the Iowa Initiative for Sustainable Communities (IISC) partnership. Imagine 100+ creative, passionate, and dedicated students and faculty working to make a difference in your community. That's exactly what we've been doing in cities across Iowa through the IISC, which is now marking its 10th anniversary. Btw... we're currently seeking Letters of Interest for the IISC partnership (visit <https://outreach.uiowa.edu> for details). Building sustainable communities requires a collaborative spirit and desire to partner with a diverse array of organizations and institutions. Consider the University of Iowa and IISC as you think about your community's to-do list.

# 2019 IOWA APA CHAPTER ANNUAL CONFERENCE OCT. 9-11, IOWA CITY

SUBMITTED BY APA CONFERENCE COMMITTEE

The APA Iowa Conference Planning Committee has been working diligently to bring you to the Iowa APA Chapter Conference, set for October 9-11 at The Graduate Hotel in Iowa City. Hotel information is currently available on the chapter website at <http://www.iowa-apa.org/resources/apa-iowa-chapter-annual-conference.html>, and conference registration will begin August 1st.



The theme for the 2019 conference is “Multiplicity: Planning for Communities in a State of Change.” The host site of Iowa City will allow conference attendees to witness first-hand a community in a state of change. A center of art, culture, and education, Iowa City is home to the University of Iowa, world class healthcare facilities, and a rich literary tradition that has attracted national and international attention and designation as a UNESCO City of Literature.

Iowa City’s vibrant and bustling downtown features many locally-owned restaurants and shops, public art, and a uniquely successful pedestrian mall. A balance of historic preservation and innovative urban redevelopment contributes to the vitality of the community. Both efforts represent a successful response to two natural disasters—the tornado of 2006 and the flood of 2008—and are part of a strategic plan to build a more sustainable community that is transit-oriented, walkable, and bike-friendly.

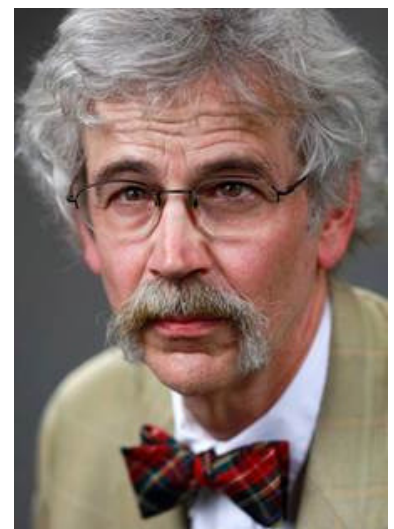
It’s an exciting time in Iowa City in terms of planning! Between January 2018 and today, the City issued 222 building permits. The total value of these projects exceeds \$203 million and includes 625 multi-family dwelling units, 174 single-family dwelling units, and around 1.3 million square feet of non-residential space.

Since the adoption of the Riverfront Crossings form-based code in 2014, the City has approved 14 projects in the district totaling 1,045 dwelling units, two hotels, and several new commercial and retail spaces. Riverfront Crossings is also home to a new public park, which is located along the Iowa River and Ralston Creek. The park is the outcome of the community-agreed upon vision for this area and is included as part of a mobile tour. It includes an amphitheater, a zipline, and direct access to Ralston Creek, which allows children to play and explore in the water.

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## KEYNOTE SPEAKER: ART CULLEN

Art Cullen is a Pulitzer Prize-winning journalist, editor of The Storm Lake Times (a family-run weekly newspaper), and author of Storm Lake: A Chronicle of Change, Resilience, and Hope from a Heartland Newspaper. Cullen has made it his life’s work to ask the big questions, speak truth to power, and share the struggles and successes of his unique community of Storm Lake, Iowa (Census pop. 10,076). His new book is part cultural history, part memoir — it explores the themes of family, community, immigration and diversity, the meaning of home, and the Heartland’s turbulent history and promising progressive future. Drawing from the stories of one special small town on the “broken prairie,” and his family’s perspectives from their small-town newspaper business, Cullen hopes to inspire a broader sense of dialogue, renewal, and understanding of rural places. In politically divisive times, when Americans from Red States and Blue States often feel estranged from each other, Cullen’s book attempts to show an optimistic way forward.



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# IOWA PLANNER SPOTLIGHT:

## TONY FILIPPINI, AICP

Senior Transit Planner, DART (Des Moines Area  
Regional Transit Authority)  
APA-Iowa Chapter Board Member, Secretary  
tonyfil@gmail.com

### **Degree & School**

BS in Community and Regional Planning from Iowa  
State University.



### **Why did you decide to become a planner?**

I had an early interest in cities probably in large part to playing SimCity way too much. In high school, I distinctly remember watching a TV ad for UIC and the announcer listed programs available including "city planning". That was the first I heard that planning was a real job and had lead me to find the planning program at Iowa State.

### **What are your areas of expertise?**

Most of my career has been in regional transportation planning along with a few years focused on transit operations and system planning.

### **What aspects of planning do you enjoy the most?**

Cities present so much complexity that our profession demands constant exploration in topics from land use, design, transportation, environment, social issues, economics, etc. A satisfying job for me is when I have to learn something new and apply it to my work.

### **Describe a recent project you've contributed to that you are proud of. Why is it important? Highlight methods that made the project a success.**

Over the past few years I have been involved with a local community group focused on making Ames a healthy community through a variety of strategies, including the promotion of physical activity. Their work has resulted in a multitude of contributions including the adoption of a Complete Streets Policy and design guide, hosting open-streets events, and free helmet and fitting programs in local elementary schools. I appreciate being part of a community-driven organization which has provided me a great way to contribute and learn from a group of community members with a diverse set of expertise in areas planners are not traditionally involved with, such as physicians and educators.

### **What is one planning challenge you foresee for Iowa or your community over the next 10 years? What preparation do you recommend to meet this challenge?**

The recent discussions of providing health services in the State highlight the difficulties Iowans face in accessing healthcare. This is especially true for the aging and rural populations in Iowa, which are growing more isolated. While new technology will give us tools for telemedicine and possibly cheaper mobility options, a focus on re-building and maintaining rural communities can provide healthcare advantages as well. Planners have a unique skillset to prepare our communities by bringing together local partners and State agencies to identify gaps and opportunities in accessing healthcare, either locally or to major medical centers. This also means forging new partnerships with practitioners beyond our immediate metro area or rural affiliations for a truly regional approach which preserves the quality of life for both metro areas and rural communities.

### **Do you have a favorite book about planning?**

The book "Trains, Buses, People: an Opinionated Atlas of US Transit" by Christof Spieler is usually near me in my living room. It's a great mix of transit principles, urban design, analysis, and maps (lots of maps!). It's a great primer for any planner on the basics of transit service and a must for any self-described NUMTOT.



# DON'T MISS OUT CHECK OUT THESE OPPORTUNITIES...

## JOB POSTINGS

### Project Manager

Job Type: Full Time  
Location: Waterloo, IA  
Employer: Iowa Northland Regional  
Council of Governments

### Community Development Specialist

Job Type: Full Time  
Location: Waterloo, IA  
Employer: Iowa Northland Regional  
Council of Governments

### Planner II

Job Type: Full Time  
Location: Cedar Falls, IA  
Employer: City of Cedar Falls

### Senior Transportation Planner

Job Type: Full Time  
Location: Roseville, MN  
Employer: City of Roseville

### MPO Program Manager

Job Type: Full Time  
Location: Grand Rapids, MN  
Employer: City of Grand Rapids

### More openings from the region available on the APA-Iowa Chapter Website

## GET INVOLVED IN APA-IOWA CHAPTER

Are you interested in getting more involved with APA-Iowa Chapter? We are always on the lookout for members to serve on the chapter board, a standing committee, or assist with temporary, short-term projects. If you are interested, please fill out this short form to understand what your interest areas are and to what degree you want to become involved. We anticipate subcommittees will be forming around the various program areas in the strategic plan. Feel free to contact Dylan Mullenix, APA-Iowa Chapter Chapter President, if you have any questions.

## U OF I REACCREDITATION MEETING

SUBMITTED BY CHARLES CONNERLY, PH.D.  
PROFESSOR AND DIRECTOR, SCHOOL OF URBAN & REGIONAL  
PLANNING, UNIVERSITY OF IOWA CHARLES-CONNERLY@UIOWA.EDU

The University of Iowa School of Urban and Regional Planning is undergoing a reaccreditation process for the first time since 2012. The Planning Accreditation Board and the UI School of Urban and Regional Planning invite Iowa APA Chapter members to attend a meeting with the three member site visit team on Monday, September 23 from 3:30 to 5:00 pm. The meeting will take place in Room B-5 (in the basement) of Jessup Hall. The meeting is open to alumni, employers, and APA chapter members and will feature an opportunity to speak to the degree to which the School of Urban and Regional Planning succeeds in preparing professional planners.

The meeting will be teleconferenced. If you wish to attend, please contact Gina Davis at [gina-davis@uiowa.edu](mailto:gina-davis@uiowa.edu) and let her know if you will be at the meeting in person or via Zoom teleconferencing. If you wish a copy of the Self Study, please contact Chuck Connerly, School Director, at [charles-connerly@uiowa.edu](mailto:charles-connerly@uiowa.edu)

## UPCOMING EVENTS

July 11 - Central Iowa APA Meetup at Saylorville Lake Marina, Polk City

July 11 - Nebraska APA Meetup at Nebraska Brewing Company, all planners welcome to attend, La Vista

July 11-20 - Iowa State Students Showcase Pilot Urban Design Projects to Improve Recovery from Future Hurricanes in Puerto Rico, Ames

July 19- APA Iowa Chapter Board Meeting, Des Moines

July 25 - Form Based Zoning: How to Apply Des Moines' New Proposed Code, Co-hosted by ULI & APA Iowa, Des Moines

August 1- Iowa State University workshop on "Developing a Convergence SUS (Sustainable Urban Systems) Agenda for Redesigning the Urban-Rural Interface along the Mississippi River Watershed (Register by July 22), Ames



Oct. 9-11 - 2019 APA-Iowa Chapter Planning Conference, Iowa City

Follow us on Facebook to stay up to date on events and happenings.

Submit your community updates for October's newsletter by Friday, October 4th.

Fill out the form to be featured in our Planner Spotlight.



## COMMUNITY DEVELOPMENT

**To:** Ryan J. Waller, City Manager  
**From:** Charlie E. Dissell, AICP, Community and Economic Development Director  
**Subject:** Current Projects Update-July 12, 2019

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The purpose of this memorandum is to provide a brief synopsis of different projects that may be of interest to the Council.

- **McConnell Subdivision Preliminary Plat**
  - City Council approved on January 22, 2019
- **Quail Meadows Townhomes Preliminary Plat**
  - Final Plat approved by Council on May 20.
  - Site development is taking place and work is progressing.
- **Prairie Glynn Plat 2**
  - Construction plans have been submitted and will be approved once changes are made.
  - A second revised preliminary and final plat were submitted on June 5. The Planning and Zoning Commission reviewed the preliminary plat at its July 9 meeting, and Council is scheduled to review the preliminary plat at its July 15 meeting.
- **Autumn Ridge Subdivision**
  - City Council a Development Agreement on June 17.
- **Summercrest Hills 6**
  - This week, staff was notified that about 30 acres of land in the Summercrest Hills development was sold to a developer who intends to develop single family lots.
  - A rezoning application was submitted on July 1 to change a portion on this land from C-2 to R-3.
  - This development will require the City to relocate the current lift station north of the Quail Meadows Subdivision to the north of the Summercrest Hills development.
- **Warren County Justice Center (115 North Howard Street)**
  - Staff has continued to meet with the General Contractor on this project to discuss site layout, utilities, closures, haul routes, etc.
  - Staff compiled a comment and questions to the County's contractor and design team on March 27. Staff received a response to this letter on April 12.

- **West Hills Brewery (219 West Salem Avenue)**
  - City staff held a pre-application meeting with business owners on January 25
  - Building permit application and plans submitted for a new brewery on January 30.
  - City staff held follow-up meeting with applicant on February 21 on plan review comments regarding the need for a fire sprinkler system.
  - Chief Chia has approved a variance to the automatic sprinkler requirement due to an undersized water main along West Salem Avenue. A Condition of this variance calls for the installation of a fire alarm/smoke detection system and the applicant signing a hold harmless agreement.
  - Council approved the hold harmless agreement on April 15.
  - Building permits have been issued and inspections conducted.
- **New Heights Church (309 East Hillcrest Avenue)**
  - The project engineer contacted the City on February 7 to clarify plan review comments.
  - Updated site plan was received on March 7.
  - Updated comments returned to applicant on March 20.
  - The project engineer contacted the City on July 11 to clarify plan review comments.
- **Gritt Performance (983 East Hillcrest Avenue)**
  - Site plan for this project has been submitted to the City and is being reviewed by Staff and City Engineer.
  - Plan review comments returned to applicant on February 20.
  - Updated site plans were resubmitted on March 4.
  - Updated comments returned on March 18.
  - Updated site plans were resubmitted on March 26.
  - Site plan was approved on April 8.
  - Staff met with the property owner on April 10 to discuss preliminary building plans.
  - Staff met with property owner on May 23 to discuss financial assistance options.
  - Building permit application applied for on June 14.
  - Building permit comments were returned on June 25.
- **Ace Hardware (506 North Jefferson Way)**
  - City staff held a pre-development meeting on this project on February 22.
  - The project would include the demolition of the existing car wash, and a new building.
  - The existing Mudslingers Coffee Shop would remain.
- **Chumbley's Auto Care (110 South Jefferson Way)**
  - Staff met with the business owner on March 15 to discuss plans for future building.
  - Staff has submitted preliminary comments on the site plan to the business owner.
  - Site plan and building permit application plan were submitted on May 10.
  - Comments were returned to the applicant on May 22.
  - Revised site plans and building permit plans were resubmitted on July 10.

- **Indianola Regular Baptist Church (1209 East 2nd Avenue)**
  - Staff held a preapplication meeting for a proposed addition to this church on March 29.
  - Building permit application was submitted on May 28.
  - Building permit comments were returned on June 25.
  - On July 8, staff was informed that the Church has put this project on hold.
- **Missouri Valley JATC Training Facility (1600 East Iowa Avenue)**
  - Site Plan for this project was submitted on April 3 to the City and comments were returned on April 22.
  - City Staff has also held internal meetings regarding new road alignment within the industrial park expansion.
  - City staff met with the Missouri Valley on May 1 to discuss access to this site and possible road upgrades/funding.
  - A revised site plan was submitted on May 20.
  - Revised comments were returned on June 4.
  - A second revised site plan was submitted on June 11.
  - Site Plan was approved on June 11.
  - Building permit application was submitted on June 14.
  - Building permit comments were returned on July 2.
  - Staff has meet with Missouri Valley on a development agreement related to future infrastructure improvements.
- **Indianola Pediatric Dentist (2001 North 6<sup>th</sup> Street)**
  - Site plan and stormwater management plan were submitted on May 23.
  - Comments were returned to the applicant on June 2.
  - Building permit application submitted on June 13.
  - Site plan and stormwater management plan were approved on June 18.
  - Building permit comments returned on July 3.
  - Revised building permit plans were resubmitted on July 11.
- **Cavitt Creek Condominiums I & II (1400 and 1500 block of North 9<sup>th</sup> Street)**
  - Site plan and stormwater management plan were submitted on June 3.
  - Cavitt Creek I, between 1404 and 1500 North 9<sup>th</sup> Street, proposes 12 duplexes (24 units)
  - Cavitt Creek II, to the west of Cavitt Creek I and 1500 North 9<sup>th</sup> Street, proposes 21 duplexes and 14 six-plexes, for a total of 126 units.
  - Site plan and stormwater management plan comments were returned to the applicant on June 20.
  - Both site plans will need to be reviewed by the Planning and Zoning Commission and approved by the City Council.
  - Revised site plans for Cavitt Creek Condominiums I were submitted on June 28.
  - Revised site plans for Cavitt Creek Condominiums II were submitted on July 10.



- **D&D Property (204 North Jefferson Way)**
  - City Council directed staff to move forward on an offer on this lot.
  - An alley vacation was recommended for approval by the Planning and Zoning Commission on May 14.
  - Council held a Public Hearing and approved the alley vacation on June 3.
- **Hillcrest TIF Update**
  - Staff submitted all preliminary information to Attorneys to begin to TIF Update process on March 11.
  - The consultation meeting with affected taxing entities (Warren County and Indianola School District) took place on April 24.
  - The public hearing for the first amendment was on May 20.
  - Council approved the first amendment on June 17
  - The consultation meeting for the second amendment took place on July 8 at 9AM in the Council Chambers.
  - The public hearing for the second amendment will take place on August 5.
  - As part of the second amendment, the City is required to get consent from land owners who have agricultural land for 3 of the last 5 years. These agreements have all been received.

August 5, 2019  
Draft Council Agenda

- Minutes
- Claims
- Applications
- City Manager's Report
- Salaries
- East Hillcrest Avenue Trail – Resolution approving and accepting Recreation Trail Easements and Resolution approving contract and bond
- Public hearing and resolution for the Hillcrest/Downtown Unified Urban Renewal Plan amendment no. 2, first consideration of an ordinance for amendment #2
- Presentation regarding the EMS Billing – Todd Cooper



August 19, 2019  
Draft Council Agenda

- Minutes
- Claims
- Applications
- City Manager's Report
- Salaries
- Second consideration of an ordinance for amendment #2

August 19, 2019  
Draft Council Study Agenda



| Permit #                                 | Permit Year | Permit Date | Permitte                   | Owner if Different from Permittee                                           | Address              | Project                              | Last Inspected     | Permit Expired | Date Letter Sent                     | Re Apply?                                            | New Permit # | Date RePerm | DATE Re Inspect/ Finaled                                                                               | Notes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|------------------------------------------|-------------|-------------|----------------------------|-----------------------------------------------------------------------------|----------------------|--------------------------------------|--------------------|----------------|--------------------------------------|------------------------------------------------------|--------------|-------------|--------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>2016</b>                              |             |             |                            |                                                                             |                      |                                      |                    |                |                                      |                                                      |              |             |                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>2017</b>                              |             |             |                            |                                                                             |                      |                                      |                    |                |                                      |                                                      |              |             |                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 4                                        | 2017        | 2/1         | Wade Williams              |                                                                             | 1005 Ann Parkway     | Bathroom Addition                    | NONE               |                |                                      |                                                      |              |             |                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 5                                        | 2017        | 2/4         | Cary Jordan                |                                                                             | 1002 E Madison       | Residential Addition                 | NONE               |                |                                      |                                                      |              |             |                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 6                                        | 2017        | 2/15        | Adam Loux                  |                                                                             | 304 N 4th Street     | Garage                               | 4/3/2017           |                |                                      |                                                      |              |             |                                                                                                        | Board of Adjustments 12/7/16 requesting variance allow for a 1350 sq ft garage. This was approved to store his camper. RI plumbing and Electric inspection 4/3/17                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 7                                        | 2017        | 2/21        | Rodger & Cindy Tensdale    |                                                                             | 506 W Salem Ave      | Residential Restoration Support Beam | 3/2/2017           |                |                                      |                                                      |              |             |                                                                                                        | Support beam in the home. Only inspection in file is the framing inspection. This permit requires a CO                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 11                                       | 2017        | 2/23        | Bergstrom Construction LC  | Missouri Valley Line Construction                                           | 1707 N 14th Street   | Commercial Alteration                | 3/6/2017           |                |                                      |                                                      |              |             |                                                                                                        | Apprenticeship school for power pole workers. Includes office space and training room. Only inspection in file is a Framing and electrical RI inspection. 5/15/19 handed to CD to review. This DOES require a CO.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 12                                       | 2017        | 2/22        | Tim Dusenberry             |                                                                             | 1208 E Lincoln Ave   | Deck                                 | NONE               |                |                                      |                                                      |              |             |                                                                                                        | no inspections on file                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>2018</b>                              |             |             |                            |                                                                             |                      |                                      |                    |                |                                      |                                                      |              |             |                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>ACTIVE - in Motion for INSPECTION</b> |             |             |                            |                                                                             |                      |                                      |                    |                |                                      |                                                      |              |             |                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 29                                       | 2015        |             | Alex Van Clark             |                                                                             | 1003 North E Street  | Addition BR and Egress Wind          | 7/2/2015           | 12/29/2015     | 11/8/2018<br>1/29/2019               | Reminder Letter Sent<br>04/05/2019                   |              |             | 02/08/19<br>FAILED                                                                                     | 515-669-7886 - Alex - states they did the finish the basement walls just cut a hole in the drywall to add a different bedroom. He states the egress windows are complete. Requesting an extension on bedrooms or will call if no longer doing them to close permit. SB inspected 02/08/19 FAILED. Fire alarm outside of bedroom is more than 10' from door. Closet light had exposed bulb. Needs to be reinspected to final out.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 32                                       | 2018        | 4/9         | Amie Hale                  |                                                                             | 107 South 19th Court | Pool                                 | 8/3/2018           | 1/30/2019      | 9/27/2018<br>1/29/19                 | EXT til May                                          |              |             |                                                                                                        | Warning Letter advising of expiration if no final inspection. Extension given until May 2019 for final. 515-556-6715 Amie ..                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 67                                       | 2018        | 6/8         | Dan & Irene Bertsch        | Mail to : 805 W 3rd Ave Indianola                                           | 610 S Freeman Street | Garage Addition                      | NONE 1/30/19<br>SB | 12/5/2018      | 01/29/19                             | Reminder Letter Sent<br>04/05/2019<br>EXT Til 7/1/19 |              |             | 1/30/19<br>FAILED                                                                                      | Added to spreadsheet 1/24/19 krb - Mail to 805 W 3rd Ave. 1/29/19. Owner called in to have inspection for final. 1/30 Safebuilding. States unable to see previous work covered prior to inspection. Needs hurricane clips. FAILED. Will need to have re inspected once items mentioned are corrected. Owners email 2/14/19 "I am responding to the letter I received from you regarding the construction at 610 south freeman. The work is not completed so I will need an extension of the permit. The work is being done by Ron Miller construction. Dan Bertsch" Dan called office 5/24/19 requesting extension till July 515-240-5924.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 68                                       | 2017        |             | Richard Stewart            |                                                                             | 1209 Lancaster Way   | Single Family Dwelling               | 10/10/2017         | 4/8/2018       | 8/28/2018<br>1/29/2019               | Reminder Letter Sent<br>04/05/2019                   |              |             | 2/13/19<br>FAILED<br>2/27/19<br>FAILED<br>2/28/19<br>OK FOR<br>TEMP CO<br>(sod, gutters, grade needed) | Owner came in 02/11/19 reports final done by RP in July of 2018. No inspec sht in file. Scheduled final with Safebuilding. Mr. Stewart 515-490-8339 "SB inspected 2/13/19 failed "AC breaker is 30 amp needs to be 25 amp, unfinished basement outlets need to be GFI protected, water heater drain pipe is missing, need gutters and downspouts installed." Owner came to office 2/19 asked if he could just get final or temp co for GFI, breaker and drain pipe being done, but will not be able to get to gutters and downspouts till its warmer. Jeff with SB agreed to do Temp CO inspection. Owner will call in when ready for Temp CO inspection. Reinspection for final set up with sb 2/27/19. FAILED - Punchlist complete except gutter and downspout. Will complete by spring. Will call for reinspection. SB inspection 2/28/19 "missing gutters, missing final grade and sod. Landing at lower end of the stairs approved. Need drip leg on gas line at furnace. Permanent address required. House number not visible from street. Builder is planning a column with address at end of drive. Temp address sign in place now. Ok for temp CO. Spoke to permite/builder 5/10/2019. All is done but painting the home. Plans to have this done and ready for Final CO inspection in June 2019. |
| 82                                       | 2015        |             | Brian Hoxmeier             |                                                                             | 1308 N 6th Street    | Basement Finish                      | 1/6/2016           | 7/4/2016       | 01/29/19                             | EXT til December of 2019 per CD                      |              |             |                                                                                                        | Brian (38-991-3092) called and would like an extension until the end of the year on this permit. Please make note of an extension until 12/31/19 per Charlie D.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 98                                       | 2015        |             | Brad Butler                | Bradley Butler & Alesia Wright<br>1306 E Detroit Ave<br>Indianola, IA 50125 | 410 W 1st Ave        | Front Porch Repair                   | NONE               | 3/19/2016      | 11/8/2018<br>1/29/2019<br>02/25/2019 | FINAL NOTICE<br>4/05/2019                            |              |             |                                                                                                        | Contacted owner listed on application -Spoke 4/22/19 . Stated the porch was finished and he currently has rental tenants living in the home. States the inspector is welcome to come over as long as they do not disturb the residents.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 104                                      | 2017        | 8/18        | Brook Breuklander          |                                                                             | 908 N Y Street       | Pool Deck                            | NONE               | 2/14/2018      | 01/29/19                             | Second Notice<br>5/15/19 Notice<br>04/05/2019        |              |             |                                                                                                        | Owner called in 5/22/19 states that inspector came out over a year ago. Was told to do a couple things but nothing else. No final was called for inspection by owner. Set inspection for 5/23 at 9am                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 110                                      | 2017        | 9/7         | Cross Cut Custom Carpentry | Robert & Deb Elgin                                                          | 210 N 15th Street    | Deck                                 | 9/7/2017           | 3/6/2018       | 01/29/19                             | Reminder Letter Sent<br>04/05/2019                   |              |             | 02/07/19<br>FAILED                                                                                     | 2/5/19 owner called in regarding inspection needed. SB scheduled for 2/07/19. Inspection Failed. Will need to call to reinspect. Owner cld in 2/11 asked for failed inspection report. Emailed inspection report to owner 2/11. advised to let us know when she would like to reschedule final                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 140                                      | 2016        |             | Joe Ripperger              |                                                                             | 209 N M Street       | Deck                                 | NONE               | 4/11/2017      | 11/12/2018<br>1/29/2019              | Reminder Letter Sent<br>04/05/2019                   |              |             | 02/05/19<br>FAILED                                                                                     | Zach current home owner - 515-729-4649 says okay to come whenever just call. Per SB 02/05/19 Jeff Begg "4x4 post more than 8" tall. Appear to be buried in the ground, unable to verify frost depth. Beam should be notched into post or supported with approved brackets. Stairs and all railing approved. FAILED DECK. Will need to schedule reinspection."                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 141                                      | 2016        |             | Sean Thompson              |                                                                             | 204 E Kentucky Ave   | Deck                                 | NONE               | 4/12/2017      | 11/12/2018<br>1/29/2019<br>2/25/19   | Reminder Letter Sent<br>04/05/2019                   |              |             |                                                                                                        | Resent letters with SECOND NOTICE listed on top. Recvd call from owner of the home. 515-330-7168. Sean Thompson 515-991-4729. He is out of town until 3/5/19. Advised that Safebuilding to call to set up final inspect next week.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

|     |      |      |             |               |                    |        |           |          |                         |                                       |  |  |                  |                                                                                                                                                                                                                                    |
|-----|------|------|-------------|---------------|--------------------|--------|-----------|----------|-------------------------|---------------------------------------|--|--|------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 146 | 2016 |      | Brad Butler | Ross Huff     | 611 Quail Ridge Rd | Deck   | 11/7/2016 | 5/6/2017 | 11/12/2018<br>1/29/2019 | Reminder<br>Letter Sent<br>04/05/2019 |  |  | 1/3/2019<br>FAIL | Owner called in requesting inspection for final. Sent to safebuild 12/27/18 Ross Huff - Safebuild inspected project on 1/3/19 FAILED- Will reinspect when called                                                                   |
| 148 | 2017 | 11/3 | Iowa Drone  | Sean Thompson | 204 E Kentucky Ave | Garage | NONE      | 5/2/2018 | 1/29/2019<br>2/25/19    | Reminder<br>Letter Sent<br>04/05/2019 |  |  |                  | Resent letters with SECOND NOTICE listed on top. Recvd call from owner of the home. 515-330-7168. Sean Thompson 515-991-4729. He is out of town until 3/5/19. Advised that Safebuilding to call to set up final inspect next week. |



| <u>Property Address</u>                              | <u>Owner Information</u><br><i>RED = Habitual</i>                                                           | <u>Ordinance Listed Nuisance Issue</u> | <u>Code</u>                            | <u>Complaint Info, Progress and Actions</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <u>Dept Actions</u>                                                                             | <u>Established Deadline for Abatement</u> | <u>Follow Up by- Date</u> |
|------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|----------------------------------------|----------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|-------------------------------------------|---------------------------|
| <b>IN PROGRESS</b>                                   |                                                                                                             |                                        |                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                 |                                           |                           |
| 106 W Hillcrest                                      | Micheel Lynne Peterson                                                                                      | Tall Grass, Weeds                      | 50.02 (12)                             | 6/18 Caller reports tall grass and weeds at this location. No mowing in the back yard. States a neighbor mows in the front but not in the back yard. TL visited site 7/2 left door hanger. Owner called in. States her mower is not working and the backyard has gotten away from her. She will be contacting mowing services this week and will hopefully have it rectified. Gave extension til 7/14 to complete and schedule service                                                                                                                                                                                                                                              |                                                                                                 |                                           | 07/16/19                  |
| 402 W 1st Ave                                        | Bern Investments                                                                                            |                                        |                                        | Home was demo'd but nothing has been picked up or removed since tear down. All debris still on site. Also not mowing. Contact owner and property maint Mr White.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                 |                                           | 07/16/19                  |
| 812 N V Street                                       | Todd Willson                                                                                                | Pool                                   |                                        | Gov QA 6/27 W015684-062719 reports pool without fencing around it. CD visited site. Will want to revisit                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                 |                                           | 07/16/19                  |
| 1416 E Franklin                                      | Dennis & Elizabeth Carter                                                                                   | Tree/Bush                              |                                        | 7/09/Lilac bush on the east side of the house on 15th Street. They are now almost covering the sidewalk and you cannot walk on the sidewalk must go onto the grass or road. Heavily trafficked sidewalk too. CD visited site. Will talk with TL 07/16/19                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                 |                                           | 07/16/19                  |
| 607 N N Street                                       | Brad Butler                                                                                                 | Tall Grass, Weeds                      | 50.02 (12)                             | 5/17/19 Gov QA complaint scottcretors63@msn.com - states back yard not being mowed. Grass over 2 ft tall. CD visited site. Still non complaint. Send letter with deadline                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Send Letter                                                                                     |                                           | 07/16/19                  |
| 1105 E Salem                                         | Kevin & Rebecca King                                                                                        | Junk Debris / Vehicles                 | 51.03 (01)<br>51.03 (03)               | caller reports corner lot- side lot full of junk / RV. TL Visited site 3/19. Took pics. Sent letter 4/22/19. Owner called and asked for extension until 5/31/19 to comply. Extension granted. 6/4/19 owner spoke with TL, asked for extension for 2 weeks. Granted. Progress being made. 6/11 received additional complaint call regarding property. "Citizen concerned this person is getting away with disobeying code and nothing is happening with sheet metal and debris. moves a vehicle but adds more junk." emailed TL to notify. Cd visited site. This property is not in compliance Wants to verify info with TL                                                          | TL & KB 3/19 Sent letter 4/22 EXTENSION TIL 6/18                                                | 06/18/19                                  | 7/16/2019                 |
| 1306 S Jefferson Way                                 | Van Houwelling Property LLC                                                                                 | Leaning Fence                          |                                        | Residence calling regarding business fence leaning into their property (back yard) they are putting up 2x4 to hold the fence up so it will not fall on their property. 6/19 contacted business manager. Stated he would get with corp and have this taken care of asap. Cd visited site. Wants to discuss with TL since code does not include fencing.                                                                                                                                                                                                                                                                                                                              | Contacted business. Follow up 6/23                                                              |                                           | 07/16/19                  |
| 301 West 2nd Ave                                     | Bittersweet Salvage Carpenter, Amber & Charles<br>13720 118th Ave,<br>Indianola, IA 50125                   | Dangerous Building                     |                                        | Inspection by TL and letter sent to rectify 4/25/2019 bp required by 5/28/19 with completion by 6/24/19. Tim & Sam working on currently                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Deadline 5/28/19 bP deadline 6/24/19                                                            | 06/24/19                                  | 07/16/19                  |
| 812 N V                                              |                                                                                                             | Pool                                   |                                        | Pool without unclimable fence on property. TL visited site 7/3 left a door hanger                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                 |                                           | 07/16/19                  |
| 1009 E Salem Ave                                     | Carrie Putney                                                                                               | Junk Debris, Vehicles, Grass           | 50.02 (12)<br>51.03 (01)<br>51.03 (03) | 6/18 reports of junk and garbage inyard, vehicles without engines on the property, parts strewn around yard and driveway. Tall grass, not mowing property. TL visited site on 7/2 still not mowed or picked up. Letter sent certified 7/2 with deadline of 7/15/19 due to holiday                                                                                                                                                                                                                                                                                                                                                                                                   | Sent letter 7/02/19<br>Deadline 7/15/19                                                         | 07/15/19                                  | 07/16/19                  |
| 801 N V Street                                       | Laura/Eric Dostal                                                                                           | Tall Grass, Weeds                      | 50.02 (12)                             | 6/18 Caller reports wanting to build a fence so that he does not have to see his neighbors backyard. He reports this location is not weed eating by the chain link fence they have and the weeds are over 2ft tall. States the yard is not being mowed and debris are also being placed in the yard . TL visited site 7/3 left door hanger .                                                                                                                                                                                                                                                                                                                                        |                                                                                                 |                                           | 07/16/19                  |
| 308 W 1st                                            | Ernest Martens                                                                                              | Junk Debris / Junk Vehicles            | 51.03 (01)                             | KB visited site 2/27/19 No change. Previous letters, visits, door hangers and abatement notices have gotten zero response for progress. 12/13/18, 12/19/18, 1/02/19, 1/16/19, 2/07/19, 2/22/19. UNREGISTERED CAR SITTING IN REAR YARD NEVER HAS BEEN MOVED . BID FOR ABATE. Inspection report for unsafe home was sent from Building Official/ TL left door hanger 7/3/19 junk vehicle and tall weeds in back yard only now on property.                                                                                                                                                                                                                                            | Certified Letter 1/23/2019<br>Extension til 2/4 for debris 2/22 for vehicle                     |                                           | 07/16/19                  |
| Parcel 48251012000<br>(N of E Lincoln & N 7th Court) | Johannsen Enterpsies LLC 2929<br>Westown Parkewy, Suite 100<br>West DSM 50266 515-491-<br>9184 515-440-1270 | Tall Grass / Weeds                     | 50.02 (12)                             | Tall grass, hasn't mowed all year. TL visited site 6/6. Sent letter Certified mail with deadline. Owner called in requesting extension- planning mow and bale. Would like to be given time until June 30th. Owner sent letter to be heard before council to deem the property a prairie grass stand, allowing him not to mow the property. Letter forwarded to CD 6/14/19. Received return notice 6/12 acceptance. Received appeal letter 6/14/19 given to council and placed on agenda. Visited site 6/26 still now mowed or touched. Follow up on 7/01/2019. Received call complaint 6/27. advised caller of appeal through council. No change 7/11 waiting to hear from council. | Letter Sent<br>Cert.6/10/2019<br>Deadline Set 6/14<br>Appeal Letter to Council Received 6/14/19 | TBD                                       | 7/19/2019                 |

|                                                                                                             |                                                                                                              |                                    |                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                 |                                                           |           |
|-------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|------------------------------------|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------|-----------------------------------------------------------|-----------|
| 513 N 1st Street                                                                                            | Matthew Jones<br>Trail Ridge Rd 605                                                                          | Tall Grass, Weeds                  | 50.02 (12)               | 7/3/19 Caller report 4 properites on N 1st Street that are not mowing. Tall grass and weeds in yard. Cd visited site. Done for most part but patch along Euclid remains. Send letter on euclid                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Send Letter                                                                     |                                                           | 07/20/19  |
| 810 West Detroit                                                                                            | Baker, Kirk Thomas                                                                                           | Junk Debris                        | 50.02 (4)                | Junk debris piled up next to and behind garage. TL visited site 6/4/19. Spoke with owner. Established 6/21/19 as deadline to have property cleaned up. 6/26 no progress. Sent letter deadline set for 7/3. 6/27/19 owner called office asked to have building official call him regarding the clean up wanting exact list of what needs to be removed. Emailed TL to contact owner .TL spoke to owner 7/1 extention til 7/19                                                                                                                                                                                                                                                                                                         | <b>LETTER SENT 6/26/19 Verbal Ext 7/19</b>                                      | <b>07/19/19</b>                                           | 07/20/19  |
| 1600 West Euclid                                                                                            | Todd/Holly Koeppen<br>11795 Dakota Street<br>Norwalk IA 50211-9158                                           | Sidewalk                           | 136.02 (1)               | Letter sent to owner on 6/19/19 deadline set for 7/19/19                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Letter sent 6/19<br>Deadline 7/19                                               | <b>07/19/19</b>                                           | 07/20/19  |
| 103 North F Street                                                                                          | Sandquist Investments LLC<br>1600 S K Street                                                                 | Sidewalk                           | 136.02 (1)               | Letter sent to owner on 6/19/19 deadline set for 7/19/19                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Letter sent 6/19<br>Deadline 7/19                                               | <b>07/19/19</b>                                           | 07/20/19  |
| 1801 West Euclid Ave                                                                                        | Hunkin, Uele M Susanne L                                                                                     | Defective Sidewalk                 | 136.02 (1)               | Letter sent 6/19 giving til 7/19 to rectify. 07/9/19 Owner called in stated this has been fixed                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 6/19 certified sent                                                             | <b>07/19/19</b>                                           | 7/20/2019 |
| 810 West Salem Ave                                                                                          | United States Dept of Agriculture<br>4300 Goodfellow Blvd Fc-21 St<br>Louis, MO 63120                        | Sidewalk                           | 136.02 (1)               | Letter sent 6/19/19 Deadline 7/19/2019. Owner called in. states sidewalk has been repaired                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Letter sent 6/19/19<br>Deadline 7/19/2019                                       | <b>07/19/19</b>                                           | 07/20/19  |
| 305 W Salem Ave                                                                                             | Willaim & Harriett Edwards                                                                                   | Junk Debris / Vehicles             | 51.03 (01)<br>51.03 (03) | Several vehicles in front drive and back of home / garage. Brush piles and appliances, tires, swing set etc. KB visited site 2/27 took pics. Send letter with pics to owner . TL visited site 7/3 all vehicles have current tags. Brush piles have been picked up. Close for now but keep eye on for next month.                                                                                                                                                                                                                                                                                                                                                                                                                     | Letter sent 02/28/19                                                            |                                                           | 07/31/19  |
| 413 S G                                                                                                     |                                                                                                              | Dead Tree                          | 50.02 (13)               | Caller reports dead pine trees losing bark on propety along with junk and debris. CD visited site states address is 413 S G. No junk debris found. Send letter. Deadline 08/12/19                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <b>Send Letter</b>                                                              |                                                           | 08/13/19  |
| 911 N C Street                                                                                              | Jon W Backstrom<br>PO Box 375                                                                                | Junk Vehicles<br>Tall Grass, Weeds | 51.03 (03)<br>50.02 (12) | Call regarding junk vehicles with no front plates and one that has been parked for months - does not work. 2/21 visited site. Took updated pics of exterior of home for legal. Took pics of vehicles in complaint. Noticed broken screen side door and broken glass window in door. Also infront of home, broken window in front overhang window. Shows large barrels or large blue containers of some sort placed against windows? TL 3/20 visited site. Took pics. Large barrels are gone but property has several debris piles behind house and between house and garage. <b>weeds are tall and spiratic on property. Owner came into office 6/14 states that they will have the footings and stuff started around June 24th.</b> | <b>Legal</b> Pulled building permit. Has 180 days to complete home.October 2019 |                                                           | 10/1/2019 |
| 401 W Salem                                                                                                 | Fetters, Richard<br>HRH Enterprises LLC<br>PO Box 57161 Pleasant<br>Hill, IA 50317                           | Dangerous Building                 |                          | Dangerous Building Inspection done on home damaged by storm. Has been year since in process of finishing home repair. 6/30 safebuild and TL completed review and inspection of home. Letter sent to owner informing of findings and what is needed to rectify - giving deadline of July 26, 2019 to apply for building permit to rectify. 7/02/2019 Building Permit applied for, approved and granted. Will have 180 days from issuance to complete or from last inspection.                                                                                                                                                                                                                                                         | Letter sent deadline set for 7/26/19 to apply for BP to rectify                 | <b>12/29/19</b>                                           | 12/30/19  |
| 306 S F Street                                                                                              | Pamela Shuff<br>1210 N 9th St., Unit 18<br>Indianola, IA 50125                                               | Dangerous Building                 |                          | Letter sent 5/6/2019 deadline 06/05/2019 <b>WITH LEGAL</b> follow up with Amy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                 |                                                           | LEGAL     |
| 506 N Kenwood Blvd                                                                                          | Joseph & Carolee Walles                                                                                      |                                    |                          | NO CHANGE as of 09/4/18 Given to Amy Brick Gentry to send letter to move forward. Property exterior abated 10/12/10/23/18. TL sent letter 05/06/2019 giving til 6/5/19 <b>WITH LEGAL</b> follow up with Amy. Tim made contact with bank pm team. Gave info for manager. Will have done by end of this week mowing...                                                                                                                                                                                                                                                                                                                                                                                                                 | DC 10/25 TL letter sent 5/6/19 deadline 6/5/19                                  |                                                           | LEGAL     |
| Field Parcel # 48251011000<br>Surrounded by homes E Kentucky Ave<br>drives straight into it. Also N 7th Ct. | Johannsen Enterpsies LLC 2929<br>Westown Parkewy, Suite 100<br>West DSM 50266 515-491-<br>9184 515-440--1270 | Tall Grass, Weeds                  | 50.02 (12)               | 6/27/2019 Caller reports that previous lot reported still has not been mowed. Was advised by staff the owner has filed a letter with City Council regarding prairie grass exemption. The caller reports additional properties owned by the same company that are also not being mowed. Reports snakes and other animals along with thistle and additional weeds are present and are not healthy for the community. Adv caller we would place on list and look into. TL to visit site and take pics. Will contact owner to rectify.                                                                                                                                                                                                   |                                                                                 | <b>FILED COUNCIL<br/>APPEAL<br/>HOLD TIL<br/>DECISION</b> | TBD       |

## BID FOR ABATEMENT

|              |                  |                  |        |                                                                                                                                                                                                                  |                                                             |              |  |
|--------------|------------------|------------------|--------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|--------------|--|
| 800 W Boston | Patricia Johnson | Tree Maintenance | Ch 151 | Caller reports tree hanging over the sidewalk and street. Too low, needs cut back. <b>Left Hanger 6/7/19. TL visited site 6/10 Send letter deadline 6/17/19. TL visited site 7/2 no change. ABATE BID NEEDED</b> | 6/10/19 sent letter<br>Deadline 6/17 as of<br>7/2 no change | <b>ABATE</b> |  |
|--------------|------------------|------------------|--------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|--------------|--|

### **CLOSED THIS WEEK**

|                                                                                                    |                                                                          |                         |                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                            |                 |       |
|----------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|-------------------------|---------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|-----------------|-------|
| 1603 W Detroit                                                                                     |                                                                          | Tall Grass, Weeds       |                           | Gov QA 6/17 W015641-061619 reports tall grass knee high. Cd visited site. Close Mowed                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                            |                 | CLOSE |
| 511 N 1st Street                                                                                   | Bradley Jolliff<br>15397 90th Ave                                        | Tall Grass, Weeds       | 50.02 (12)                | 7/3/19 Caller report 4 properites on N 1st Street that are not mowing. Tall grass and weeds in yard. Cd visited site. Done. Close                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                            |                 | CLOSE |
| 4803060010<br>(NW Corner of E Clinton Ave and N 1st Street)                                        | Simpson College<br>701 N C Street                                        | Tall Grass, Weeds       | 50.02 (12)                | 7/3/19 Caller report 4 properites on N 1st Street that are not mowing. Tall grass and weeds from sidewalk to the curb on the corner of E Clinton Ave and N 1st Street parking lot . CD visited site. Close                                                                                                                                                                                                                                                                                                                                 |                                                                            |                 | CLOSE |
| 48020020030<br>(SW Corner of E Clinton Ave and N 1st Street                                        | Helping Hand Inc<br>109 E Clinton Ave                                    | Tall Grass, Weeds       | 50.02 (12)                | 7/3/19 Caller report 4 properites on N 1st Street that are not mowing. Tall grass and weeds from building to the curb on the corner of E Clinton Ave and N 1st Street parking lot at Helping Hand Cd visited site. Close                                                                                                                                                                                                                                                                                                                   |                                                                            |                 | CLOSE |
| 903 W Boston Ave                                                                                   | Cory Keller                                                              | Tall Grass, Weeds       | 50.02 (12)                | Gov QA: 6/17 There isn't any grass on this property. The owners have been doing work on the house and I thought they might seed the yard last fall but they didn't. Now the weeds are very tall and getting ready to bloom. joycelgodwin@msn.com CD visited site. Unable to locate anything outside of code on property. close. Complainant will need to give correct address .                                                                                                                                                            |                                                                            |                 | CLOSE |
| 1203 West 2nd Ave                                                                                  | Tulip Apartment Group Inc 1400<br>N 14th Street                          | Tall Grass              |                           | Letter sent 6/25/19 by TL deadline set of 7/02/19. Cd visited site. Close                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Letter sent 6/25/19<br>Dealine 7/02/19                                     | <b>07/02/19</b> | CLOSE |
| 207 West Salem Ave                                                                                 | CanoeSport OutfittersHolmes,<br>Jeffrey S/ Gillum-Holmes,<br>Cassandra L | Junk Debris             | 51.03 (01)                | Junk piled up behind building. Spoke with owner. Said dumpster will be coming in next week or two. Gave until 5/31/19 to get property cleaned up and comply with city ordinance. <b>TL Visited site 6/4/19. Progress being made. Still has shingles to clean up and grass to mow. Extension granted until 6/18/19. 6/11 received call from business owner near this. Said clients will be parking in back of building and this place is embarrassing. LETTER SENT 6/26/2019.</b> CD visited site states picked up and in compliance. Close | Extension til 6/18<br>LETTER SENT<br>6/26/19 WITH<br>DEADLINE OF<br>7/3/19 | <b>7/3/2019</b> | CLOSE |
| 311 E Clinton Ave                                                                                  | Lucas & Jessice King 311 E<br>Clinton Ave                                | Dangerous Tree          | 50                        | Report of dangerous tree. Letter sent 6/6/19 deadline 6/17/19 established per TL. CD visited site. Close                                                                                                                                                                                                                                                                                                                                                                                                                                   | Letter 6/6/2019<br>Deadline 6/17/19                                        | <b>06/17/19</b> | CLOSE |
| W 1st St & Buxton (NE CORNER)                                                                      |                                                                          | Bushes Impeding View    |                           | 7/1 caller reports Bushes and weeds hang over street and impede view of oncoming traffic at intersection. TL visited site 7/2 location is now in compliance CLOSE                                                                                                                                                                                                                                                                                                                                                                          |                                                                            |                 | CLOSE |
| 411 W 1st St                                                                                       | Reuben O Burdess<br>410 W 2nd Ave<br>1648 Hwy J46<br>Allerton IA 50008   | Junk Debris             | 50.02 (4&5)<br>51.03 (01) | KB visited site 2/27/19 took pics Maint asked for extension til Wed 03/06/17 to remove all furniture and debris as has no where to dump at this time.New trailer and vehicle have been found on property since last visited. He stated it is being towed today. 2/28/19 confirmed trailer and turck there yesterday has been removed KB. Advised him that if not removed by 3/06/17 we may move forward with abatement of the property. TL visited site. There is continual progress. Will close for now. Keep an eye on.                  | Certified Letter<br>1/23/2019<br>Letter with new pics<br>02/11/19          |                 | CLOSE |
| 909 N J Street                                                                                     | Dubuque Street Properties 4207<br>SW 9th Street Des Moines,<br>IA 50315  | Tall Grass, Junk Debris | 50.02 (12)<br>50.02 (4)   | Caller states the yard needs mowed and there is junk debris and trash in the yard. Believes a rental tenant may have left, home vacant but owned by landlord? TL visited site 6/10/19 Send letter. Sent letter 6/11/19. TL visited site 7/3 mowed and picked up. Close                                                                                                                                                                                                                                                                     | 6/11/2019 Sent<br>Letter                                                   |                 | CLOSE |
| Vacant Parcel 48860000202<br>(S side of 2nd Ave) before businesses<br>begin) Next to 705 E 2nd Ave | <b>Dorothy Elizabeth Walk</b>                                            | Tall Grass , Weeds      | 50.02 (12)                | Tall grass, vacant lot, has not been mowed. Annually called in for not mowing. TL to visit site by 5/18. Vacant lot no place for door hanger. TI visited site 7/3 lot has been mowed. Close                                                                                                                                                                                                                                                                                                                                                | 6/13 Letter Sent<br>Deadline 6/20/19                                       |                 | CLOSE |

|                         |                       |
|-------------------------|-----------------------|
| <b>Closed this Week</b> | <b>12</b>             |
| <b>Up for Abatement</b> | <b>1</b>              |
| <b>In progress</b>      | <b>26</b>             |
| <b>With Legal</b>       | <b>10 (2) focused</b> |

|               |  |
|---------------|--|
| LEGALS CLOSED |  |
|---------------|--|



HELP US  
**ELEVATE**  
**INDIANOLA**  
WITH YOUR INPUT

WE'D LIKE TO HEAR **YOUR OPINION** ABOUT THE  
VALUES, PRIORITIES, AND FUTURE DIRECTION FOR THE CITY!

CHECK OUT THE PROJECT WEBSITE FOR UPDATES & TO  
**TAKE THE SURVEY:**

**ELEVATEINDIANOLA.COM**

**TOGETHER**, WE CAN CREATE A VISION FOR  
THE FUTURE OF OUR COMMUNITY!





United States Department of Commerce  
Economic Development Administration  
Denver Regional Office  
1244 Speer Boulevard, Suite 431  
Denver, Colorado 80204

July 8, 2019

In reply refer to:  
Control No. 113646

Charles Dissell  
Community & Economic Development Director  
City of Indianola  
110 North 1<sup>st</sup> Street  
Indianola, Iowa 50125-2527

Dear Mr. Dissell:

The U.S. Economic Development Administration's (EDA) Denver Regional Office Proposal Review Committee (PRC) has conducted an initial review of your proposal for investment assistance to construct a local street to provide access to a regional electric linemen training site for the region. Based on its initial review, the PRC has determined that your proposal is responsive to the Funding Opportunity.

If you wish to be considered for EDA funding, please submit a complete application for your proposed project. The requirements for the content and form of a complete application submission are found in the *FY2018 Economic Development Assistance Programs Notice of Funding Opportunity (EDAP NOFO)*; which can be found on EDA's website at <http://www.eda.gov/funding-opportunities/>.

In order to be considered for funding at the next Investment Review Committee meeting, please submit your complete application by **August 16, 2019**. If you are unable to meet this timeframe, please contact the EDA representative identified below to discuss the application timeline.

The determination that the project is responsive is based on the preliminary information the City of Indianola provided in the Proposal. It is recommended prior to developing an application, you contact EDA's Economic Development Representative to discuss the areas noted below.

- Provide data to support the project's clear and reasonable estimates of job creation and/or private investment.
- Provide additional information that demonstrates how the proposed project will help to address needs created by the layoffs in the community.

Please be aware EDA receives many more meritorious applications than it can fund. This request to submit a complete application in no way guarantees that EDA will approve your application or select your project for an award.

Please contact Alex Smith, Economic Development Representative at 720-402-7686, or [ASmith1@eda.gov](mailto:ASmith1@eda.gov) who can assist you in the development of your application.

Thank you for your interest in EDA. For more information about our programs and other upcoming funding opportunities, please consult our website at [www.eda.gov](http://www.eda.gov)

Sincerely,

  
Cindy Edwards  
Area Director  
Denver Regional Office



## Ryan Waller

---

**From:** Melissa McCoy  
**Sent:** Wednesday, July 10, 2019 11:54 AM  
**Subject:** Street Dept Shout Out

Jason Hwy R63 looks great. Smoother ride and fresh lines. Your guys did a great job. Thanks for you and your departments efforts.



Melissa McCoy  
Director of Human Resources  
City of Indianola  
110 North 1<sup>st</sup> Street  
Indianola, IA 50125

Office: (515) 962-5272  
Fax: (515) 962-5273  
[mmccoy@indianolaiowa.gov](mailto:mmccoy@indianolaiowa.gov)



*"Avoid the worst, put safety first!"*

## Diana Bowlin

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**From:** Ryan Waller  
**Sent:** Friday, July 19, 2019 5:44 PM  
**To:** All Department Heads; City Employees  
**Subject:** FW: Waller's Weekly 7.19.19  
**Attachments:** Draft August 5, 2019 Agenda.pdf; Draft August 19, 2019 Agenda.pdf; Exp Permit 07202019.pdf; Current Projects Update.pdf; PM 07202019.pdf; 20190719\_103536.jpg; BRAVO.pdf

Hi, all.

Here is this week's update email. Thank you to everyone for getting our community ready for what will be a few amazing weeks!

Have a great weekend!

Ryan

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**From:** Ryan Waller  
**Sent:** Friday, July 19, 2019 5:43 PM  
**Subject:** Waller's Weekly 7.19.19

Good evening, all.

I hope this finds everyone well and staying cool.

Are you ready for the upcoming week?! There has been a lot of positive buzz out there in anticipation of the upcoming week(s)! It's going to be a great time for our community!

Below and attached are the items comprising this week's update email. If there are any questions, please let me know.

Have a wonderful weekend!

Ryan



**Ryan J. Waller**

City Manager

[rwaller@indianolaiowa.gov](mailto:rwaller@indianolaiowa.gov)

p: 515.962.5274

110 N. 1<sup>st</sup> Street – Indianola, Iowa 50125

**RAGBRAI** – It is only a few days before thousands of bicyclists and tourists *Roll Into Nola*. Here is a link to a news story that aired on WHO TV (Channel 13) earlier this week - <https://whotv.com/2019/07/17/indianola-prepares-for-thousands-of-riders-one-week-away-from-ragbrai/>

**Jefferson Highway Signage** - Earlier this year the City Council approved an agreement with the Iowa Division of Transportation for the placement of Jefferson Highway signs in the community as part of their Heritage Byways program. The 11 signs that are the City's responsibility were installed this week by the Street Department. Extra efforts were made by staff to place these signs on existing sign and light poles to minimize sign congestion. A picture is attached.

**Comprehensive Plan Update** - As a reminder, the Comprehensive Plan Update survey has been released. The survey and other information on the Comprehensive Plan Update can be found at [www.elevateindianaola.com](http://www.elevateindianaola.com). To date, 846 surveys have been completed. Additionally, staff and the consultants will be participating in the National Balloon Classic Parade on Saturday, July 27, 2019, beginning at 11:00 am. During the parade, flyers advertising the survey will be handed out, as well as candy for the kids. A poster advertising the survey has been created and is attached. This advertisement is being shared with our community partners (i.e. School District, YMCA, Chamber, and local businesses to name a few). To gather as much feedback as possible, we ask you to help spread the word to your constituents to participate in the survey!

**Fire Department Updates** – Congratulations to the Fire Department on receiving \$1100 from Hy-Vee and \$5000 from the Warren County Philanthropic Partnership. These funds will be used to purchase of another Lucas Device. As you may remember, the Lucas Device is an automated CPR device. Thank you to our friends at Hy-Vee and the WCPP. In other departmental news, the three new full-time firefighters completed their second week of on-the-job training and are preparing to attend a three semester paramedic curriculum.

**Safety Training** – Thank you for the responses. The safety training will start next week. Melissa will send appointment emails. Please be on the lookout.

**BRAVO Letter** – Attached, please find a letter from BRAVO Greater Des Moines providing a copy of the FY20 operating budget. Also referenced in the letter is another attachment that can be found along with the letter.

**Informational Note** – Here is a link to a recent news report by KCCI regarding some zoning code updates that the City of Des Moines is researching - <https://www.kcci.com/article/new-dsm-planning-zoning-code-proposed-is-one-of-strictest-in-us/28440564>. Staff is providing this for informational purposes only.

**Community Development Updates** – Attached, please find various updates provided by the Community Development Department.

**Upcoming City Council Agenda** – Attached, please find the draft agendas maintained by the Clerk's Office for the upcoming meetings. As a reminder, these are fluid documents that can change on a regular basis (i.e. some items may get added/rescheduled due to Council direction,

as well as other factors that may or may not be within the control of the City departments). If there are items that you would like more information on, please let me know.

August 5, 2019  
Draft Council Agenda

- Minutes
- Claims
- Applications
- UR Apps
- Street closure apps
- City Manager's Report
- Salaries
- East Hillcrest Avenue Trail – Resolution approving and accepting Recreation Trail Easements and Resolution approving contract and bond
- Public hearing and resolution for the Hillcrest/Downtown Unified Urban Renewal Plan amendment no. 2, first consideration of an ordinance for amendment #2
- Presentation regarding the EMS Billing – Todd Cooper
- Resolution to install three temporary Pickleball Courts in the YMCA Parking Lot
- Block Party request
- Street closure request for the Children's Costume Party
- Closed session in accordance with Iowa Code Section 21.5(1)(i)



August 19, 2019  
Draft Council Agenda

- Minutes
- Claims
- Applications – The Local Vine
- City Manager’s Report
- Salaries
- Second consideration of an ordinance for amendment #2
- FY 21 Budget Environmental Scan
- Resolution setting a public hearing (September 3, 2019) and first consideration of on request from Paul D/Rheanna M Edenburn, Timothy J/Shelli R Mc Connell, John R/Linda H Benoit and Michael/Natalie Smothers for a vacation and conveyance of the north and south alley lying adjacent to Lots 1-4, in Block 20 of College Addition to the City of Indianola.
- Resolution setting a public hearing (September 16, 2019) and first consideration on request from Steger Construction Inc. to rezone the property listed at 506 W 2nd Ave from R-3 (Mixed Residential) and C-2 (Highway Commercial) Zoning Districts to R-3 (Mixed Residential) Zoning District.
- Resolution setting a public hearing (September 16, 2019) and first consideration on amendment to Chapter 165 (Zoning Regulations), regarding fence regulations.
- Resolution setting a public hearing (September 16, 2019) and first consideration on amendment to Chapter 165 (Zoning Regulations), regarding Bed and Breakfast regulations.
- Resolution approving the request from Capone Property Management, LLC for approval of a Plat of Survey at 1109 South K Street.
- Resolution approving the request from Civil Engineering Consultants, Inc., on behalf of Peoples Company, for preliminary plat approval of Heritage Hills Plat 10

August 19, 2019  
Draft Council Study Agenda





| Permit #                                 | Permit Year | Permit Date | Permittee                  | Owner if Different from Permittee                                              | Address              | Project                              | Last Inspected     | Permit Expired | Date Letter Sent                     | Re Apply?                                         | New Permit #                    | Date RePerm | DATE Re Inspect/ Finished                                                                                    | Notes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|------------------------------------------|-------------|-------------|----------------------------|--------------------------------------------------------------------------------|----------------------|--------------------------------------|--------------------|----------------|--------------------------------------|---------------------------------------------------|---------------------------------|-------------|--------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>2016</b>                              |             |             |                            |                                                                                |                      |                                      |                    |                |                                      |                                                   |                                 |             |                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>2017</b>                              |             |             |                            |                                                                                |                      |                                      |                    |                |                                      |                                                   |                                 |             |                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 4                                        | 2017        | 2/1         | Wade Williams              |                                                                                | 1005 Ann Parkway     | Bathroom Addition                    | NONE               |                |                                      |                                                   |                                 |             |                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 5                                        | 2017        | 2/4         | Cary Jordan                |                                                                                | 1002 E Madison       | Residential Addition                 | NONE               |                |                                      |                                                   |                                 |             |                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 6                                        | 2017        | 2/15        | Adam Loux                  |                                                                                | 304 N 4th Street     | Garage                               | 4/3/2017           |                |                                      |                                                   |                                 |             |                                                                                                              | Board of Adjustments 12/7/16 requesting variance allow for a 1350 sq ft garage. This was approved to store his camper. RI plumbing and Electric Inspection 4/3/17                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 7                                        | 2017        | 2/21        | Rodger & Cindy Tensdale    |                                                                                | 506 W Salem Ave      | Residential Restoration Support Beam | 3/2/2017           |                |                                      |                                                   |                                 |             |                                                                                                              | Support beam in the home. Only inspection in file is the framing inspection. This permit requires a CO                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 11                                       | 2017        | 2/23        | Bergstrom Construction LC  | Missouri Valley Line Construction                                              | 1707 N 14th Street   | Commercial Alteration                | 3/6/2017           |                |                                      |                                                   |                                 |             |                                                                                                              | Apprenticeship school for power pole workers. Includes office space and training room. Only inspection in file is a Framing and electrical RI inspection. 5/15/19 handed to CD to review. This DOES require a CO.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 12                                       | 2017        | 2/22        | Tim Dusenberry             |                                                                                | 1208 E Lincoln Ave   | Deck                                 | NONE               |                |                                      |                                                   |                                 |             |                                                                                                              | no inspections on file                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>2018</b>                              |             |             |                            |                                                                                |                      |                                      |                    |                |                                      |                                                   |                                 |             |                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>ACTIVE - in Motion for INSPECTION</b> |             |             |                            |                                                                                |                      |                                      |                    |                |                                      |                                                   |                                 |             |                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 29                                       | 2015        |             | Alex Van Clark             |                                                                                | 1003 North E Street  | Addition BR and Egress Wind          | 7/2/2015           | 12/29/2015     | 11/8/2018<br>1/29/2019               | Reminder Letter Sent 04/05/2019                   |                                 |             | 02/08/19<br>FAILED                                                                                           | 515-669-7886 - Alex - states they did the finish the basement walls just cut a hole in the drywall to add a different bedroom. He states the egress windows are complete. Requesting an extension on bedrooms or will call if no longer doing them to close permit. SB inspected 02/08/19 FAILED. Fire alarm outside of bedroom is more than 10' from door. Closet light had exposed bulb. Needs to be reinspected to final out.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 32                                       | 2018        | 4/9         | Amie Hale                  |                                                                                | 107 South 19th Court | Pool                                 | 8/3/2018           | 1/30/2019      | 9/27/2018<br>1/29/19                 | EXT til May                                       |                                 |             |                                                                                                              | Warning Letter advising of expiration if no final inspection. Extension given until May 2019 for final. 515-556-6715 Amie ..                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 67                                       | 2018        | 6/8         | Dan & Irene Bertsch        | Mail to :<br>W 3rd Ave Indianola 805                                           | 610 S Freeman Street | Garage Addition                      | NONE 1/30/19<br>SB | 12/5/2018      | 01/29/19                             | Reminder Letter Sent 04/05/2019<br>EXT Til 7/1/19 |                                 |             | 1/30/19<br>FAILED                                                                                            | Added to spreadsheet 1/24/19 krb - Mail to 805 W 3rd Ave. 1/29/19. Owner called in to have inspection for final. 1/30 Safebuilding. States unable to see previous work covered prior to inspection. Needs hurricane clips. FAILED. Will need to have re inspected once items mentioned are corrected. Owners email 2/14/19 "I am responding to the letter I received from you regarding the construction at 610 south freeman. The work is not completed so I will need an extension of the permit. The work is being done by Ron Miller construction.<br>Dan Bertsch" Dan called office 5/24/19 requesting extension til July 515-240-5924. 7/18 all done except for siding. Has to put windows in except for siding. Last inspection done on January 30 by SB. Allows up to 180 days before expiration so the final end date is AJuly 29, 2019. Inspection requested to do overall walk through to determine current status 7/19 at 10:30am TL                                                                                                                                                                                                                                                                                                                                                         |
| 68                                       | 2017        |             | Richard Stewart            |                                                                                | 1209 Lancaster Way   | Single Family Dwelling               | 10/10/2017         | 4/8/2018       | 8/28/2018<br>1/29/2019               | Reminder Letter Sent 04/05/2019                   |                                 |             | 2/13/19<br>FAILED<br>2/27/19<br>FAILED<br>2/28/19<br>OK FOR<br>TEMP CO<br>(sod, gutters,<br>grade<br>needed) | Owner came in 02/11/19 reports final done by RP in July of 2018. No inspect in file. Scheduled final with Safebuilding. Mr. Stewart 515-490-8339 "SB inspected 2/13/19 failed "AC breaker is 30 amp needs to be 25 amp, unfinished basement outlets need to be GFI protected, water heater drain pipe is missing, need gutters and downspouts installed." Owner came to office 2/19 asked if he could just get final or temp co for GFI, breaker and drain pipe being done, but will not be able to get to gutters and downspouts till its warmer. Jeff with SB agreed to do Temp CO inspection. Owner will call in when ready for Temp CO inspection. Reinspection for final set up with sb 2/27/19. FAILED - Punchlist complete except gutter and downspout. Will complete by spring. Will call for reinspection. SB inspection 2/28/19 "missing gutters. missing final grade and sod. Landing at lower end of the stairs approved. Need drip leg on gas line at furnace. Permanent address required. House number not visible from street. Builder is planning a column with address at end of drive. Temp address sign in place now. OK for temp CO. Spoke to permitte/builder 5/10/2019. All is done but painting the home. Plans to have this done and ready for Final CO inspection in June 2019, |
| 82                                       | 2015        |             | Brian Hoxmeier             |                                                                                | 1308 N 6th Street    | Basement Finish                      | 1/6/2016           | 7/4/2016       | 01/29/19                             | EXT til<br>December of<br>2019 per CD             |                                 |             |                                                                                                              | Brian (38-991-3092) called and would like an extension until the end of the year on this permit. Please make note of an extension until 12/31/19 per Charlie D.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 98                                       | 2015        |             | Brad Butler                | Bradley Butler &<br>Alesia Wright<br>1306 E Detroit Ave<br>Indianola, IA 50125 | 410 W 1st Ave        | Front Porch Repair                   | NONE               | 3/19/2016      | 11/8/2018<br>1/29/2019<br>02/25/2019 | FINAL NOTICE<br>4/05/2019                         |                                 |             |                                                                                                              | Contacted owner listed on application -Spoke 4/22/19 . Stated the porch was finished and he currently has rental tenants living in the home. States the inspector is welcome to come over as long as they do not disturb the residents.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 104                                      | 2017        | 8/18        | Brook Breuklander          |                                                                                | 908 N Y Street       | Pool Deck                            | NONE               | 2/14/2018      | 01/29/19                             | Second Notice<br>5/15/19 Notice<br>04/05/2019     |                                 |             |                                                                                                              | Owner called in 5/22/19 states that inspector came out over a year ago. Was told to do a couple things but nothing else. No final was called for inspection by owner. Set inspection for 5/23 at 9am                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 110                                      | 2017        | 9/7         | Cross Cut Custom Carpentry | Robert & Deb Elgin                                                             | 210 N 15th Street    | Deck                                 |                    | 9/7/2017       | 3/6/2018                             | 01/29/19                                          | Reminder Letter Sent 04/05/2019 |             | 02/07/19<br>FAILED                                                                                           | 2/5/19 owner called in regarding inspection needed. SB scheduled for 2/07/19. Inspection Failed. Will need to call to reinspect. Owner cld in 2/11 asked for failed inspection report. Emailed inspection report to owner 2/11. advised to let us know when she would like to reschedule final                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

|     |      |      |               |               |                    |        |           |           |                                    |                                       |  |  |                    |                                                                                                                                                                                                                                                                                                                                                               |
|-----|------|------|---------------|---------------|--------------------|--------|-----------|-----------|------------------------------------|---------------------------------------|--|--|--------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 140 | 2016 |      | Joe Ripperger |               | 209 N M Street     | Deck   | NONE      | 4/11/2017 | 11/12/2018<br>1/29/2019            | Reminder<br>Letter Sent<br>04/05/2019 |  |  | 02/05/19<br>FAILED | Zach current home owner - 515-729-4649 says okay to come whenever just call. Per SB 02/05/19 Jeff Begg "4x4 post more than 8" tall. Appear to be buried in the ground, unable to verify frost depth. Beam should be notched into post or supported with approved brackets. Stairs and all railing approved. FAILED DECK. Will need to schedule reinspection." |
| 141 | 2016 |      | Sean Thompson |               | 204 E Kentucky Ave | Deck   | NONE      | 4/12/2017 | 11/12/2018<br>1/29/2019<br>2/25/19 | Reminder<br>Letter Sent<br>04/05/2019 |  |  |                    | Resent letters with SECOND NOTICE listed on top. Recvd call from owner of the home. 515-330-7168. Sean Thompson 515-991-4729. He is out of town until 3/5/19. Advised that Safebuilding to call to set up final inspect next week.                                                                                                                            |
| 146 | 2016 |      | Brad Butler   | Ross Huff     | 611 Quail Ridge Rd | Deck   | 11/7/2016 | 5/6/2017  | 11/12/2018<br>1/29/2019            | Reminder<br>Letter Sent<br>04/05/2019 |  |  | 1/3/2019<br>FAIL   | Owner called in requesting inspection for final. Sent to safebuild 12/27/18 Ross Huff - Safebuild inspected project on 1/3/19 FAILED- Will reinspect when called                                                                                                                                                                                              |
| 148 | 2017 | 11/3 | Iowa Drone    | Sean Thompson | 204 E Kentucky Ave | Garage | NONE      | 5/2/2018  | 1/29/2019<br>2/25/19               | Reminder<br>Letter Sent<br>04/05/2019 |  |  |                    | Resent letters with SECOND NOTICE listed on top. Recvd call from owner of the home. 515-330-7168. Sean Thompson 515-991-4729. He is out of town until 3/5/19. Advised that Safebuilding to call to set up final inspect next week.                                                                                                                            |



## COMMUNITY DEVELOPMENT

**To:** Ryan J. Waller, City Manager  
**From:** Charlie E. Dissell, AICP, Community and Economic Development Director  
**Subject:** Current Projects Update-July 19, 2019

The purpose of this memorandum is to provide a brief synopsis of different projects that may be of interest to the Council.

- **McConnell Subdivision Preliminary Plat**
  - Located west of Meadow Brooke Subdivision located at East 2<sup>nd</sup> Avenue and South 20<sup>th</sup> Street.
  - City Council approved on January 22, 2019.
- **Quail Meadows Townhomes Preliminary Plat**
  - Located on the north side of East Hillcrest Avenue between North 9<sup>th</sup> Street and the Summerset Trail.
  - Final Plat approved by Council on May 20.
  - Site development is taking place and work is progressing.
- **Prairie Glynn Plat 2**
  - Located east of East Franklin Avenue and North 15<sup>th</sup> Street.
  - Construction plans have been submitted and will be approved once changes are made.
  - A second revised preliminary and final plat were submitted on June 5. The Planning and Zoning Commission reviewed the preliminary plat at its July 9 meeting, and Council is scheduled to review the preliminary plat at its July 15 meeting.
- **Autumn Ridge Subdivision Plat 3**
  - Located north of North O Street and West Kentucky Avenue.
  - City Council a Development Agreement on June 17.
- **Summercrest Hills 6**
  - Located north of North 8<sup>th</sup> Street and East Trail Ridge Place.
  - This week, staff was notified that about 30 acres of land in the Summercrest Hills development was sold to a developer who intends to develop single family lots.
  - A rezoning application was submitted on July 1 to change a portion on this land from C-2 to R-3.
  - This development will require the City to relocate the current lift station north of the Quail Meadows Subdivision to the north of the Summercrest Hills development.

- **Warren County Justice Center (115 North Howard Street)**
  - Staff has continued to meet with the General Contractor on this project to discuss site layout, utilities, closures, haul routes, etc.
  - Staff compiled a comment and questions to the County's contractor and design team on March 27. Staff received a response to this letter on April 12.
- **West Hills Brewery (219 West Salem Avenue)**
  - City staff held a pre-application meeting with business owners on January 25
  - Building permit application and plans submitted for a new brewery on January 30.
  - City staff held follow-up meeting with applicant on February 21 on plan review comments regarding the need for a fire sprinkler system.
  - Chief Chia has approved a variance to the automatic sprinkler requirement due to an undersized water main along West Salem Avenue. A Condition of this variance calls for the installation of a fire alarm/smoke detection system and the applicant signing a hold harmless agreement.
  - Council approved the hold harmless agreement on April 15.
  - Building permits have been issued and inspections conducted.
- **New Heights Church (309 East Hillcrest Avenue)**
  - The project engineer contacted the City on February 7 to clarify plan review comments.
  - Updated site plan was received on March 7.
  - Updated comments returned to applicant on March 20.
  - The project engineer contacted the City on July 11 to clarify plan review comments.
- **Gritt Performance (983 East Hillcrest Avenue)**
  - Site plan for this project has been submitted to the City and is being reviewed by Staff and City Engineer.
  - Plan review comments returned to applicant on February 20.
  - Updated site plans were resubmitted on March 4.
  - Updated comments returned on March 18.
  - Updated site plans were resubmitted on March 26.
  - Site plan was approved on April 8.
  - Staff met with the property owner on April 10 to discuss preliminary building plans.
  - Staff met with property owner on May 23 to discuss financial assistance options.
  - Building permit application applied for on June 14.
  - Building permit comments were returned on June 25.
- **Ace Hardware (506 North Jefferson Way)**
  - City staff held a pre-development meeting on this project on February 22.
  - The old car wash was demolished the week of July 15.
  - The existing Mudslingers Coffee Shop would remain.

- **Chumbley's Auto Care (110 South Jefferson Way)**
  - Staff met with the business owner on March 15 to discuss plans for future building.
  - Staff has submitted preliminary comments on the site plan to the business owner.
  - Site plan and building permit application plan were submitted on May 10.
  - Comments were returned to the applicant on May 22.
  - Revised site plans and building permit plans were resubmitted on July 10.
  - Site plan and building permit were issued on July 17.
- **Indianola Regular Baptist Church (1209 East 2nd Avenue)**
  - Staff held a preapplication meeting for a proposed addition to this church on March 29.
  - Building permit application was submitted on May 28.
  - Building permit comments were returned on June 25.
  - On July 8, staff was informed that the Church has put this project on hold.
- **Missouri Valley JATC Training Facility (1600 East Iowa Avenue)**
  - Site Plan for this project was submitted on April 3 to the City and comments were returned on April 22.
  - City Staff has also held internal meetings regarding new road alignment within the industrial park expansion.
  - City staff met with the Missouri Valley on May 1 to discuss access to this site and possible road upgrades/funding.
  - A revised site plan was submitted on May 20.
  - Revised comments were returned on June 4.
  - A second revised site plan was submitted on June 11.
  - Site Plan was approved on June 11.
  - Building permit application was submitted on June 14.
  - Building permit comments were returned on July 2.
  - Staff has meet with Missouri Valley on a development agreement related to future infrastructure improvements.
- **Indianola Pediatric Dentist (2001 North 6<sup>th</sup> Street)**
  - Site plan and stormwater management plan were submitted on May 23.
  - Comments were returned to the applicant on June 2.
  - Building permit application submitted on June 13.
  - Site plan and stormwater management plan were approved on June 18.
  - Building permit comments returned on July 3.
  - Revised building permit plans were resubmitted on July 11.
  - Building permit issued on July 15.

- **Cavitt Creek Condominiums I & II (1400 and 1500 block of North 9<sup>th</sup> Street)**
  - Site plan and stormwater management plan were submitted on June 3.
  - Cavitt Creek I, between 1404 and 1500 North 9<sup>th</sup> Street, proposes 12 duplexes (24 units)
  - Cavitt Creek II, to the west of Cavitt Creek I and 1500 North 9<sup>th</sup> Street, proposes 21 duplexes and 14 six-plexes, for a total of 126 units.
  - Site plan and stormwater management plan comments were returned to the applicant on June 20.
  - Both site plans will need to be reviewed by the Planning and Zoning Commission and approved by the City Council.
  - Revised site plans for Cavitt Creek Condominiums I were submitted on June 28.
  - Revised site plans for Cavitt Creek Condominiums II were submitted on July 10.
  - Kading Properties hosted a neighborhood meeting on July 16.
- **D&D Property (204 North Jefferson Way)**
  - City Council directed staff to move forward on an offer on this lot.
  - An alley vacation was recommended for approval by the Planning and Zoning Commission on May 14.
  - Council held a Public Hearing and approved the alley vacation on June 3.
- **Hillcrest TIF Update**
  - Staff submitted all preliminary information to Attorneys to begin to TIF Update process on March 11.
  - The consultation meeting with affected taxing entities (Warren County and Indianola School District) took place on April 24.
  - The public hearing for the first amendment was on May 20.
  - Council approved the first amendment on June 17
  - The consultation meeting for the second amendment took place on July 8 at 9AM in the Council Chambers.
  - The public hearing for the second amendment will take place on August 5.
  - As part of the second amendment, the City is required to get consent from land owners who have agricultural land for 3 of the last 5 years. These agreements have all been received.



| <u>Property Address</u> | <u>Owner Information</u><br><i>RED = Habitual</i>                                      | <u>Ordinance Listed Nuisance Issue</u> | <u>Code</u>              | <u>Complaint Info, Progress and Actions</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <u>Dept Actions</u>                                                            | <u>Established Deadline for Abatement</u> | <u>Follow Up by- Date</u> |
|-------------------------|----------------------------------------------------------------------------------------|----------------------------------------|--------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|-------------------------------------------|---------------------------|
| <b>IN PROGRESS</b>      |                                                                                        |                                        |                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                |                                           |                           |
| 909 N J Street          | Dubuque Street Properties LC<br>4207 SW 9th Street                                     | Grass                                  |                          | 7/19 Caller reports home is vacant - used to be a rental. And the grass is very tall. Needs mowed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                |                                           | TBD                       |
| 1214 S G Street         | Des Planques, Christopher and Megan                                                    | Tall Grass, Weeds                      | 50.02 (12)               | 7/18 caller reports the home is being mowed one strip surrounding the property line and then the inner remainder is being left unmowed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                |                                           | TBD                       |
| 106 W Hillcrest         | Micheael Lynne Peterson                                                                | Tall Grass, Weeds                      | 50.02 (12)               | 6/18 Caller reports tall grass and weeds at this location. No mowing in the back yard. States a neighbor mowes in the front but not in the back yard. TL visited site 7/2 left door hanger. Owner called in. States her mower is not working and the backyard has gotten away from her. She will be contacting mowing services this week and will hopefully have it rectified. Gave extension til 7/14 to complete and schedule service                                                                                                                                                                                    |                                                                                |                                           | 07/16/19                  |
| 812 N V Street          | Todd Willson                                                                           | Pool                                   |                          | Gov QA 6/27 W015684-062719 reports pool without fencing around it. CD visited site. Will want to revisit                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                |                                           | 07/16/19                  |
| 1416 E Franklin         | Dennis & Elizabeth Carter                                                              | Tree/Bush                              |                          | 7/09/Lilac bush on the east side of the house on 15th Street. They are now almost covering the sidewalk and you cannot walk on the sidewalk must go onto the grass or road. Heavily trafficked sidewalk too. CD visited site. Will talk with TL 07/16/19                                                                                                                                                                                                                                                                                                                                                                   |                                                                                |                                           | 07/16/19                  |
| 1105 E Salem            | Kevin & Rebecca King                                                                   | Junk Debris / Vehicles                 | 51.03 (01)<br>51.03 (03) | caller reports corner lot- side lot full of junk / RV. TL Visited site 3/19. Took pics. Sent letter 4/22/19. Owner called and asked for extension until 5/31/19 to comply. Extension granted. 6/4/19 owner spoke with TL, asked for extension for 2 weeks. Granted. Progress being made. 6/11 received additional complaint call regarding property. "Citizen concerned this person is getting away with disobeying code and nothing is happening with sheet metal and debris. moves a vehicle but adds more junk." emailed TL to notify. Cd visited site. This property is not in compliance Wants to verify info with TL | TL & KB 3/19 Sent letter 4/22<br>EXTENSION TIL 6/18                            | 06/18/19                                  | 7/16/2019                 |
| 801 N V Street          | Laura/Eric Dostal                                                                      | Tall Grass, Weeds                      | 50.02 (12)               | 6/18 Caller reports wanting to build a fence so that he does not have to see his neighbors backyard. He reports this location is not weed eating by the chain link fence they have and the weeds are over 2ft tall. States the yard is not being mowed and debris are also being placed in the yard. TL visited site 7/3 left door hanger.                                                                                                                                                                                                                                                                                 |                                                                                |                                           | 07/16/19                  |
| 308 W 1st               | Ernest Martens                                                                         | Junk Debris / Junk Vehicles            | 51.03 (01)               | KB visited site 2/27/19 No change. Previous letters, visits, door hangers and abatement notices have gotten zero response for progress. 12/13/18, 12/19/18, 1/02/19, 1/16/19, 2/07/19, 2/22/19. UNREGISTERED CAR SITTING IN REAR YARD NEVER HAS BEEN MOVED. BID FOR ABATE. Inspection report for unsafe home was sent from Building Official/ TL left door hanger 7/3/19 junk vehicle and tall weeds in back yard only now on property.                                                                                                                                                                                    | Certified Letter 1/23/2019<br>Extension til 2/4 for debris<br>2/22 for vehicle |                                           | 07/16/19                  |
| 1600 West Euclid        | Todd/Holly Koeppen<br>11795 Dakota Street<br>Norwalk IA 50211-9158                     | Sidewalk                               | 136.02 (1)               | Letter sent to owner on 6/19/19 deadline set for 7/19/19                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Letter sent 6/19<br>Deadline 7/19                                              | 07/19/19                                  | 07/22/19                  |
| 103 North F Street      | Sandquist Investments LLC<br>1600 S K Street                                           | Sidewalk                               | 136.02 (1)               | Letter sent to owner on 6/19/19 deadline set for 7/19/19                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Letter sent 6/19<br>Deadline 7/19                                              | 07/19/19                                  | 07/22/19                  |
| 1801 West Euclid Ave    | Hunkin, Uele M Susanne L                                                               | Defective Sidewalk                     | 136.02 (1)               | Letter sent 6/19 giving til 7/19 to rectify. 07/9/19 Owner called in stated this has been fixed                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 6/19 certified sent                                                            | 07/19/19                                  | 07/22/19                  |
| 810 West Salem Ave      | United States Dept of Agriculture<br>4300 Goodfellow Blvd. Fc-21 St<br>Louis, MO 63120 | Sidewalk                               | 136.02 (1)               | Letter sent 6/19/19 Deadline 7/19/2019. Owner called in. states sidewalk has been repaired                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Letter sent 6/19/19<br>Deadline 7/19/2019                                      | 07/19/19                                  | 07/22/19                  |
| 810 West Detroit        | Baker, Kirk Thomas                                                                     | Junk Debris                            | 50.02 (4)                | Junk debris piled up next to and behind garage. TL visited site 6/4/19. Spoke with owner. Established 6/21/19 as deadline to have property cleaned up. 6/26 no progress. Sent letter deadline set for 7/3. 6/27/19 owner called office asked to have building official call him regarding the clean up wanting exact list of what needs to be removed. Emailed TL to contact owner. TL spoke to owner 7/1 extension til 7/19. Owner called in and said he has a dumpster coming friday 7/19/19 and will have property cleaned up and dumpster removed by monday 7/22/19. Kirk 515-669-6815                                 | LETTER SENT 6/26/19 Verbal Ext 7/19                                            | 07/19/19                                  | 07/22/19                  |

|                                                      |                                                                                                               |                                    |                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                       |          |           |
|------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|------------------------------------|--------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|----------|-----------|
| Parcel 48251012000<br>(N of E Lincoln & N 7th Court) | Johannsen Enterprises LLC 2929<br>Westown Parkway, Suite 100<br>West DSM 50266 515-491-<br>9184 515-440--1270 | Tall Grass / Weeds                 | 50.02 (12)               | Tall grass, hasn't mowed all year. TL visited site 6/6. Sent letter Certified mail with deadline. Owner called in requesting extension- planning mow and bale. Would like to be given time until June 30th. Owner sent letter to be heard before council to deem the property a prairie grass stand, allowing him not to mow the property. Letter forwarded to CD 6/14/19. Received return notice 6/12 acceptance. Received appeal letter 6/14/19 given to council and placed on agenda. Visited site 6/26 still now mowed or touched. Follow up on 7/01/2019. Received call complaint 6/27. advised caller of appeal through council. No change 7/11 waiting to hear from council.                                                   | Letter Sent<br>Cert.6/10/2019<br>Deadline Set 6/14<br>Appeal Letter to<br>Council Received<br>6/14/19 | TBD      | 7/22/2019 |
| 402 W 1st Ave                                        | Bern Investments                                                                                              | Dangerous Building                 |                          | Home was demo'd but nothing has been picked up or removed since tear down. All debris still on site. Also not mowing. Contact owner and property maint Mr White. Spoke with owner of property. Will send someone out to rectify by 7/22/19                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 7/22/19 extensions                                                                                    | 07/23/19 | 07/23/19  |
| 605 N N Street                                       | Cornell, Melody Lynn<br>605 N N St<br>Indianola IA 50125                                                      | Tall Grass, Weeds                  | 50.02 (12)               | Upon inspecting 607 North N Street I noticed 605's back yard needs mowed as well. TL. Owner called 7/16/19 and said she will be out of town until beginning of next week but will get the backyard taken care of as soon as she gets back.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Verbal deadline<br>7/22/19                                                                            | 07/22/19 | 07/23/19  |
| 1306 S Jefferson Way                                 | Van Houwelling Property LLC                                                                                   | Leaning Fence                      |                          | Residence calling regarding business fence leaning into their property (back yard) they are putting up 2x4 to hold the fence up so it will not fall on their property. 6/19 contacted business manager. Stated he would get with corp and have this taken care of asap. Cd visited site. Wants to discuss with TL since code does not include fencing.                                                                                                                                                                                                                                                                                                                                                                                | Contacted business.<br>Follow up 6/23                                                                 |          | 07/24/19  |
| 301 West 2nd Ave                                     | Bittersweet Salvage<br>Carpenter, Amber & Charles<br>13720 118th Ave,<br>Indianola, IA 50125                  | Dangerous Building                 |                          | Inspection by TL and letter sent to rectify 4/25/2019 bp required by 5/28/19 with completion by 6/24/19. Tim & Sam working on currently                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Deadline 5/28/19 bP<br>deadline 7/24/19                                                               | 07/24/19 | 07/24/19  |
| 513 N 1st Street                                     | Matthew Jones 605<br>Trail Ridge Rd                                                                           | Tall Grass, Weeds                  | 50.02 (12)               | 7/3/19 Caller report 4 properites on N 1st Street that are not mowing. Tall grass and weeds in yard. Cd visited site. Done for most part but patch along Euclid remains. Send letter on euclid                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Letter sent 7/19/19                                                                                   | 07/26/19 | 07/27/19  |
| 607 N N Street                                       | Brad Butler                                                                                                   | Tall Grass, Weeds                  | 50.02 (12)               | 5/17/19 Gov QA complaint scottcretors63@msn.com - states back yard not being mowed. Grass over 2 ft tall. CD visited site. Still non complaint. Send letter with deadline                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Letter sent 7/19/19                                                                                   | 07/26/19 | 07/27/19  |
| 305 W Salem Ave                                      | Willaim & Harriett Edwards                                                                                    | Junk Debris / Vehicles             | 51.03 (01)<br>51.03 (03) | Several vehicles in front drive and back of home / garage. Brush piles and appliances, tires, swing set etc. KB visited site 2/27 took pics. Send letter with pics to owner. TL visited site 7/3 all vehicles have current tags. Brush piles have been picked up. Close for now but keep eye on for next month.                                                                                                                                                                                                                                                                                                                                                                                                                       | Letter sent 02/28/19                                                                                  |          | 07/31/19  |
| 413 S G                                              | Tammy Bruce                                                                                                   | Dead Tree                          | 50.02 (13)               | Caller reports dead pine trees losing bark on propety along with junk and debris. CD visited site states address is 413 S G. No junk debris found. Send letter. Deadline 08/12/19                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Letter sent 7/19/19                                                                                   | 08/12/19 | 08/13/19  |
| 911 N C Street                                       | Jon W Backstrom<br>PO Box 375                                                                                 | Junk Vehicles<br>Tall Grass, Weeds | 51.03 (03)<br>50.02 (12) | Call regarding junk vehicles with no front plates and one that has been parked for months - does not work. 2/21 visited site. Took updated pics of exterior of home for legal. Took pics of vehicles in complaint. Noticed broken screen side door and broken glass window in door. Also in front of home, broken window in front overhang window. Shows large barrels or large blue containers of some sort placed against windows? TL 3/20 visited site. Took pics. Large barrels are gone but property has several debris piles behind house and between house and garage. <b>weeds are tall and spiratic on property. Owner came into office 6/14 states that they will have the footings and stuff started around June 24th.</b> | <b>Legal</b> Pulled<br>building permit. Has<br>180 days to<br>complete<br>home.October 2019           |          | 10/1/2019 |
| 401 W Salem                                          | Fetters, Richard<br>HRH Enterprises LLC<br>PO Box 57161 Pleasant<br>Hill, IA 50317                            | Dangerous Building                 |                          | Dangerous Building Inspection done on home damaged by storm. Has been year since in process of finishing home repair. 6/30 safebuild and TL completed review and inspection of home. Letter sent to owner informing of findings and what is needed to rectify - giving deadline of July 26, 2019 to apply for building permit to rectify. 7/02/2019 Building Permit applied for, approved and granted. Will have 180 days from issuance to complete or from last inspection.                                                                                                                                                                                                                                                          | Letter sent deadline<br>set for 7/26/19 to<br>apply for BP to<br>rectify                              | 12/29/19 | 12/30/19  |
| 306 S F Street                                       | Pamela Shuff<br>1210 N 9th St., Unit 18<br>Indianola, IA 50125                                                | Dangerous Building                 |                          | Letter sent 5/6/2019 deadline 06/05/2019 <b>WITH LEGAL</b> follow up with Amy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                       |          | LEGAL     |
| 506 N Kenwood Blvd                                   | Joseph & Carolee Walles                                                                                       |                                    |                          | NO CHANGE as of 09/4/18 Given to Amy Brick Gentry to send letter to move forward. Property exterior abated 10/12/10/23/18. TL sent letter 05/06/2019 giving til 6/5/19 <b>WITH LEGAL</b> follow up with Amy. Tim made contact with bank pm team. Gave info for manager. Will have done by end of this week mowing...                                                                                                                                                                                                                                                                                                                                                                                                                  | DC 10/25 TL letter<br>sent 5/6/19 deadline<br>6/5/19                                                  |          | LEGAL     |

|                                                                                                             |                                                                                                              |                   |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |  |                                                           |     |
|-------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|-------------------|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|-----------------------------------------------------------|-----|
| Field Parcel # 48251011000<br>Surrounded by homes E Kentucky Ave<br>drives straight into it. Also N 7th Ct. | Johannsen Enterpsies LLC 2929<br>Westown Parkewy, Suite 100<br>West DSM 50266 515-491-<br>9184 515-440--1270 | Tall Grass, Weeds | 50.02 (12) | 6/27/2019 Caller reports that previous lot reported still has not been mowed. Was advised by staff the owner has filed a letter with City Council regarding prairie grass exemption. The caller reports additional properties owned by the same company that are also not being mowed. Reports snakes and other animals along with thistle and additional weeds are present and are not healthy for the community. Adv caller we would place on list and look into. TL to visit site and take pics. Will contact owner to rectify. |  | <b>FILED COUNCIL<br/>APPEAL<br/>HOLD TIL<br/>DECISION</b> | TBD |
|-------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|-------------------|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|-----------------------------------------------------------|-----|

### **BID FOR ABATEMENT**

|                  |                  |                              |                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                             |                                            |          |
|------------------|------------------|------------------------------|----------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|--------------------------------------------|----------|
| 800 W Boston     | Patricia Johnson | Tree Maintenance             | Ch 151                                 | Caller reports tree hanging over the sidewalk and street. Too low, needs cut back. Left Hanger 6/7/19. TL visited site 6/10 Send letter deadline 6/17/19. TL visited site 7/2 no change. <b>ABATE BID NEEDED</b>                                                                                                                                                                                                                                                                                                                                                                                  | 6/10/19 sent letter<br>Deadline 6/17 as of<br>7/2 no change | <b>Abatement BID in<br/>progress</b>       | 07/22/19 |
| 1009 E Salem Ave | Carrie Putney    | Junk Debris, Vehicles, Grass | 50.02 (12)<br>51.03 (01)<br>51.03 (03) | 6/18 reports of junk and garbage in yard, vehicles without engines on the property, parts strewn around yard and driveway. Tall grass, not mowing property. TL visited site on 7/2 still not mowed or picked up. Letter sent certified 7/2 with deadline of 7/15/19 due to holiday. Received a call today 7/15 regarding property reporting 3ft tall grass and weeds and parted vehicles in the front and rear yard. Both vehicles have been removed from property and impounded. 07/16/19. Moving forward with abating remainder of property. <b>Abatement secured will be completed by 7/19</b> | Sent letter 7/02/19<br>Deadline 7/15/19                     | <b>7/15/2019<br/>ABATEMENT<br/>7/19/19</b> | 07/22/19 |

### **CLOSED THIS WEEK**

|                  |                |
|------------------|----------------|
| Closed this Week | 0              |
| Up for Abatement | 2              |
| In progress      | 27             |
| With Legal       | 10 (2) focused |
| LEGALS CLOSED    |                |







July 10, 2019

City of Indianola  
Ryan Waller, City Manager  
110 North First Street  
Indianola, IA 50125

Dear Ryan,

Bravo Greater Des Moines is grateful for our continued partnership with the City of Indianola. We are committed to good stewardship of partner funds and accountability to our 28E partners. As such, enclosed is a copy of the FY20 Bravo Greater Des Moines Operating Budget.

With your support during FY19, Bravo invested more than \$3.8 million in operating support to 68 Greater Des Moines organizations through the Cultural Enrichment Grant. In addition, our Capital Project Grant invested \$274,000 to four organizations for capital projects.

The new Public Arts Grant, announced in February 2019, provides financial support to Bravo's local government partners for public art projects that generate more artistic and cultural expression in the Greater Des Moines region. Bravo invested over \$216,000 in nine of our seventeen 28E partner communities during the first Public Art Grant cycle. A full list of Capital Project and Public Art Grant awards is also enclosed.

As always, thank you for your continued commitment and investment in Bravo. Feel free to contact me if you have additional questions.

Thank you,

A handwritten signature in black ink that reads "Sally Dix".

Sally Dix  
Executive Director  
Bravo Greater Des Moines  
[sally@bravogreaterdesmoines.org](mailto:sally@bravogreaterdesmoines.org)  
(515) 243-0388

**BRAVO GREATER DES MOINES FY19/FY20  
OPERATING BUDGET**

| <b>INCOME</b>           | <b>FY20 OPERATING BUDGET</b> |
|-------------------------|------------------------------|
| Hotel/Motel Revenue     | \$500,000                    |
| Contributions - General | \$21,500                     |
| Contributions - Gala    | \$200,000                    |
| Contributions - CKC     | \$2,500                      |
| Investment Income       | \$14,500                     |

|                               |                  |
|-------------------------------|------------------|
| <b>Total Projected Income</b> | <b>\$738,500</b> |
|-------------------------------|------------------|

**BRAVO GREATER DES MOINES FY19/FY20  
OPERATING BUDGET**

| <b>EXPENSE SUMMARY</b>          | <b>FY20 OPERATING BUDGET</b> |
|---------------------------------|------------------------------|
| Salaries and Benefits           | \$418,523                    |
| Administrative and Service Fees | \$189,259                    |
| Marketing/PR                    | \$30,000                     |
| Community Impact                | \$101,500                    |

|                                 |                  |
|---------------------------------|------------------|
| <b>Total Projected Expenses</b> | <b>\$739,282</b> |
|---------------------------------|------------------|

|                                         |                |
|-----------------------------------------|----------------|
| <b>FY20 Operating Revenue/(Deficit)</b> | <b>(\$782)</b> |
|-----------------------------------------|----------------|





**FOR IMMEDIATE RELEASE**

**MEDIA CONTACT:**

Sally Dix, Executive Director  
(515) 243-0388  
sally@bravogreaterdesmoines.org

**BRAVO GREATER DES MOINES ANNOUNCES CAPITAL PROJECT & PUBLIC ART GRANT AWARDS OF MORE THAN \$490,000**

June 20, 2019 (*Des Moines, IA*) – Awards totaling \$490,250 were announced this week for four nonprofit organizations and nine communities in Central Iowa. Bravo Greater Des Moines (Bravo) awarded the Capital Project Grant and Public Art Grant funds to support arts and culture projects and installations.

The Capital Project Grant program provides funding to arts, culture and heritage nonprofit organizations for capital projects that increase access to elevate the quality of arts and cultural experiences in Greater Des Moines. The Public Art Grant program was introduced for the 2019 grant cycle to provide funding to Bravo's local government partners for public art projects that generate more artistic and cultural expression in the Greater Des Moines region.

All Bravo grants are made possible by the 17 local government partners that contribute a portion of hotel/motel tax revenue for investment in arts and culture organizations and programs – Altoona, Ankeny, Bondurant, Carlisle, Clive, Des Moines, Grimes, Indianola, Johnston, Norwalk, Pleasant Hill, Polk City, Polk County, Urbandale, Waukee, West Des Moines and Windsor Heights.

**2019 Capital Project Grant Recipients:**

| RECIPIENT                           | AWARD     | PROJECT DESCRIPTION                                                                                                                                                                                                                                                     |
|-------------------------------------|-----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Des Moines Children's Museum        | \$9,000   | Renovations to the special event/party space in the Children's Museum new space.                                                                                                                                                                                        |
| Central Iowa Wind Ensemble          | \$15,000  | Purchase a set of percussion instruments.                                                                                                                                                                                                                               |
| Greater Des Moines Botanical Garden | \$100,000 | Replacement of the Botanical Garden's original 1979 HVAC automation control system.                                                                                                                                                                                     |
| Hoyt Sherman Place Foundation       | \$150,000 | Construction of 3 new spaces: a 3-story addition including educational, classroom, and rehearsal spaces, green rooms, ADA compliant dressing rooms, laundry and shower facilities, and administrative offices; a new restroom annex; and supplemental concession areas. |

**2019 Public Art Grant Recipients:**

| RECIPIENT       | AWARD    | PROJECT DESCRIPTION                                                                                                                                                                                                                                       |
|-----------------|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| City of Altoona | \$20,000 | Relief text and imagery sourced in part from community contributions will be cast in iron tiles to illuminate a contemporary documentation of Altoona's oral history and sense of place. The community may participate in the spectacle of the iron pour. |



|                                  |          |                                                                                                                                                                                                                                  |
|----------------------------------|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| City of Ankeny                   | \$15,000 | Public Art Master Plan for High Trestle Trail.                                                                                                                                                                                   |
| City of Bondurant                | \$5,000  | The project is a collaboration among City of Bondurant, Bondurant Community Foundation and Bondurant-Farrar School Art Program to design and install murals on the school bus barns.                                             |
| City of Johnston                 | \$30,000 | As a culmination of Johnston's year-long celebration of its 50th anniversary, Johnston will unveil its first major public art piece at Terra Lake Park.                                                                          |
| City of Norwalk                  | \$17,250 | The planned project will add a nine-foot metal art sculpture at the north end of our newly constructed nature trail, Elizabeth Holland Park, in Norwalk.                                                                         |
| City of Pleasant Hill            | \$50,000 | The City of Pleasant Hill is commissioning the artist Juanjo Novella to install a sculpture in our City's new 100-year park.                                                                                                     |
| City of Urbandale                | \$20,000 | The Douglas Avenue beautification project at the I-80/35 interchange includes two sculptures on the east and west sides of the bridge.                                                                                           |
| Clive Public Art Commission      | \$9,000  | Art Along the Trail is a temporary public art exhibit of nine artworks displayed along the Clive Greenbelt and in Clive parks.                                                                                                   |
| West Des Moines Parks & Rec Dept | \$50,000 | The Amphitheater Public Art Project involves a visual work of art to be commissioned by the City's Public Arts Advisory Commission and installed in the vicinity of a proposed amphitheater on the West Des Moines Civic Campus. |

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#### **About Bravo Greater Des Moines**

Bravo Greater Des Moines leverages community resources to maximize impact of arts, culture and heritage to advance regional priorities. Using funds contributed by local government partners, Bravo invests strategically in arts, culture and heritage organizations that contribute to and enhance the quality of life in Greater Des Moines for residents and visitors.

## Diana Bowlin

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**From:** Ryan Waller  
**Sent:** Friday, July 26, 2019 12:41 PM  
**To:** City Employees; All Department Heads  
**Subject:** FW: Waller's Weekly 7.26.19  
**Attachments:** Expired Permits.pdf; Current Projects Update.pdf; Draft August 19, 2019 Agenda.pdf; Draft August 5, 2019 Agenda.pdf; Shout Out - Team.pdf; Shout Out - PR.pdf; 19.07.22.FSC.Defendant's Brief.pdf; 19.07.22.FSC.Brief & Argument in Support of Writ of Certiorari.pdf

Hi, all.

Here is this week's update email. As I noted in the transmittal email below to the council, it has been a great week for our community. Thank you for being such a big part of that success! I hope you enjoy the festivities to come.

Have a great weekend!

Ryan

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**From:** Ryan Waller <[rwaller@indianolaiowa.gov](mailto:rwaller@indianolaiowa.gov)>  
**Sent:** Friday, July 26, 2019 12:33 PM  
**To:** John Parker <[jparker@indianolaiowa.gov](mailto:jparker@indianolaiowa.gov)>; Bob Kling <[bkling@indianolaiowa.gov](mailto:bkling@indianolaiowa.gov)>; Shirley Clark <[sclark@indianolaiowa.gov](mailto:sclark@indianolaiowa.gov)>; Kelly Shaw <[kshaw@indianolaiowa.gov](mailto:kshaw@indianolaiowa.gov)>; Greg Marchant <[GMarchant@indianolaiowa.gov](mailto:GMarchant@indianolaiowa.gov)>; Joe Gezel <[jgezel@indianolaiowa.gov](mailto:jgezel@indianolaiowa.gov)>; Greta Southall <[gsouthall@indianolaiowa.gov](mailto:gsouthall@indianolaiowa.gov)>  
**Cc:** Doug Fulton <[Doug.Fulton@brickgentrylaw.com](mailto:Doug.Fulton@brickgentrylaw.com)>; Ryan Waller <[rwaller@indianolaiowa.gov](mailto:rwaller@indianolaiowa.gov)>  
**Subject:** Waller's Weekly 7.26.19

Good afternoon, all.

I hope this finds everyone well. What an incredible week it has been for our community – WOW! And, it's only started. Below/attached is this week's update email. As always, if there are any questions, please let me know.

I hope you have a great weekend!

Ryan



**Ryan J. Waller**

City Manager

[rwaller@indianolaiowa.gov](mailto:rwaller@indianolaiowa.gov)

p: 515.962.5274

110 N. 1<sup>st</sup> Street – Indianola, Iowa 50125

**RAGBRAI** – What an incredible day for our community on July 23<sup>rd</sup>! The entire community, especially our volunteers and staff, did such an incredible job in hosting this event. While I was

working an intersection on the exit route Wednesday morning, the bicyclists shared a lot of praise and thanks for our community. In addition to the marketing of our community to the tens of thousands of visitors, there has also been quite a bit of positive news coverage. Here are just two links that have been making the rounds:

<https://www.facebook.com/LaurenDonovanKCCI/videos/2434568503487176?sfns=mo>

<https://www.kcci.com/article/indianola-to-host-4-major-annual-events-in-one-week/28512976>

**WWTP District Case** – Attached, please find the materials filed in advance of the arguments scheduled for July 30<sup>th</sup>. Please be advised that often times this type of hearing will take place in a small room with limited amount of seating. Legal Counsel and I will be attending this hearing and will provide an update at a future City Council meeting.

**Brush Facility** – Following the storm that rolled through our community on Saturday, our Brush Facility offered free brush disposal for storm damaged trees. During Sunday's hours of operation, 146 individuals took the opportunity to utilize this service with several making multiple trips to dispose of their material.

**Departmental "Shout Outs"** – Attached, please find this week's "shout outs" to members of the Team.

**Comprehensive Plan Update** - As a reminder, the Comprehensive Plan Update survey has been released. The survey and other information on the Comprehensive Plan Update can be found at [www.elevateindianola.com](http://www.elevateindianola.com). To date, 876 surveys have been completed. Additionally, staff and the consultants will be participating in the National Balloon Classic Parade on Saturday, July 27, 2019. During the parade, flyers advertising the survey will be handed out, as well as candy for the kids. A poster advertising the survey has been created and is attached. This advertisement is being shared with our community partners (i.e. School District, YMCA, Chamber, and local businesses to name a few). To gather as much feedback as possible, we ask you to help spread the word to your constituents to participate in the survey!

**Informational Note** – Here is a link to a recent news report by KCRG out of Cedar Rapids regarding traffic changes being made that is being provided for informational purposes only: <https://www.kcrg.com/content/news/Transition-from-one-way-to-two-way-in-a-dozen-areas-nearly-complete-512968911.html>.

**Community Development Updates** – Attached, please find various updates provided by the Community Development Department.

**Upcoming City Council Agenda** – Attached, please find the draft agendas maintained by the Clerk’s Office for the upcoming meetings. As a reminder, these are fluid documents that can change on a regular basis (i.e. some items may get added/rescheduled due to Council direction, as well as other factors that may or may not be within the control of the City departments). If there are items that you would like more information on, please let me know.

| Permit #                                 | Permit Year | Permit Date | Permittee                  | Owner if Different from Permittee                                              | Address              | Project                              | Last Inspected     | Permit Expired | Date Letter Sent                     | Re Apply?                                         | New Permit # | Date RePerm | DATE Re Inspect/ Finished                                                                                    | Notes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|------------------------------------------|-------------|-------------|----------------------------|--------------------------------------------------------------------------------|----------------------|--------------------------------------|--------------------|----------------|--------------------------------------|---------------------------------------------------|--------------|-------------|--------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>2016</b>                              |             |             |                            |                                                                                |                      |                                      |                    |                |                                      |                                                   |              |             |                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>2017</b>                              |             |             |                            |                                                                                |                      |                                      |                    |                |                                      |                                                   |              |             |                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 4                                        | 2017        | 2/1         | Wade Williams              |                                                                                | 1005 Ann Parkway     | Bathroom Addition                    | NONE               |                |                                      |                                                   |              |             |                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 5                                        | 2017        | 2/4         | Cary Jordan                |                                                                                | 1002 E Madison       | Residential Addition                 | NONE               |                |                                      |                                                   |              |             |                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 6                                        | 2017        | 2/15        | Adam Loux                  |                                                                                | 304 N 4th Street     | Garage                               | 4/3/2017           |                |                                      |                                                   |              |             |                                                                                                              | Board of Adjustments 12/7/16 requesting variance allow for a 1350 sq ft garage. This was approved to store his camper. RI plumbing and Electric Inspection 4/3/17                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 7                                        | 2017        | 2/21        | Rodger & Cindy Tensdale    |                                                                                | 506 W Salem Ave      | Residential Restoration Support Beam | 3/2/2017           |                |                                      |                                                   |              |             |                                                                                                              | Support beam in the home. Only inspection in file is the framing inspection. This permit requires a CO                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 11                                       | 2017        | 2/23        | Bergstrom Construction LC  | Missouri Valley Line Construction                                              | 1707 N 14th Street   | Commercial Alteration                | 3/6/2017           |                |                                      |                                                   |              |             |                                                                                                              | Apprenticeship school for power pole workers. Includes office space and training room. Only inspection in file is a Framing and electrical RI inspection. 5/15/19 handed to CD to review. This DOES require a CO.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 12                                       | 2017        | 2/22        | Tim Dusenberry             |                                                                                | 1208 E Lincoln Ave   | Deck                                 | NONE               |                |                                      |                                                   |              |             |                                                                                                              | no inspections on file                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>2018</b>                              |             |             |                            |                                                                                |                      |                                      |                    |                |                                      |                                                   |              |             |                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>ACTIVE - in Motion for INSPECTION</b> |             |             |                            |                                                                                |                      |                                      |                    |                |                                      |                                                   |              |             |                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 29                                       | 2015        |             | Alex Van Clark             |                                                                                | 1003 North E Street  | Addition BR and Egress Wind          | 7/2/2015           | 12/29/2015     | 11/8/2018<br>1/29/2019               | Reminder Letter Sent 04/05/2019                   |              |             | 02/08/19<br>FAILED                                                                                           | 515-669-7886 - Alex - states they did the finish the basement walls just cut a hole in the drywall to add a different bedroom. He states the egress windows are complete. Requesting an extension on bedrooms or will call if no longer doing them to close permit. SB inspected 02/08/19 FAILED. Fire alarm outside of bedroom is more than 10' from door. Closet light had exposed bulb. Needs to be reinspected to final out.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 32                                       | 2018        | 4/9         | Amie Hale                  |                                                                                | 107 South 19th Court | Pool                                 | 8/3/2018           | 1/30/2019      | 9/27/2018<br>1/29/19                 | EXT til May                                       |              |             |                                                                                                              | Warning Letter advising of expiration if no final inspection. Extension given until May 2019 for final. 515-556-6715 Amie ..                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 67                                       | 2018        | 6/8         | Dan & Irene Bertsch        | Mail to :<br>W 3rd Ave Indianola                                               | 610 S Freeman Street | Garage Addition                      | NONE 1/30/19<br>SB | 12/5/2018      | 01/29/19                             | Reminder Letter Sent 04/05/2019<br>EXT Til 7/1/19 |              |             | 1/30/19<br>FAILED                                                                                            | Added to spreadsheet 1/24/19 krb - Mail to 805 W 3rd Ave. 1/29/19. Owner called in to have inspection for final. 1/30 Safebuilding. States unable to see previous work covered prior to inspection. Needs hurricane clips. FAILED. Will need to have re inspected once items mentioned are corrected. Owners email 2/14/19 "I am responding to the letter I received from you regarding the construction at 610 south freeman. The work is not completed so I will need an extension of the permit. The work is being done by Ron Miller construction. Dan Bertsch" Dan called office 5/24/19 requesting extension til July 515-240-5924. 7/18 all done except for siding. Has to put windows in except for siding. Last inspection done on January 30 by SB. Allows up to 180 days before expiration so the final end date is July 29, 2019. Inspection requested to do overall walk through to determine current status 7/19 at 10:30am TL                                                                                                                                                                                                                                                                                                                                                                |
| 68                                       | 2017        |             | Richard Stewart            |                                                                                | 1209 Lancaster Way   | Single Family Dwelling               | 10/10/2017         | 4/8/2018       | 8/28/2018<br>1/29/2019               | Reminder Letter Sent 04/05/2019                   |              |             | 2/13/19<br>FAILED<br>2/27/19<br>FAILED<br>2/28/19<br>OK FOR<br>TEMP CO<br>(sod, gutters,<br>grade<br>needed) | Owner came in 02/11/19 reports final done by RP in July of 2018. No inspection in file. Scheduled final with Safebuilding. Mr. Stewart 515-490-8339 "SB inspected 2/13/19 failed "AC breaker is 30 amp needs to be 25 amp, unfinished basement outlets need to be GFI protected, water heater drain pipe is missing, need gutters and downspouts installed." Owner came to office 2/19 asked if he could just get final or temp co for GFI, breaker and drain pipe being done, but will not be able to get to gutters and downspouts till its warmer. Jeff with SB agreed to do Temp CO inspection. Owner will call in when ready for Temp CO inspection. Reinspection for final set up with sb 2/27/19. FAILED - Punchlist complete except gutter and downspout. Will complete by spring. Will call for reinspection. SB inspection 2/28/19 "missing gutters. missing final grade and sod. Landing at lower end of the stairs approved. Need drip leg on gas line at furnace. Permanent address required. House number not visible from street. Builder is planning a column with address at end of drive. Temp address sign in place now. Ok for temp CO. Spoke to permitte/builder 5/10/2019. All is done but painting the home. Plans to have this done and ready for Final CO inspection in June 2019, |
| 82                                       | 2015        |             | Brian Hoxmeier             |                                                                                | 1308 N 6th Street    | Basement Finish                      | 1/6/2016           | 7/4/2016       | 01/29/19                             | EXT til<br>December of<br>2019 per CD             |              |             |                                                                                                              | Brian (38-991-3092) called and would like an extension until the end of the year on this permit. Please make note of an extension until 12/31/19 per Charlie D.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 98                                       | 2015        |             | Brad Butler                | Bradley Butler &<br>Alesia Wright<br>1306 E Detroit Ave<br>Indianola, IA 50125 | 410 W 1st Ave        | Front Porch Repair                   | NONE               | 3/19/2016      | 11/8/2018<br>1/29/2019<br>02/25/2019 | FINAL NOTICE<br>4/05/2019                         |              |             |                                                                                                              | Contacted owner listed on application -Spoke 4/22/19 . Stated the porch was finished and he currently has rental tenants living in the home. States the inspector is welcome to come over as long as they do not disturb the residents.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 104                                      | 2017        | 8/18        | Brook Breuklander          |                                                                                | 908 N Y Street       | Pool Deck                            | NONE               | 2/14/2018      | 01/29/19                             | Second Notice<br>5/15/19 Notice<br>04/05/2019     |              |             |                                                                                                              | Owner called in 5/22/19 states that inspector came out over a year ago. Was told to do a couple things but nothing else. No final was called for inspection by owner. Set inspection for 5/23 at 9am                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 110                                      | 2017        | 9/7         | Cross Cut Custom Carpentry | Robert & Deb Elgin                                                             | 210 N 15th Street    | Deck                                 | 9/7/2017           | 3/6/2018       | 01/29/19                             | Reminder Letter Sent 04/05/2019                   |              |             | 02/07/19<br>FAILED                                                                                           | 2/5/19 owner called in regarding inspection needed. SB scheduled for 2/07/19. Inspection Failed. Will need to call to reinspect. Owner cld in 2/11 asked for failed inspection report. Emailed inspection report to owner 2/11. advised to let us know when she would like to reschedule final                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

|     |      |      |               |               |                    |        |           |           |                                    |                                       |  |  |                    |                                                                                                                                                                                                                                                                                                                                                               |
|-----|------|------|---------------|---------------|--------------------|--------|-----------|-----------|------------------------------------|---------------------------------------|--|--|--------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 140 | 2016 |      | Joe Ripperger |               | 209 N M Street     | Deck   | NONE      | 4/11/2017 | 11/12/2018<br>1/29/2019            | Reminder<br>Letter Sent<br>04/05/2019 |  |  | 02/05/19<br>FAILED | Zach current home owner - 515-729-4649 says okay to come whenever just call. Per SB 02/05/19 Jeff Begg "4x4 post more than 8" tall. Appear to be buried in the ground, unable to verify frost depth. Beam should be notched into post or supported with approved brackets. Stairs and all railing approved. FAILED DECK. Will need to schedule reinspection." |
| 141 | 2016 |      | Sean Thompson |               | 204 E Kentucky Ave | Deck   | NONE      | 4/12/2017 | 11/12/2018<br>1/29/2019<br>2/25/19 | Reminder<br>Letter Sent<br>04/05/2019 |  |  |                    | Resent letters with SECOND NOTICE listed on top. Recvd call from owner of the home. 515-330-7168. Sean Thompson 515-991-4729. He is out of town until 3/5/19. Advised that Safebuilding to call to set up final inspect next week.                                                                                                                            |
| 146 | 2016 |      | Brad Butler   | Ross Huff     | 611 Quail Ridge Rd | Deck   | 11/7/2016 | 5/6/2017  | 11/12/2018<br>1/29/2019            | Reminder<br>Letter Sent<br>04/05/2019 |  |  | 1/3/2019<br>FAIL   | Owner called in requesting inspection for final. Sent to safebuild 12/27/18 Ross Huff - Safebuild inspected project on 1/3/19 FAILED- Will reinspect when called                                                                                                                                                                                              |
| 148 | 2017 | 11/3 | Iowa Drone    | Sean Thompson | 204 E Kentucky Ave | Garage | NONE      | 5/2/2018  | 1/29/2019<br>2/25/19               | Reminder<br>Letter Sent<br>04/05/2019 |  |  |                    | Resent letters with SECOND NOTICE listed on top. Recvd call from owner of the home. 515-330-7168. Sean Thompson 515-991-4729. He is out of town until 3/5/19. Advised that Safebuilding to call to set up final inspect next week.                                                                                                                            |



## COMMUNITY DEVELOPMENT

**To:** Ryan J. Waller, City Manager  
**From:** Charlie E. Dissell, AICP, Community and Economic Development Director  
**Subject:** Current Projects Update-July 26, 2019

The purpose of this memorandum is to provide a brief synopsis of different projects that may be of interest to the Council.

- **McConnell Subdivision Preliminary Plat**
  - Located west of Meadow Brooke Subdivision located at East 2<sup>nd</sup> Avenue and South 20<sup>th</sup> Street.
  - City Council approved on January 22, 2019.
- **Quail Meadows Townhomes Preliminary Plat**
  - Located on the north side of East Hillcrest Avenue between North 9<sup>th</sup> Street and the Summerset Trail.
  - Final Plat approved by Council on May 20.
  - Site development is taking place and work is progressing.
- **Prairie Glynn Plat 2**
  - Located east of East Franklin Avenue and North 15<sup>th</sup> Street.
  - Construction plans have been submitted and will be approved once changes are made.
  - A second revised preliminary and final plat were submitted on June 5. The Planning and Zoning Commission reviewed the preliminary plat at its July 9 meeting, and Council is scheduled to review the preliminary plat at its July 15 meeting.
- **Autumn Ridge Subdivision Plat 3**
  - Located north of North O Street and West Kentucky Avenue.
  - City Council a Development Agreement on June 17.
- **Summercrest Hills 6**
  - Located north of North 8<sup>th</sup> Street and East Trail Ridge Place.
  - Staff has been notified that about 30 acres of land in the Summercrest Hills development was sold to a developer who intends to develop single family lots.
  - A rezoning application was submitted on July 1 to change a portion on this land from C-2 to R-3.
  - This development will require the City to relocate the current lift station north of the Quail Meadows Subdivision to the north of the Summercrest Hills development.



- **Warren County Justice Center (115 North Howard Street)**
  - Staff has continued to meet with the General Contractor on this project to discuss site layout, utilities, closures, haul routes, etc.
  - Staff compiled a comment and questions to the County's contractor and design team on March 27. Staff received a response to this letter on April 12.
- **West Hills Brewery (219 West Salem Avenue)**
  - City staff held a pre-application meeting with business owners on January 25
  - Building permit application and plans submitted for a new brewery on January 30.
  - City staff held follow-up meeting with applicant on February 21 on plan review comments regarding the need for a fire sprinkler system.
  - Chief Chia has approved a variance to the automatic sprinkler requirement due to an undersized water main along West Salem Avenue. A Condition of this variance calls for the installation of a fire alarm/smoke detection system and the applicant signing a hold harmless agreement.
  - Council approved the hold harmless agreement on April 15.
  - Building permits have been issued and inspections conducted.
- **New Heights Church (309 East Hillcrest Avenue)**
  - The project engineer contacted the City on February 7 to clarify plan review comments.
  - Updated site plan was received on March 7.
  - Updated comments returned to applicant on March 20.
  - The project engineer contacted the City on July 11 to clarify plan review comments.
- **Gritt Performance (983 East Hillcrest Avenue)**
  - Site plan for this project has been submitted to the City and is being reviewed by Staff and City Engineer.
  - Plan review comments returned to applicant on February 20.
  - Updated site plans were resubmitted on March 4.
  - Updated comments returned on March 18.
  - Updated site plans were resubmitted on March 26.
  - Site plan was approved on April 8.
  - Staff met with the property owner on April 10 to discuss preliminary building plans.
  - Staff met with property owner on May 23 to discuss financial assistance options.
  - Building permit application applied for on June 14.
  - Building permit comments were returned on June 25.
- **Ace Hardware (506 North Jefferson Way)**
  - City staff held a pre-development meeting on this project on February 22.
  - The old car wash was demolished the week of July 15.
  - The existing Mudslingers Coffee Shop would remain.

- **Chumbley's Auto Care (110 South Jefferson Way)**
  - Staff met with the business owner on March 15 to discuss plans for future building.
  - Staff has submitted preliminary comments on the site plan to the business owner.
  - Site plan and building permit application plan were submitted on May 10.
  - Comments were returned to the applicant on May 22.
  - Revised site plans and building permit plans were resubmitted on July 10.
  - Site plan and building permit were issued on July 17.
- **Indianola Regular Baptist Church (1209 East 2nd Avenue)**
  - Staff held a preapplication meeting for a proposed addition to this church on March 29.
  - Building permit application was submitted on May 28.
  - Building permit comments were returned on June 25.
  - On July 8, staff was informed that the Church has put this project on hold.
- **Missouri Valley JATC Training Facility (1600 East Iowa Avenue)**
  - Site Plan for this project was submitted on April 3 to the City and comments were returned on April 22.
  - City Staff has also held internal meetings regarding new road alignment within the industrial park expansion.
  - City staff met with the Missouri Valley on May 1 to discuss access to this site and possible road upgrades/funding.
  - A revised site plan was submitted on May 20.
  - Revised comments were returned on June 4.
  - A second revised site plan was submitted on June 11.
  - Site Plan was approved on June 11.
  - Building permit application was submitted on June 14.
  - Building permit comments were returned on July 2.
  - Staff has meet with Missouri Valley on a development agreement related to future infrastructure improvements.
- **Indianola Pediatric Dentist (2001 North 6<sup>th</sup> Street)**
  - Site plan and stormwater management plan were submitted on May 23.
  - Comments were returned to the applicant on June 2.
  - Building permit application submitted on June 13.
  - Site plan and stormwater management plan were approved on June 18.
  - Building permit comments returned on July 3.
  - Revised building permit plans were resubmitted on July 11.
  - Building permit issued on July 15.

- **Cavitt Creek Condominiums I & II (1400 and 1500 block of North 9<sup>th</sup> Street)**
  - Site plan and stormwater management plan were submitted on June 3.
  - Cavitt Creek I, between 1404 and 1500 North 9<sup>th</sup> Street, proposes 12 duplexes (24 units)
  - Cavitt Creek II, to the west of Cavitt Creek I and 1500 North 9<sup>th</sup> Street, proposes 21 duplexes and 14 six-plexes, for a total of 126 units.
  - Site plan and stormwater management plan comments were returned to the applicant on June 20.
  - Both site plans will need to be reviewed by the Planning and Zoning Commission and approved by the City Council.
  - Revised site plans for Cavitt Creek Condominiums I were submitted on June 28.
  - Revised site plans for Cavitt Creek Condominiums II were submitted on July 10.
  - Kading Properties hosted a neighborhood meeting on July 16.
  - Revised site plan comments were returned on July 26.
- **D&D Property (204 North Jefferson Way)**
  - City Council directed staff to move forward on an offer on this lot.
  - An alley vacation was recommended for approval by the Planning and Zoning Commission on May 14.
  - Council held a Public Hearing and approved the alley vacation on June 3.
- **Hillcrest TIF Update**
  - Staff submitted all preliminary information to Attorneys to begin to TIF Update process on March 11.
  - The consultation meeting with affected taxing entities (Warren County and Indianola School District) took place on April 24.
  - The public hearing for the first amendment was on May 20.
  - Council approved the first amendment on June 17
  - The consultation meeting for the second amendment took place on July 8 at 9AM in the Council Chambers.
  - The public hearing for the second amendment will take place on August 5.
  - As part of the second amendment, the City is required to get consent from land owners who have agricultural land for 3 of the last 5 years. These agreements have all been received.

August 19, 2019  
Draft Council Agenda

- Minutes
- Claims
- Applications – The Local Vine
- City Manager’s Report
- Salaries
- Second consideration of an ordinance for amendment #2
- FY 21 Budget Environmental Scan
- Resolution setting a public hearing (September 3, 2019) and first consideration of on request from Paul D/Rheanna M Edenburn, Timothy J/Shelli R Mc Connell, John R/Linda H Benoit and Michael/Natalie Smothers for a vacation and conveyance of the north and south alley lying adjacent to Lots 1-4, in Block 20 of College Addition to the City of Indianola.
- Resolution setting a public hearing (September 16, 2019) and first consideration on request from Steger Construction Inc. to rezone the property listed at 506 W 2nd Ave from R-3 (Mixed Residential) and C-2 (Highway Commercial) Zoning Districts to R-3 (Mixed Residential) Zoning District.
- Resolution setting a public hearing (September 16, 2019) and first consideration on amendment to Chapter 165 (Zoning Regulations), regarding fence regulations.
- Resolution setting a public hearing (September 16, 2019) and first consideration on amendment to Chapter 165 (Zoning Regulations), regarding Bed and Breakfast regulations.
- Resolution approving the request from Capone Property Management, LLC for approval of a Plat of Survey at 1109 South K Street.
- Resolution approving the request from Civil Engineering Consultants, Inc., on behalf of Peoples Company, for preliminary plat approval of Heritage Hills Plat 10

August 19, 2019  
Draft Council Study Agenda



August 5, 2019  
Draft Council Agenda

- Minutes
- Claims
- Applications
- UR Apps
- Street closure apps
- City Manager's Report
- Salaries
- East Hillcrest Avenue Trail – Resolution approving and accepting Recreation Trail Easements and Resolution approving contract and bond
- Public hearing and resolution for the Hillcrest/Downtown Unified Urban Renewal Plan amendment no. 2, first consideration of an ordinance for amendment #2
- Presentation regarding the EMS Billing – Todd Cooper
- Resolution to install three temporary Pickleball Courts in the YMCA Parking Lot
- Block Party request
- Street closure request for the Children's Costume Party
- Closed session in accordance with Iowa Code Section 21.5(1)(i)





## Ryan Waller

---

**From:** Ryan Waller  
**Sent:** Wednesday, July 24, 2019 3:20 PM  
**To:** City Employees  
**Subject:** Shout Out - Team

Yesterday was an amazing day. Words do not adequately express the gratitude I have for all of you and the hard work you do for our community.

**THANK YOU!!!**

Ryan



**Ryan J. Waller**

City Manager

[rwaller@indianolaiowa.gov](mailto:rwaller@indianolaiowa.gov)

p: 515.962.5274

110 N. 1<sup>st</sup> Street – Indianola, Iowa 50125

## Ryan Waller

---

**From:** Melissa McCoy  
**Sent:** Wednesday, July 24, 2019 1:34 PM  
**Subject:** Shout Out to the Parks Department!

Good job Parks & Rec. Thanks for giving up your Sunday to clean up storm debris. Had a toddler family visit the Children's garden.



Melissa McCoy  
Director of Human Resources  
City of Indianola  
110 North 1<sup>st</sup> Street  
Indianola, IA 50125

Office: (515) 962-5272  
Fax: (515) 962-5273  
[mmccoy@indianolaiaowa.gov](mailto:mmccoy@indianolaiaowa.gov)



*“Avoid the worst, put safety first!”*

IN THE IOWA DISTRICT COURT FOR WARREN COUNTY

**CITY OF INDIANOLA, IOWA,**  
**Petitioner,**

**V.**

**THE BOARD OF ADJUSTMENT OF  
WARREN COUNTY, IOWA,  
Defendant.**

**Case No.: CVCV037789**

## DEFENDANT'S BRIEF

COMES NOW, Douglas A. Eichholz, Warren County Attorney, and Dawn M. Bowman, Assistant Warren County Attorney, and hereby submit Defendant's Brief in the above-captioned case.

Respectfully Submitted,

**DOUGLAS A. EICHHOLZ**  
**WARREN COUNTY ATTORNEY**

BY:

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Warren County Attorney Office  
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## TABLE OF AUTHORITIES

### Cases

*A-Line Iron & Metals, Inc. v. Cedar Rapids Board of Adjustment*, 791 N.W.2d 710 (Iowa Ct. App. 2010).

*City of Ames, Iowa v. Story County, Iowa*, 392 N.W.2d 145 (Iowa 1986).

### Code of Iowa (2017)

Code of Iowa, Section 335.10 (2017).

Code of Iowa, Section 335.11 (2017).

Code of Iowa, Section 335.15(2) (2017).

Code of Iowa, Section 335.21 (2017).

### Warren County Code of Ordinances (2018)

Warren County Code of Ordinances, Chapter 41, Sections 41.02, 41.02(2), 41.02(2)(H), 41.02(3), 41.02(4), 41.02(2-41.02(4),

Warren County Code of Ordinances, Chapter 43, Sections 43.06, 43.08, 43.09(3).

**STATEMENT OF THE ISSUES PRESENTED FOR REVIEW**

- I. THE WARREN COUNTY BOARD OF ADJUSTMENT'S DECISION TO DENY THE CITY OF INDIANOLA'S APPLICATION FOR A SPECIAL USE PERMIT FOR THE CITY'S WASTEWATER TREATMENT PLANT WAS LEGAL AND NOT CONTRARY TO WARREN COUNTY CODE OF ORDINANCES.
- II. THE WARREN COUNTY BOARD OF ADJUSTMENT'S DECISION WAS NOT UNREASONABLE, ARBITRARY, NOR CAPRICIOUS AND WAS BASED ON SUBSTANTIAL EVIDENCE.
- III. THE COUNTY'S ORDINANCES SHOULD APPLY TO THE CITY, AND WHEN TWO GOVERNMENTAL AGENCIES ARE UNABLE TO REACH AN AGREEMENT AND ACCOMODATIONS, THE COURT WILL USE A BALANCING OF INTEREST TEST TO DECIDE THE MATTER.



**STATEMENT OF THE CASE**

This case began on August 10, 2018, when the City of Indianola (“City”) applied for a Special Use Permit, pursuant to Warren County Code of Ordinances, Chapter 41, Section 41.02(2) (Respondent’s Ex. 1), for construction and operation of a wastewater treatment plant the City plans to build on more than 300 acres of real property that the City has owned since the property was purchased in 2002. (Respondent’s Ex. 2.) The City’s property is located near the 10700 block of Grimes Street in Warren County, north of the City. The plant will be built on Parcel Nos. 05000039880 and 05000039820. The legal descriptions for the parcels are as follows:

The Southeast quarter of the Southeast quarter of Section 3, Township 76 North, Range 24 West of the 5<sup>th</sup> P.M., Warren County, Iowa; and  
The Northeast quarter of the Southeast quarter of Section 3, Township 76 North, Range 24 West of the 5<sup>th</sup> P.M., Warren County, Iowa.

The property is zoned A-1 Agricultural, and the Warren County Code of Ordinances Chapter 41, allows public sewage treatment facilities (or wastewater treatment plants), such as the Wastewater Treatment Plant for the City, to be built on A-1 zoned property, provided a Special Use Permit is granted by the Warren County Zoning Board of Adjustment. (Respondent’s Ex. 1.)

The Board of Adjustment denied the City’s Application for a Special Use Permit, and the City has appealed the Board’s decision to District Court. (Warren County Code of Ordinances, Chapter 43, Zoning—Enforcement and Administration, Section 43.09(3)) (Respondent’s Ex. 3).

## **STATEMENT OF THE FACTS**

### **Applications for Special Use Permits**

The City requested a Special Use Permit from Warren County allowing the construction and operation of a wastewater treatment plant on City owned property. The request for a Special Use Permit goes before the Warren County Board of Adjustment.

Section 43.08 of the Warren County Code of Ordinances enumerates the Powers and Duties of the Board. Section 43.08(1)(B) states: “The Board of Adjustment shall have the following powers and it shall be its duty: To hear and permit special exceptions to the terms of the Zoning Ordinance upon which the Board of Adjustment is required to pass under the Zoning Ordinance.” (Respondent’s Ex. 3.) The powers of the Board of Adjustment regarding special exceptions to the terms of the ordinance are also enumerated in Iowa Code Section 335.15(2) (2019).

The specific details required in Applications for Special Use Permits is addressed in Section 41.02(4). (Respondent’s Ex 1.)

Applications for Special Use Permits. Applications for a Special Use Permit under the terms of this section shall be accompanied by evidence concerning the feasibility of the proposed request and its effect on surrounding property and shall include a site plan defining areas to be developed for buildings and structures, the areas to be developed for parking, the locations of driveways and the points of ingress and egress, including access roads where required, the location and height of walls, the location and type of landscaping, the location, size and number of signs and the manner of providing water supply and sewage treatment facilities. Before issuance of a Special Use Permit for any of the above buildings or uses, the Board of Adjustment shall review the conformity of the proposal and site plan with the standards of the Comprehensive Land Use Plan, and with recognized principles of engineering design, land use planning and landscape architecture. The Board may approve or disapprove the Special Use Permit as submitted or, before approval, may require that the applicant modify, alter, or amend the proposal as the Board deems necessary to the end that it preserve the intent and purpose of the Zoning Ordinance to promote public health, safety, and the general welfare. In the event a Special Use Permit is granted under the terms of this section any change thereafter

in the approved use or site plan shall be resubmitted and considered in the same manner as the original proposal.

Iowa Code section 335.10 (2018) also addresses the conditions that the Board of Adjustment will consider when reviewing an application for a Special Use Permit.

### **Board of Adjustment Meetings**

Applications for Special Use Permits are presented to the Warren County Board of Adjustment, which holds regular meetings on the second Thursday of the month (occasional scheduling conflicts may require meetings to be held on Wednesdays). (Respondent's Ex. 2.)

Notice of the meetings and the hearings to be heard at those meetings are published in the three newspapers of record for the County, the *Carlisle Citizen*, the *North Warren Town and County News*, and the *Record Herald and Indianola Tribune*. The meetings are held in the Board Room of the Administration Building, located at 301 N. Buxton, Indianola, Iowa 50125. Board of Adjustment meetings are open to the public, and public comment is encouraged for each hearing before the Board.

In addition to publishing the notices of meetings and hearings, when a citizen or governmental entity makes application for a variance or a Special Use Permit, the Zoning Administrator and/or the Assistant Zoning Administrator mail notices to the property owners within 500 feet of the property for which the variance is sought.

Meetings are held at 6:30 p.m. All hearings during the meeting are recorded, and those who wish to address the five-member Board of Adjustment are required to speak to the Board from a podium located in front of the Board members, which assures the speaker's comments are recorded. The recorded minutes are maintained by the Zoning Administrator, and once approved by the Board of Adjustment, the minutes are published in the newspapers of record. Resolutions,



either approving or denying applications for variances or Special Use Permits, also are published in the newspapers of record.

Applicants are entitled to a hearing before the full Board of five members. This is announced when fewer than five Board members are present for a meeting. A quorum is three members. A quorum is required to conduct business meetings. (Warren County Code of Ordinances, Chapter 43.06, Board of Adjustment-Appointment and Terms (Respondent's Ex. 3); Iowa Code Section 335.11 Membership of board (2017)). If one or two Board members are absent, the applicant may ask to have the matter continued to the next meeting.

#### **Presentation of Applications for Special Use Permits**

The procedure for presentation of an application is as follows: The Zoning Administrator or the Assistant Zoning Administrator presents the application to the Board of Adjustment, by presenting Findings of Fact and Recommendation. The Findings of Fact include the details of the application, including the applicant's name and address, the property, the variance or Special Use Permit sought, and the applicable sections of the Warren County Code of Ordinances. Staff recommendation(s) are based on findings of fact, Chapters 43.08 & 41.02(2)-41.02(4) of the 2018 Warren County Code of Ordinances (Respondent's Exs. 1, 3). Said Chapters govern the issuance of Special Use Permits by the Board of Adjustment and state that certain uses may be permitted in the A-1 (Agricultural District) subject to approval by the Board of Adjustment." (Respondent's Ex. 2.)

Thirteen different conditions are considered in the Administrator's Finding of Fact/Recommendations for Special Use Permits (Respondent's Ex. 4).

"In its consideration of any particular Special Use Permit the Board shall consider all of the following conditions.

- a. Has the petitioner submitted evidence concerning the proposed special use as required by Chapter 41.02(4) of the Zoning Ordinances?
- b. Is the special use listed in the Zoning Ordinance for the zoning district under consideration?
- c. Is the petition for a Special Use Permit in accord with the general purpose and intent of the Land Use Plan and Policies and the Zoning Ordinance?
- d. Does the proposed location, design, construction and operation of the particular use adequately safeguard the health, safety, and general welfare of persons residing or working in adjoining or surrounding property?
- e. Will the special use maintain an adequate supply of light and air to adjoining properties?
- f. Will the special use maintain the same or increase the value of the adjoining properties?
- g. Will the special use provide adequate protection from fire and other danger to said property and adjoining properties?
- h. Will special use provide adequate screening of the use if visually detrimental to adjoining properties?
- i. Will the special use maintain safe traffic movements on adjacent public streets?
- j. Will the special use provide adequate parking as required by the Zoning Ordinance?
- k. Will the special use provide adequate sewage treatment facilities and water supply in accordance with the regulations of the County?
- l. Will the special use abate or prohibit the disposal of refuse matter, water-carried waste, obnoxious or offensive odor, smoke, dust, gas, noise or similar nuisance detrimental to adjoining properties and general health?
- m. Has the applicant proved his case for a Special Use Permit? Just applying isn't enough."

(Respondent's Ex. 4.)

The Zoning Administrator checks “yes” or “no” on each of the questions, and then reaches a conclusion and makes Staff Recommendation(s).

Once the Zoning Administrator/Assistant Zoning Administrator finishes the presentation of the application and delivers the Staff Recommendation, the Board goes into public hearing, by motion and second from the Board members. During the public hearing, the applicant presents information and evidence regarding his or her request for the Special Use Permit. The Board members may ask questions during this presentation. After the applicant is finished, the Board invites those members of the public who wish to speak in favor of the application to address the Board. When all those in support of the application have spoken, the Board invites those in opposition to speak. After those in opposition speak, the applicant addresses or redresses any concerns expressed by those in favor or opposed to the application and may reiterate the request for the application. The Board members may address the applicant again for clarification if necessary. By motion and second, the Board moves from public hearing to meeting, during which they can talk about and consider the application. The Chairman will ask for a motion for approval of the application. Motion will be made and seconded, and the Chair will call for roll call. Board members will vote aye or nay. Occasionally a member will abstain during the vote.

Warren County Code of Ordinances Section 41.02(2) (2018) addresses Special Use Permits in A-1 District. (Respondent’s Ex. 1.)

Special Use Permits A-1. The following uses may be permitted in the A-1 District subject to approval by the Board of Adjustment after notice and public hearing and subject to the conditions in subsection 3 of this section:

H. Public water supply and sewage treatment facilities.



Section 41.02(2)(3) of the Warren County Code of Ordinances addresses “Conditions for Special Use Permits.” (Respondent’s Ex. 1.)

Conditions for Special Use Permits. In its determination upon the particular use at the location requested, the Board of Adjustment shall consider all of the following conditions:

- A. That the proposed location, design, construction and operation of the particular use adequately safeguards the health, safety and general welfare of person residing or working in adjoining or surrounding property;
- B. That such use shall not impair an adequate supply of light and air to surrounding property;
- C. That such use shall not unduly increase congestion in the streets or public danger of fire and safety;
- D. That such use shall not diminish or impair established property values in adjoining or surrounding property; and
- E. That such use shall be in accord with the intent, purpose, and spirit of the Zoning Ordinance and Comprehensive Land Use Plan of the County.

The five conditions for Special Use Permits in the Warren County Code of Ordinances are encompassed in the 13 conditions addressed in the Application for Special Use Permits.

In each of the documents, the Application for a Special Use Permit and the Warren County Code of Ordinances, the Board of Adjustment is required to *consider* the 13 conditions in the application and the five conditions in the Zoning Code. Neither document states that each of the conditions must be met for the Board of Adjustment to approve an application for a Special Use Permit.



**Presentation of the City's Application for Special Use Permit**

Public Notice for the Board of Adjustment meeting on September 13, 2018, was published in the newspapers of record for the County, the Carlisle Citizen, the North Warren Town and County News, and the Record Herald and Indianola Tribune. On August 28, 2018, neighbor notices were mailed to property owners within 500 feet of the property owned by the City of Indianola (see described above).

At the September 13, 2018, meeting, Assistant Zoning Administrator Karie Ellwanger presented the City's application for a Special Use Permit to four of the five members of the Board of Adjustment. One member of the Board, David Churchill, recused himself due to a conflict. In her presentation, Ms. Ellwanger presented the Findings of Fact/Recommendation. (Respondent's Ex. 4). The staff recommendation was that the Board of Adjustment approve the application and grant a Special Use Permit to the City. Of the 13 conditions set forth in the application, Ms. Ellwanger noted that the Zoning Administrator had answered "no" to one condition: Condition f: Will the special use maintain the same or increase the value adjoining properties? She noted that the sewer plant is to/for the City, not rural [residents' benefit]. (Respondent's Ex. 4.)

Ms. Ellwanger read the Recommendation: "Staff recommends approval of this special use application. Land Use Plan calls for A-1. The Zoning Ordinance lists the proposed use as an allowed use with a Special Use Permit. Therefore, we recommend approval."

After hearing evidence from the City, through a presentation made by Jim Rasmussen, HR Green, one of the Board members asked if the County Engineer could be present to address concerns the Board members had regarding the location of the driveway into the City's property. The board also heard testimony from 10 citizens and one attorney who represented two of the

citizens who spoke, all of whom spoke against the Board approving a Special Use Permit. The Board of Adjustment tabled the matter until the October 11, 2018, meeting. The presentation made by Jim Rasmussen, HR Green, was added to the City's Application for Special Use Permit.

Public Notice for the Board of Adjustment meeting on October 11, 2018, was published in the newspapers of record for the County, the Carlisle Citizen, the North Warren Town and County News, and the Record Herald and Indianola Tribune. On October 2, 2018, neighbor notices were mailed to property owners within 500 feet of the property owned by the City of Indianola.

On October 11, 2018, at the Board of Adjustment meeting, Mr. Churchill recused himself from the meeting due conflict, and the City, through a presentation made by Jim Rasmussen of HR Green, presented additional evidence in support of its application for a Special Use Permit to use its property for the City's wastewater treatment plant. The Board also heard testimony from 15 citizens, speaking against the approval of the Special Use Permit. Ryan Waller, City Manager for the City of Indianola, also presented information before the Board of Adjustment, speaking in favor of the City's application for a Special Use Permit. After discussion, the Board tabled the hearing until November 14, 2018, to allow the City time to host a meeting with interested citizens to discuss possible amendments to the application that would specify measures the City was willing to take regarding construction and operation of the plant, and document the measures by adding an amendment to the application. The presentation made by Jim Rasmussen, HR Green, was added to the City's Application for Special Use Permit

On October 15, 2018, the City mailed or emailed a letter to 16 persons or entities, including citizens who had provided their names and addresses at the October 11, 2018, Board of

Adjustment meeting. (Respondent's Ex. 5.) The meeting was held on October 25, 2018, in City Council Chambers.

On November 5, 2018, the Indianola City Council approved Resolution 2018-195, documenting the City's commitment to the citizens regarding the construction and operation of the wastewater treatment plant. (Respondent's Ex. 6.)

On November 14, 2018, during the Board of Adjustment's meeting, David Churchill recused himself from the hearing due to conflict. The City presented additional witnesses and documentary evidence, including a memo, "Evaluation of Property Values Near the Indianola WWTP," authored by Jim Rasmussen, HR Green, supporting the use of the proposed site for the City's wastewater treatment plant. (Respondent's Ex. 7.) The City also presented Resolution 2018-195, which was added as an amendment to the City's Application for a Special Use Permit. (Respondent's Ex. 6.) County Engineer David Carroll spoke in favor of the City's plan to build the wastewater treatment plant on the City's property. Two citizens spoke in opposition to the Special Use Permit.

It was moved by Board member Dan Smith to grant the City's Application for a Special Use Permit. In his motion, Mr. Smith detailed the reasons for granting the permit, and stipulated conditions the City would need to meet in and during construction, and during operation of the plant.

Having diligently, as a Board, reviewed the Findings of Fact, all of the fact-based information, the evidence provided through these three hearings, with some specific conditions, I would move to approve the application. Those conditions would be the site as proposed be completely screened within one-year, year-round, from view, naturally, in addition to any brick or concrete construction that blended with the environment. I say naturally but that's going to require a lot of evergreen trees. Iowa doesn't have those I believe, naturally. If this is approved, I would want it to be invisible within one year after completion. I would like for the City to provide to the County, the Zoning Administrator and the Director of Environmental Health, an annual letter showing compliance with all regulations. If something isn't in



compliance, a letter with a plan of action on how they are planning to remedy that situation. Further, if there is an emergency declared at the plant, that within one hour our Disaster Director be notified as well as Environmental Health and the Zoning Administrator. I don't think we can ever address at any location all of the property value issues. I firmly believe the City is in need, very soon, of a new wastewater treatment plant.

Minutes of the Meeting, November 14, 2018. (Respondent's Ex. 10.)

The motion was seconded by Board member Marilyn Halterman.

By a vote of three to one, the Board denied the City's application for a Special Use Permit allowing the City to construct and operate a wastewater treatment plant for the City of Indianola on city-owned property. (Respondent's Ex. 10.)

The City of Indianola has appealed the Board of Adjustment's decision, pursuant to Chapter 43, Zoning—Enforcement and Administration of the Warren County Code of Ordinances, specifically Section 43.09(3), which states

Any taxpayer, or any officer, department, board or bureau of Warren County, or any person or persons jointly or severally aggrieved by any decision of the Board may present to a court of record a petition, duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of the illegality. Such petition shall be presented to the court within thirty (30) days after the filing of the decision in the office of the Board.

Warren County Code of Ordinances, Chapter 43.09(3). (Respondent's Ex. 3.)

The City filed a timely appeal.

## **ARGUMENT**

### **ISSUE I**

THE WARREN COUNTY BOARD OF ADJUSTMENT'S DECISION TO DENY THE CITY OF INDIANOLA'S APPLICATION FOR A SPECIAL USE PERMIT FOR THE CITY'S WASTEWATER TREATMENT PLANT WAS LEGAL AND NOT CONTRARY TO WARREN COUNTY CODE OF ORDINANCES.

A. **Statement as to how the Issue was Preserved for Appellate Review.**

The Appellee preserved the issue for appellate review by addressing the issue during the Warren County Board of Adjustment hearings on September 13, 2018, October 11, 2018, and November 14, 2018, and in its timely filed Answer.

B. **Scope and Standard of Appellate Review.**

The scope of review by the District Court is de novo. Code of Iowa, Section 335.21 (2018).

C. **Argument.**

This action concerns the City of Indianola's application for a Special Use Permit to construct and operate a wastewater treatment plant on property owned by the City of Indianola, and the Warren County Board of Adjustment's denial of the application for a Special Use Permit. The City contends that the Board of Adjustment failed "to provide a full reason for its decision, and that the decision should have been supported by written testimony or evidence submitted in connection therewith." (City's Petition, filed December 14, 2018.)

In *A-Line Iron & Metals, Inc., v. Cedar Rapids Board of Adjustment*, 791 N.W.2d 710 (Iowa Ct. of App. 2010), the Iowa Court of Appeals stated

"The Iowa Supreme Court has established a rule that 'boards of adjustment shall make written findings of fact on all issues presented in any adjudicatory proceeding.' *Citizens Against the Lewis & Clark (Mowery) Landfill v. Pottawattamie County Bd. of Adjustment*, 277 N.W.2d 921, 925 (Iowa 1979). It is sufficient if a board substantially complies with this requirement. *Bontrager Auto Serv., Inc. v. Iowa City Bd. of Adjustment*, 748 N.W.2d 483, 488 (Iowa 2008). There is substantial compliance if the rule 'has been followed sufficiently so as to carry out the intent for which it was adopted. *Id.* (citation omitted). The intent of the rule requiring written findings is 'to enable a reviewing court to determine with reasonable certainty the factual basis and legal principles upon which the board acted.' *Citizens Against*, 277 N.W.2d at 925."

The Warren County Board of Adjustment recorded the *Resolution Denying Issuance of a Special Use Permit* in the Warren County Recorder's Office on November 21, 2018.

(Respondent's Ex. 11.) In the Resolution, which is three pages long, it was clearly stated that the Board of Adjustment held three hearings regarding the City's Application for Special Use Permit; that multiple speakers presented evidence and views for and against the application, with the majority (16 to 4) speaking against the application; that multiple letters and emails written in opposition to the application were received by the Zoning Administrator and the Assistant Zoning Administrator and were submitted into the record and provided to the all Board of Adjustment members; that multiple letters and emails written in support of the application were received by the Zoning Administrator and the Assistant Zoning Administrator and were submitted into the record and provided to the all Board of Adjustment members; that the Iowa Department of Natural Resources (DNR) had received the appropriate documentation and the City's application to the DNR was in review, but a final decision from the DNR had not been received by the City; that the County Engineer had reviewed the site plans and discussed with Mr. Rasmussen of HR Green the changes he would like to see in the plan regarding the entrances and roads, and that the County Engineer voiced his support of the location from his perspective.

The motion to approve the application, made by Dan Smith, set forth additional conditions with which the City would comply (the site, as proposed, and the brick of the building be completely naturally screened within one year; that the City of Indianola provide an annual letter of compliance to Warren County; that the Zoning Administrator be notified within one hour of a disaster at the plant. The motion was seconded by Marilyn Halterman. Roll call vote of the members was as follows: Vice Chair Christine Walker, nay; Member Marilyn Halterman, nay; Member Dick McPherson, nay; Member Dan Smith, aye. The City's application for the



Special Use Permit was denied. Chair David Churchill recused himself from the meetings and voting, due to a conflict.

Each of the three meetings was recorded and the minutes were transcribed and approved by the Board of Adjustment in a timely manner. The recordings and the minutes are available for any person who requests them.

Although the Board of Adjustment did not include written findings of facts or conclusions of law in the Resolution, the facts of this matter were discussed at length by the Board of Adjustment members during the open meetings. During the discussions, the Board members stated their concerns as follows:

1. Meeting on September 13, 2018.

- a. **Member Dick McPherson:** What is the source of water for the plant, city water or rural water? Is the soil type on that hill going to present any issues? ...it is basically sand. I want to hear from the County Engineer [who was unable to present at the September 13, 2018, meeting] about his concerns. The wooden bridge on Grimes Street is not conducive to semi-truck traffic...if this is approved, there would be a lot of heavy equipment, concrete trucks, semi-trucks, and everything else that's got to get in there some way or another. I can also appreciate that the city has not been the best neighbor with the way they have dealt with some of the sludge in the past. I wonder if any other locations on this farm have ever been looked at as a possible site other than the one that was presented here this evening. That's a question I have and I think it's a question I heard from several other folks in the neighborhood out there tonight.
- b. **Member Dan Smith:** You're saying the elevation of the final grade is going to be above the level of the flood plain?
- c. **Vice Chair Christine Walker:** You said it outlets into the Middle River? How is that accomplished? [Rasmussen from HR Green addressed her question.]
- d. **Member Halterman:** I have a question in regard to your bio-solids and you're wanting to dispose of those in a pipe? [Rasmussen explained the storage tank and umbilical system for knifing the biosolids into the soil.] I think we just need more time to evaluate what has been brought forth by the public. I'm very uncomfortable



without the Engineer and the road conditions. I want more input before I vote.

Minutes of the Meeting, September 13, 2018. (Respondent's Ex. 8.)

2. Meeting on October 11, 2018.

- a. **McPherson:** Not sure that the application meets all the requirements. Our criteria has been noted by several speakers tonight. Property values. I can't imagine too many real estate agents receiving calls from perspective buyers asking for listings located near a sewage treatment plant...I don't support this Special Use Permit because I don't believe it fulfills the criteria required that it must in order for to approve it.
- b. **Walker:** Agree. I don't know it's possible for them to build a sewer treatment plant in the county and not affect nearby property values.
- c. **Smith:** Agree with Walker and McPherson...As a board we are trying to determine how neighbors can work together...I want to hear solutions...before they [City] can go anywhere with anything, they have to show they are in complete compliance with DNR requirements.
- d. **Halterman:** One of my concerns is the City has not been a good neighbor...As a Board we can't set all of these parameters to be addressed...Comes back on county taxpayers to maintain roads and bridges.

Minutes of the Meeting, October 11, 2018. (Respondent's Ex. 9.)

3. Meeting on November 14, 2018.

- a. **Smith:** In the meeting the County Engineer says, "Safety. Where possible separate local traffic from construction. Do you know what that entails? [HR Green provided answer.] I have a real concern about the discharge to Middle river. Are there safety precautions built into this so nothing could ever be considered a hazard or a problem? Having listened to all these folks [neighbors to the project] we gain insight, you included. I thought the major concern would be odor and that type of thing but it's the view. Your [City] comments, "the project will provide additional berms and landscape screening where necessary." That leaves it up to you, doesn't.
- b. **Walker:** Is there testing done on a regular basis?
- c. **Halterman:** Can you give an idea of how much it will cost to maintain this plant after it's built, personnel, testing, etc.?
- d. **Smith:** I went back to the original Findings of Fact. I support the City of Indianola and this treatment plant. I also support the people sitting out there that are opposed to it...Findings of Fact, (d.)

location, design, construction and operation of the particular use adequately safeguard the health, safety and general welfare of persons residing and working in adjoining or surrounding property...letter (h) will the special use provide adequate screening of the use if visually detrimental to adjoining properties, that needs to be addressed specifically. Under (i.) will the special use maintain safe traffic movements on adjacent public streets, that's difficult to do in a construction area...Middle River is a resource, not just in our county, so if anything impacts that water it impacts hundreds of thousands of people if it goes down stream. That is a concern of mine...I agree that property values are an issue.

- e. **Walker:** I would add to your review of the application, letter (f.) that was already marked no, which is maintain the same or increase the values of the properties. It was noted the plant is for the City, not the rural area.
- f. **Halterman:** I feel it will lower property values there.
- g. **McPherson:**...Hang up for me on this application is what it would do to surrounding property values...I believe there is a stigma attached to a property located near a wastewater treatment plant and I believe that would adversely affect property values of surrounding properties. The main reason I can't support the application is I fear what it will do to surrounding property values.

Minutes of the Meeting, November 14, 2018. (Respondent's Ex. 10.)

It is clear from the minutes of the meetings that Board members considered each of the conditions set forth in the City's application and the Warren County Zoning Ordinance, regarding Special Use Permits. The Iowa Court of Appeals held the following in *A-Line Iron & Metals v. Cedar Rapids Board of Adjustment*, 791 N.W.2d 710 (Ct. of App. 2010).

In *Bontrager*, 748 N.W.2d at 489, our supreme court also determined that a board of adjustment did not literally comply with the rule that findings of facts and conclusions of law be in writing. The supreme court also found, however, that there was substantial compliance by considering the board's decision in context of the meeting where the vote was taken as well as the views expressed by board members during the meeting. Here, several questions were asked by the Board members including whether the conditional use was consistent with the future land use map. ...Lodge commented that "in my opinion we don't have consistency with the land use...are out of character for the neighborhood, and...it lacks compatibility." The Board then proceeded to vote to deny A-Line's conditional use application. Thus, the minutes of the meeting and the transcript from the meeting clearly show the Board denied the petition because the intended use of the property was not consistent with the use of nearby property, did not match the character of the



neighborhood, and was not compatible with surrounding property. We conclude the Board's findings were sufficiently recorded so as to permit us to review those findings.

*A-Line Iron & Metals v. Cedar Rapids Board of Adjustment*, 791 N.W.2d 710 (Ct. of App. 2010).

As the court found in *A-Line Iron*, Id., the Warren County Board of Adjustment made a sufficient record of its Findings of Fact of the issues presented, throughout the three hearings, and just prior to the Board's vote denial of the City's application for a Special Use Permit. (Respondent's Ex. 11.)

The Board's decision to deny the City of Indianola's application for a Special Use Permit for the City's wastewater treatment plant should not be overturned on the grounds that the Board did not adequately make findings of fact, that the decision was illegal, or that the Board's decision was contrary to the Warren County Code of Ordinances.

## **ISSUE II**

THE WARREN COUNTY BOARD OF ADJUSTMENT'S DECISION WAS NOT UNREASONABLE, ARBITRARY, NOR CAPRICIOUS AND WAS BASED ON SUBSTANTIAL EVIDENCE.

A. **Statement as to how the Issue was Preserved for Appellate Review.**

The Appellee preserved the issue for appellate review by addressing the issue during the Warren County Board of Adjustment hearings on September 13, 2018, October 11, 2018, and November 14, 2018, and in its timely filed Answer.

B. **Scope and Standard of Appellate Review.**

The scope of review by the District Court is de novo. Code of Iowa, Section 335.21 (2018).

C. **Argument.**

The Warren County Board of Adjustment held three hearings regarding the City of Indianola's application for a Special Use Permit. During each of the hearings, the City presented evidence as to why the City should be granted a Special Use Permit for the wastewater treatment plant, and the citizens, many of whom owned property near or next to the City's property, expressed their opinions about the disturbance the construction of the plant would cause in their neighborhood. The citizens also spoke about their fears that property values in the neighborhood would decline if they wastewater treatment plant was built on the City's property. They also spoke about how much they enjoyed the views that they have from their residences and their fears that the wastewater treatment plant would disturb their view.

The Board of Adjustment's mission is to listen to evidence presented by the applicant and others who wish to address the Board with their concerns regarding applications for Special Use Permits. The Board's mission is not to gather evidence to refute the City's application. The Board's mission is to weigh the evidence presented and determine whether the applicant has met the conditions set forth in the application and the Warren County Code of Ordinances, specifically Chapter 41.02(3). (Respondent's Ex. 1.) All of the Board members expressed their concerns that the property values of the neighboring properties would decline, which would be contrary to Chapter 41.02(3)(D). (Respondent's Ex. 1.) McPherson expressed his concern about the congestion in the streets due to the construction of the project. Walker and Smith stated their concerns about how the wastewater discharged from the plant could damage the Middle River. Smith, Walker, and Halterman noted that application of the biosolids on the surrounding fields, owned by the City of Indianola, could affect the health and safety of the persons residing in adjoining property. (Respondent's Exs. 8, 9, 10.)

The City of Indianola stated that the Iowa Department of Natural Resources had not approved the project as of the date of the application or by the date of the last hearing, November 14, 2018. This, too, was noted by the Board.

The City claims that the Board of Adjustment did not have substantial evidence on which to base its decision. The Board of Adjustment held hearings on three nights over several hours. The Board listened to hours of presentation and testimony from the City and Warren County residents, clearly demonstrating that the Board was methodical, patient and reasoned in hearing and evaluating the evidence presented by all parties. The City was provided with the opportunity to present additional evidence at each hearing, and time to meet with the residents to come to some resolution regarding the residents' concerns about the wastewater plant being located in their neighborhood, and then present the City's resolution to the Board of Adjustment. The City states that the objectors, the citizens who live on property adjacent to or near the location of the proposed wastewater treatment plant, presented no competent evidence to refute the City's evidence, and therefore, the Board decision should be overruled.

The Iowa Court of Appeals held otherwise in *A-Line Iron*:

A-Line claims the Board's decision is not supported by substantial evidence. A-Line contends the objectors raised only generalized, unsubstantiated, and speculative concerns that could not rise to the level of substantial evidence. It points out that the objectors did not present expert testimony, a study, or any other type of data to support their claims.

We review the Board's factual findings to determine whether they are supported by substantial evidence. See *Bontrager*, 748 N.W.2d at 495. Evidence is substantial "when a reasonable mind could accept it as adequate to reach the same findings." *Id.* (citations omitted). Expert testimony is not generally required; a board may rely on anecdotal reports. *Id.* at 496. "In addition, the board may rely on commonsense inferences drawn from evidence relating to other issues, such as use and enjoyment, crime, safety, welfare, and aesthetics, to make a judgment..." *Id.*...The Board could properly rely on anecdotal reports and testimony to support its decision. See *Bontrager*, 748 N.W.2d at 496.



*A-Line Iron & Metals, Inc., v. Cedar Rapids Board of Adjustment*, 791 N.W.2d 710 (Iowa Ct. of App. 2010).

The Board's decision should not be overturned based on the City's belief that the denial of the Special Use Permit was unreasonable, arbitrary, and capricious. Nor should the Board's decision be overturned based on the City's belief that the objectors presented no substantial evidence. (Respondent's Exs. 8, 9, 10, 11.)

### **ISSUE III**

THE COUNTY'S ORDINANCES SHOULD APPLY TO THE CITY. IF TWO GOVERNMENTAL AGENCIES ARE UNABLE TO REACH AN AGREEMENT AND ACCOMODATIONS THAT SATISFY BOTH GOVERNMENTAL AGENCIES, THE COURT WILL USE A BALANCING OF INTEREST TEST TO DECIDE THE MATTER.

A. **Statement as to how the Issue was Preserved for Appellate Review.**

The Appellee preserved the issue for appellate review by addressing the issue during the Warren County Board of Adjustment hearings on September 13, 2018, October 11, 2018, and November 14, 2018, and in its timely filed Answer.

B. **Scope and Standard of Appellate Review.**

The scope of review by the District Court is de novo. Code of Iowa, Section 335.21 (2018).

C. **Argument.**

In August 1986, the Iowa Supreme Court considered the case, *City of Ames, Iowa v. Story County, Iowa*. *City of Ames, Iowa v. Story County, Iowa*, 392 N.W.2d 145 (Iowa 1986). The city of Ames wanted to construct a waste disposal plant outside the city limits, on property within Story County, governed by Story County ordinances, but owned by the city of Ames. The

County refused to grant the permits needed by the city of Ames. The presented question in *City of Ames, Iowa v. Story County, Iowa* is remarkably similar to the case presented today, *City of Indianola v. Warren County Board Adjustment*: Is city-owned property subject to county zoning regulations? The Iowa Supreme Court, in its ruling in *City of Ames, Iowa v. Story County, Iowa*, ruled that the Court would adopt the balancing of interest test to resolve zoning disputes between local governments. *City of Ames*, 392 N.W.2d 145, 149 (Iowa 1986).

The Court stated:

Resolution under the balancing of interests test we have adopted will be more complex. The legitimate public interests of both the city and the county must be recognized and weighed in the balance. The county can have no absolute veto over the construction or placement of the plant. On the other hand the city cannot proceed oblivious of the county's authority to zone all county lands outside corporate boundaries. To whatever extent they can be, all conflicting governmental interests must be accommodated. Where they cannot be accommodated the court is to resolve the dispute, after weighing the interests, on the basis of the greater public good.

*Id.*

### CONCLUSION

The City of Indianola clearly needs a new wastewater treatment plant. The evidence presented by the City, including the presentations made by Mr. Rasmussen of HR Green and City Manager Ryan Waller, was a thorough explanation of why the plant is needed, where the plant would be located on the City-owned property, what the plant would look like, how it would be landscaped and the efforts the City would make to cause as little disruption as possible to the neighbors. The City recognized that construction of the plant would be disruptive and had discussed transportation issues, dust and road use with the County Engineer. Both the City and the Engineer noted steps that could be taken to work through these issues. The City also held a meeting with the residents to explain measures it would take to assuage their concerns. The City



also noted that the plan to locate the plant on the City's property, purchased in 2002, had long been considered. The City purchased more than 300 acres so that the plant could be located as inconspicuously as possible on the 300-plus acres, to meet flood plain requirements, and to have sufficient land for disposal of the biosolids. The City also noted it is employing state-of-the-art technology for the disposal of the biosolids that will hopefully minimize odor.

The members of the Warren County Board of Adjustment invested considerable effort attempting to secure as much information about the City's newly proposed wastewater treatment plant as possible, holding three meetings where the applicant spoke, and the concerned citizens spoke. The Board listened intently to the concerns of citizens who live adjacent to the City's property. The Board asked whether the City could connect to the Wastewater Reclamation Authority and the cost the City would incur to do so, and was told the cost was prohibitive; whether the City could upgrade the City's current wastewater treatment plant; whether the City could expand if necessary on the new site, whether the City was willing to address the neighbors' concerns about the design, location, and screening of the plant; what impact the new plant would have on the Middle River valley; and whether the Iowa Department of Natural Resources had approved the project. The County also asked the City to address the citizens' concerns with a meeting and documentation regarding how the City would address their concerns in a concrete manner.

The Warren County Zoning Ordinance allows for wastewater treatment facilities to be located on land zoned A-1 Agricultural, with a Special Use Permit granted by the Board of Adjustment. Neither side will be perfectly happy with the outcome of this matter. However, the City was willing to make accommodations that would benefit the plant's neighbors, and the neighbors' concerns seemed to matter most to the members of the Board.

When two governmental entities cannot reach an agreement, and accommodate both, then the Court steps in and decides the matter on the basis of the greater good. In this case, the Court must consider whether the needs of the many, the citizens of Indianola, outweigh the needs of the few, the residents adjacent to the plant site, and make a determination about the greater good.

IN THE IOWA DISTRICT COURT FOR WARREN COUNTY

|                                                                                                                                           |                                                                                                       |
|-------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|
| <p>CITY OF INDIANOLA, IOWA,</p> <p>Petitioner,</p> <p>v.</p> <p>THE BOARD OF ADJUSTMENT OF<br/>WARREN COUNTY, IOWA,</p> <p>Defendant.</p> | <p>CASE NO.: CVCV037789</p> <p><b>BRIEF AND ARGUMENT IN<br/>SUPPORT OF WRIT OF<br/>CERTIORARI</b></p> |
|-------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|

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COMES NOW the City of Indianola, Iowa by and through its attorneys and by way of its Brief and Argument in Support of an Issuance of a Writ of Certiorari states to the Court the following:

### **FACTS**

The City of Indianola (hereinafter “**City**”) is an Iowa municipality organized and existing under the laws of the State of Iowa and located in Warren County, Iowa. Warren County (hereinafter “**County**”) is a duly constituted county in the State of Iowa.

Since 2001, the City has owned a 360-acre parcel of property located in the County northwest of Indianola in Section 3, Township 76 North, Range 24 West. This property is known as the “Farm Site”. The City purchased the Farm Site for the distinct purpose of relocating the City’s wastewater treatment plant (hereinafter “**WWTP**”) because the parcel site was large enough to provide adequate separation from the surrounding landowners. The Farm Site has been at all times material hereto, zoned A-1 Agricultural under the Warren County Zoning Ordinance (hereinafter “**Zoning Ordinance**”). The Zoning Ordinance is attached hereto as Exhibit “A” and incorporated herein by this reference.

On or about August 10, 2018, the City made application for a Special Use Permit in accordance with the Zoning Ordinance. (Item #10 of Defendant’s Response to Writ of Certiorari which will hereafter be referred to as the “**Response to Writ**”). The application sought a Special Use Permit for the construction of a municipal wastewater treatment facility on the Farm Site. The application also provided documentation regarding the property, site plan, and other information necessary under the Zoning Ordinance.

The zoning regulations for A-1 Agricultural property are found at §41.02(2) of the Zoning Ordinance. Pursuant to § 41.02(2), property zoned A-1 has wastewater treatment plant as



a permitted use, subject to the issuance of a Special Use Permit. Under Iowa law, a Special Use Permit means that a particular use is permitted under the Zoning Ordinances under special circumstances and conditions which conditions are evaluated by the Board of Adjustment created under Chapter 335 of the Iowa Code.

The specific language of §41.02(2) pertaining to this type of use is as follows:

“2. Special Use Permits A-1. The following uses may be permitted in the A-1 District subject to approval by the Board of Adjustment after Notice of Public Hearing and subject to the conditions and subsection 3 of this section:

- A. Mink and chinchilla farms and ranches.
- B. Private aircraft landing fields.
- C. Mining and extraction of minerals and raw materials, including sand and gravel pits; subject to approval of the Iowa Department of Natural Resources.
- D. Public or private sanitary landfills, solid waste disposal facilities, and yard waste composting facilities.
- E. Private gun clubs, skeet shooting ranges, commercial swimming pools and similar uses.
- F. Private campgrounds and travel trailer parks.
- G. Automobile race tracks and/or drag strips and snowmobile tracks.
- H. **Public water supply and sewage treatment facilities. [emphasis added]**
- I. Electrical and natural gas transmission, regulating and storage facilities.
- J. Any public building erected and used by any department of the township, county, state or federal government, not previously allowed as a principal permitted use.
- K. Temporary establishments or enterprises involving large assemblages of people or automobiles including, but not limited to:
  - 1. Carnivals and circuses.

2. Rodeo grounds, show rings, music festivals and sports festivals.
- L. One mobile home for use as a non-farm dwelling unit for the care of parents or other family members, i.e., immediate blood relatives, of owners of the property who require care and assistance.
- M. Livestock feed lots and poultry farms, as provided in subsection 41.02(1)(2) of this section.
- N. Publicly owned parks, playgrounds, golf courses, and recreation areas.
- O. Private non-commercial recreational areas and centers, including country clubs, swimming pools and golf courses; but not including automotive race tracks, miniature golf courses, drive-in theaters and similar commercial uses.
- P. Publicly owned airports and landing fields.
- Q. Home Business. Subject to the limitations of the Zoning Ordinance of Warren County and this section, home businesses may be permitted, provided such business is neither noxious, offensive, nor hazardous by reason of vehicular traffic, generation or emission of smoke, dust, or other particulate matter, odorous matter, humidity, radiation, or other objectionable emissions. Further, that new or used car and/or truck sales are not to be construed to be included in this section.
- R. One mobile home utilized as living quarters for persons employed on a farm.
- S. Towers under 100 feet must be stealthed. No fall area on monopoles or silos.
- T. Electrical Substations, provided that the fence surrounding the substation equipment shall be built no closer than 200 feet from any then existing residential dwelling house with 100 feet of the required separation being on the utility property and that the substation satisfies one of the following bufferyard requirements of the utilities' choice:
- U. Public or private temporary use asphalt or concrete plats with reclamation piles of asphalt or concrete and new material piles associated with paving projects.

Under §41.02(3), the conditions under which Special Use Permit may be issued are as follows:

3. Conditions for Special Use Permits. In its determination upon the particular use at the location requested, the Board shall consider all of the following conditions:

- A. That the proposed location, design, construction and operation of the particular use adequately safeguards the health, safety, and general welfare of the persons residing or working in adjoining or surrounding property.
- B. That such use shall not impair an adequate supply of fresh air and light to surrounding property.
- C. That such use shall not unduly increase congestion in the streets or public danger of fire and safety.
- D. That such use shall not diminish or impair established property values in adjoining or surrounding property.
- E. That such use shall be in accord with the intent, purpose and spirit of the Zoning Ordinance and the Comprehensive Land Use Plan of the County.

From a plain read of the Zoning Ordinance, it is apparent that many uses, some of which, such as landfills, may be quite onerous, are acceptable within the A-1 District. It is under this framework that the application filed by the City of Indianola for a wastewater treatment plant was filed and must be evaluated.

**September 13, 2018 Hearing:**

The initial Board of Adjustment hearing on the WWTP was conducted on September 13, 2018. (Response to Writ #7). The minutes of the meeting are set forth in Response to Writ #4 and incorporated herein by this reference. The 4<sup>th</sup> item on the agenda was the application to the City of Indianola for a Special Use Permit for a WWTP.

In the application filed by the City, significant information regarding the WWTP was provided regarding the facility itself, its location and the property upon which it would be located as well as information concerning the surrounding area. That information is provided to allow staff to evaluate the application pursuant to the zoning ordinance.

At the start of the public hearing, the staff of the Warren County Zoning Department presented its report concerning its evaluation of the application. In that presentation, the staff went through each of the requirements of Zoning Ordinance and found that the application and the project met the requirements and conditions set forth in §41.02(2)(H) and §41.03 for issuance of a Special Use Permit. (September Tr. pg. 39-42). The staff recommended that the application be approved. (September Tr. pg. 39-42).

After the Staff Report, the City made its presentation through Mr. Jim Rasmussen of HR Green, Project Manager for the WWPT. Mr. Rasmussen pointed out that the property was purchased by the City for a WWPT in 2001. (Tr. pg. 43). Mr. Rasmussen also submitted a PowerPoint presentation which is item #17 in the Response to Writ and which is attached hereto, marked Exhibit "A", and incorporated herein by this reference, setting forth a summary of the application and the specifics of the project. In his presentation he pointed out that the site plan as presented to the Board of Adjustment incorporated input from the neighbors. The City had conducted neighborhood meetings to get input from the neighbors on the location of the plant, how the plant would be designed, how the plant would be screened, steps taken to place the plant on 20 out of 360 acres and also, at the request of neighbors pushed back an entrance to the plant. He also pointed out that there would be significant screening. (September Tr. Pg. 43-49)

Mr. Rasmussen then went through the specific standards of the Zoning Ordinance as follows:

**A. The proposed location, design, construction and operation of the particular use adequately safeguards the health, safety and general welfare of the persons residing or working in adjoining or surrounding property.**

Mr. Rasmussen pointed out that the facility was intentionally being built into a hill to shield the facility from surrounding neighbors. He also stated that most of the existing trees

would remain, the property would be fenced and there would be no hazardous waste generated from the property. (September Tr. pgs. 45-49). He also pointed out the plant was moved to accommodate neighbor requests. (September Tr. pg. 45).

**B. That such use shall not impair an adequate supply of light and air to surrounding property.**

Mr. Rasmussen pointed out that the buildings would be a single story built within the hillside. He indicated that there would be a use of low-level lighting at night so as not to interfere with the neighbors. He also pointed out that the design of the plant is an aerobic design versus an anaerobic design. He pointed out that under an aerobic design any odors from the plant would be significantly reduced and would be mostly contained with the property itself. (September Tr. pg. 48).

**C. Shall not increase congestion in streets or danger from fire or public safety.**

Mr. Rasmussen stated that there would only be six employees who would be employed at the plant. None would be working at night. He said that the only traffic after construction would be traffic from employees. He pointed out that there would be no combustible materials used and fire hydrants would be on site. He indicated that during construction, construction traffic and parking would be controlled. He also pointed out that there would be only one point of entry and that point of entry had moved based upon surrounding residents' input.

Mr. Rasmussen was also asked about the application of biosolids. (September Tr. pg. 47-48). The current wastewater treatment plant in the City of Indianola land currently applies the biosolids it generates on the Farm Site, pursuant to a DNR permit. Mr. Rasmussen pointed out that because this plant would be more efficient, the amount of biosolids would be reduced by roughly 60% and while it still would be applied via the injection method at the Farm Site, there would be much less biosolids applied and far less truck traffic because the facility would use an

umbilical cord system transferring biosolids directly to the field so that trucks would not have to bring loads of material on to the property as is done at the current time. (September Tr. pg. 48-49).

**D. Shall not diminish surrounding property values.**

Mr. Rasmussen pointed out that the site will remain mostly agricultural, only 20 acres of 360 acres would be developed (less than 6% of the land). He also pointed out that the WWTP is hidden into an existing hillside and the only direction from which it would be even conceivably viewed would be from the north. He stated that there is no evidence that such a plant, tucked back into such a large parcel of land, would adversely impact property values. He stated that the facility meets the DNR setback requirements of 1,000 feet. (September Tr. pg. 47)

**E. Consistent with intent of Zoning Ordinance and Comp Plan Use Plan.**

Mr. Rasmussen highlighted the fact that the WWTP is a permitted use under the Zoning Ordinance. (September Tr. pg. 53) He reiterated that the site would be mostly agricultural and that only 20 acres would be utilized which is less than 6% of the total acres of the parcel. (September Tr. pg. 50) He stated that this would meet the agricultural land preservation priority for future land use found in the Warren County Comprehensive Plan. (September Tr. pg. 53) He pointed out that there is nothing about this use that is inconsistent with the Zoning Ordinances, in fact, this is a permitted use. Mr. Rasmussen also pointed out this would be a state-of-the-art facility.

After the City's presentation, several property owners appeared to question how the City would apply sewage sludge. As stated above, Mr. Rasmussen had already answered that question. In addition, issues were raised regarding spoiling the agricultural views, truck traffic and whether the facility would affect property values. No evidence, other than an expression of



concern was provided regarding any of these matters and the discussion was more of a question and answer session.

At the hearing the Board members questioned why the Warren County Engineer not at the meeting. (September Tr. pg. 83). Staff indicated that he had wanted to come but was not able to be present for the meeting. (September Tr. pg. 85) Because of this, the Board determined that the hearing should be continued to allow the County Engineer to be present at a hearing so questions could be directed toward him concerning his evaluation of the appellant. (September Tr. pg. 86). The hearing was continued until the next scheduled Board of Adjustment meeting on October 11, 2018.

**October 11, 2018 hearing:**

The second hearing was held on October 11, 2018 pursuant to a public notice and the minutes of that meeting are item #5 of the Response to Writ and incorporated herein by this reference. That meeting was a continuation of the previous meeting.

The hearing began with the Staff Report. (October Tr. pgs. 1-4). In that report, City staff again reviewed the requirements for the issuance of a Special Use Permit, and, having heard the City's presentation made in September, made the following determination:

“Has the applicant proved his case for a Special Use Permit, just applying isn't enough. Yes. In conclusion, the City of Indianola owns over 300 acres at this location. Parcels 05000039880 and 05000039820 are the proposed parcels to be used for this wastewater treatment facility for a total of approximately 80 acres. Staff recommended approval of this app, or this Special Use Application. The Land Use Plan calls for A-1. The Zoning Ordinance lists a proposed use as an allowed use with a Special Use Permit, therefore we recommend approval.”

This is notable in that the City had made its presentation and the citizens had been able to voice their concerns over the application. It is apparent the standards were met.

Despite the fact that they had made a full presentation in September, the City of Indianola made its presentation through Mr. Jim Rasmussen of HR Green. Mr. Rasmussen presented an additional PowerPoint presentation dealing with some of the issues raised at the September hearing and the City's response to those issues. That PowerPoint presentation is listed as Item #16 in their Response to Writ, and is attached hereto, marked Exhibit "B and incorporated herein by this reference. (October Tr. pg. 5). In that presentation Mr. Rasmussen pointed out the following:

1. The City had met with David Carroll, Warren County Engineer. (October Tr. pg. 5) In that meeting there was a request to relocate the plant entrance and the City agreed to move that entrance. (October Tr. pg. 7);
2. In response to questions from the previous hearing regarding traffic, plan for construction traffic, the City met with Mr. Carroll to develop a construction traffic route during construction and to control dust. Those plans were set forth in the PowerPoint, Exhibit "B". (October Tr. pg. 7);
3. Mr. Rasmussen pointed out that the facility was subject to Iowa Department of Natural Resources review of facility plans and construction documents and that construction would not proceed until the DNR issues were met. (October Tr. pg. 9). Mr. Rasmussen pointed out that this helps facilitate a review of the plant to make sure it is following all requirements and state law, including not being located in a floodplain, an issue raised in September. (October Tr. pgs. 9-12);
4. Mr. Rasmussen discussed the biosolids production and land application concerns that had arisen in 2015 when there had been a problem with application created by weather. Mr. Rasmussen pointed out that this occurred with a city contractor but the real positive of the new plant was that the amount of biosolids would be 60% less with the new wastewater treatment plant than are currently generated and applied. He pointed out that the umbilical system that allows the biosolids to go directly to the plant to the field to be applied upon and it is incorporated immediately. (October Tr. pgs. 13-14). He also pointed out again the elimination of 400 semitrucks annually. (October Tr. pgs. 13-15).
5. Mr. Rasmussen also addressed the property value issue by pointing out the property will remain mostly agricultural for the next 50 years, that there is enough property for proper separation, that the "rural character of the countryside will be maintained, that odors will be minimized and that there is a potential for property owners to connect to the trunk sewer and other facilities as a result of the plant." (October Tr. pgs. 16-21). In response to a direct question, Mr. Rasmussen reiterated that in his

opinion the plant would not diminish nor impair established property values. (October Tr. pg. 24).

6. In response to questions why the WWTP was not moved, Mr. Rasmussen pointed out that it had been moved once at a cost of \$500,000.00 to the City. *Exhibit B*;

7. Mr. Rasmussen responded to issues that the screening would not be enough in the winter when trees lose their leaves by pointing out that additional berms and landscape would be provided and that the City was willing to talk about the kinds of materials and colors that could be used to design the plant. *Exhibit B*;

8. Mr. Rasmussen also discussed why the current facility could not be upgraded pointing out that the facility had long since passed its useful life as it was constructed in 1978 and that it could not be updated efficiently and effectively. (October Tr. pg. 29);

9. Mr. Rasmussen testified that the location of the facility was discussed with the County Engineer and the County Engineer agreed with the site planned. (October Tr. Pg. 20).

Ryan Waller, Indianola City Manager also presented information to the Board. Mr. Waller told the Board about the commitments made by the City and that the commitments were on the record of the hearing. (Tr. pgs. 70-72). This was in response to a Board member's question and concern that the City had not put anything in writing and might not be trusted. (October Tr. pg. 62). Mr. Waller pointed out that the City had continually met with neighbors, had moved the plant at a cost of \$500,000.00 to alleviate neighbors' concerns and made a commitment as far as landscaping and the roof of the plant. (October Tr. pgs. 70-71). He reiterated the willingness of the City to commit itself to these standards.

As noted earlier, Mr. David Carroll, Warren County, Iowa Engineer, whose presence some Board members felt was needed to make a determination, appeared in person at the hearing. (Tr. pg. 37). Mr. Carroll confirmed he had approved the site for the WWTP. He also responded to an objector's questioning of his qualifications to make such a determination by pointing out that he has had extensive experience in the area. (October Tr. Pg. 370).

Nevertheless, even though a hearing was continued because his input was deemed vital, he was not questioned by the Board.

Several neighbors presented criticisms of the plant bringing up issues such as whether the City could use other alternatives, property value issues, issues that the property is in a flood plain, the fact that the facility is a municipal facility put in the county and whether the facility could be seen. (Tr. pgs. 31-58). No evidence other than statements of property owners was presented, other than articles dealing in general terms with effects on property values (which analyzed values in Greece) and other general items generated off the internet. This which at least one Board member stated “. . . And so we’ve heard all this, but its fear based . . . .” (October Tr. pg. 61). That Board member also pointed out the fact that neighbors were making typical responses to an application of “don’t put it in my neighborhood.” (October Tr. pg. 61)

At the conclusion of the meeting, the Board of Adjustment tabled the hearing and requested that the City meet with residents and provide information and to make clear that the City of Indianola had committed to the items set forth on the PowerPoint presented at the hearing. (Tr. pg. 82) The meeting was so continued without action being taken.

**November 14, 2018 Meeting:**

The Warren County Board of Adjustment reconvened on November 14, 2018 for the purpose of again considering the City of Indianola’s application. It should be noted that the Board of Adjustment is a five-member Board; however, the Chair of the Board, Mr. David Churchill was at that time working of the City of Indianola on an interim basis and as such recused himself from all hearings.

At the November meeting, County Engineer David Carroll appeared in favor of the application (November Tr. Pg. 5). Mr. Carroll had approved the site for the WWTP as reflected by the transcript of the October meeting.

City staff informed the Board that the City had met with the neighboring residents as requested on October 25, 2018. (November Tr. pg. 2). Ryan Waller, the City Manager for the City of Indianola presented a Resolution to the Board of Adjustment approved by the City Council which confirmed the commitments that had been discussed previously. Those commitments were as follows:

1. The City agreed to restrict the use of the remaining property to agricultural uses, not including livestock;
2. The City committed to work with the neighbors on selection of earth tone colors for the facility to lessen an aesthetic impact (the City also placed a truck on the property just to allow persons to see what could be seen. (November Tr. pg. 4);
3. The City committed to provide extra screening.

(See, Indianola City Council Resolution, attached hereto, marked Exhibit "C" and incorporated by this reference)

In addition, Mr. Waller pointed out that he also provided a report concerning the effect on property values by the WWPT showing that property values would not be negatively impacted. (November Tr. Pg. 5). This was in response to the property value concerns raised by neighboring land owners. This was evidence in the form of a study done by HR Green looking at properties near the current Indianola plant and other properties near other wastewater treatment plants in central Iowa. That report, attached hereto as Exhibit "D" and incorporated by this reference, found that there was no effect on property values. The property owners provided no competent evidence that this was untrue, simply unsubstantiated statements that "property values have to go down".

Several neighbors spoke in opposition to the WWTP but presented no experts or substantive evidence. The issues that were presented at this hearing were:

1. Mr. Paul of West Des Moines commented that he believed that the appointments of Chapter 43.08 were not met. This is a misapplication of the law in that Chapter 43.08 of the Warren County Zoning Ordinances applies to variances rather than Special Use Permits. (November Tr. pgs. 9-11).
2. A neighbor would see the facility (November Tr. Pg. 6)

In the portion of the hearing when the members of the Board questioned the City, the issue of traffic during construction was brought up. (November Tr. pg. 10). Mr. Rasmussen from HR Green indicated that the construction route would be designated and monitored. (November Tr. pg. 11). He also indicated that dust control would be included in the contracted bids and would be monitored. (November Tr. pg. 11).

The Board also had questions regarding application of the sewer sludge. (November Tr. pg. 12). Mr. Rasmussen pointed out that the amount of sludge generated by the WWTP would be reduced by 60% over the old plant, and Mr. Waller pointed out the umbilical system designed as a part of the facility, which transports the sludge directly from the plant to the field, allows much more flexibility and allows application to be more timely. (November Tr. pgs. 13-14).

The Board also questioned why the City did not connect to the WRA (Wastewater Reclamation Authority) rather than build a new WWTP, an issue raised by an objector in the October meeting. Mr. Waller pointed out that the additional cost to the City to construct infrastructure and join the WRA would be in the neighborhood of \$64,000,000.00 and prohibitively expensive for the City. (November Tr. pg. 14)

Board members also brought up concerns about discharging treated water into the Middle River. (November Tr. pg. 14). Mr. Rasmussen pointed out that the permit obtained from the DNR to discharge would be much more stringent than what is currently discharged so the water



would be much cleaner and would have less chance of any pollutants being put into a waterway. (November Tr. pg. 15). Mr. Waller also pointed out that the plant will employ state-of-the-art technology, requiring that the discharged water go through a disinfectant system and conform to the latest standards for discharges. (November Tr. pgs. 15-16).

The last concern from the Board was whether the neighbors view would be obstructed. While the City does not believe that the fact that facility can be seen or not seen is a requirement of the Ordinance, the City did point out that the Resolution submitted by the Indianola City Council committed the City to using landscaping berms and other brush to screen the facility from surrounding property owners. (November Tr. pgs. 18-20). The City has taken extensive efforts to screen the facility from view.

All of those questions were answered by the City and addressed according to the law and good practice. At the hearing a Motion was made to approve the application. The moving member Smith indicated that the evidence showed the conditions set forth in 41.03 had been met by the City. The motion was denied by a vote of 3 to 1 without further comment.

## **ARGUMENT**

### **I. GENERAL PRINCIPLES**

#### **IOWA CODE CHAPTER 335 PERTAINS TO COUNTY ZONING. A ZONING BOARD OF ADJUSTMENT EXISTS PURSUANT TO IOWA CODE §335.18**

County zoning is governed by Iowa Code Chapter 335. Iowa Code §335.18 provides, with regard to County Zoning, that any person aggrieved by any decision of the Board of Adjustment under Iowa Code Chapter 335 may “present to the Court of record a Petition duly verified, setting forth that such decision is illegal in whole or in part, justifying the grounds of the illegality”. Iowa Code §335.18. Once a petition is presented, “the Court may allow a Writ of Certiorari directed to the Board of Adjustment to review such a decision of the Board of

Adjustment and shall prescribe therein the times in which a return must be made and served upon the relator's attorney". Iowa Code §335.19.

The Board must then "return certified or sworn copies of the original papers upon which the Board acted and, they returned precisely set forth the facts as may be permitted and material to show the grounds of the decision appealed from and shall be verified." Iowa Code §335.20. The method of trial of a certiorari action is set forth in Iowa Code §335.21 which states that "if upon the hearing which shall be tried de novo shall appear to the Court that testimony is necessary for the proper disposition of the matter. The Court may reverse or affirm, wholly or partly, or may modify the decision brought up for a review". Iowa Code §335.21.

## **II. THE DECISION OF THE WARREN COUNTY ZONING BOARD OF ADJUSTMENT MUST BE OVERTURNED BECAUSE OF THE FAILURE OF THAT BOARD TO SET FORTH WRITTEN FINDINGS OF FACT.**

Section 43.09(1) of the Warren County Zoning Ordinances is entitled "Decisions of the Board of Adjustment". That section requires, in relevant part:

"...exercising the above-mentioned powers ... . A concurring vote of three of the members of the Board shall be necessary to reverse any order, requirement, decision or determination of the Zoning Administrator or to decide in favor of the applicant on any matter upon which it is required to pass under the Zoning Ordinance, provided, however, that the action of the Board shall not become effective until after the resolution of the Board, **setting for [sic.] the full reason for its decision and the vote of each member participating thereon**, has been filed. ..." [Emphasis Added]

In this case, the Board filed a Resolution that was four pages in length. That resolution is attached hereto, marked Exhibit "E" and incorporated herein by this reference. That decision sets forth a general description of the documents filed, evidence presented and what occurred at the meetings but contains no recitation of any findings of fact by the Board setting forth its view of the evidence or how it resolved the differing facts, documents and opinions presented. In fact, that Resolution is merely a description

of the meeting rather than any proposed findings. This does not comply with the Zoning Board's rules nor does it comport with Iowa law.

While there is no statutory requirement under Chapter 335 that a Zoning Board of Adjustment make written findings, the Iowa Supreme Court has found:

“... there is no doubt such findings would be of great benefit, both to the trial court and to this court on certiorari or appeal from the Board's decisions. They would provide a ready basis for determining the reasons for the Board's actions and would help immeasurably in determining whether the result was reasonable or was, or as is frequently claimed, arbitrary and capricious. It would also serve the additional purpose of sharpening the issue the parties should raise on appeal.

*Citizens Against Lewis & Clark (Mower) Landfill v. Pottawattamie Board of Adjustment*, 277 N.W.2d 921, 925 (Iowa 1979).

The Court went on to say that it strongly relied on a statement in *K. Davis, Administrative Law Treatise*, §16.05, (2d Ed. 1978) which said “a practical reason for acquiring administrative findings are so powerful that the requirement has been imposed with remarkable uniformity and virtually all federal and state courts, irrespective of the statutory requirement. The reasons have to do with the facilitating judicial review, avoiding judicial usurpation of administrative functions, assuring more careful administrative consideration, helping parties claim their cases for re-hearings and judicial review, and keeping agencies within their jurisdiction. *See also E. McQuillin*, 8A *Municipal Corporation*, §25.272 (3d Ed. 1976).

The Court, in that case, stated “[t]hese are compelling considerations which has persuaded us to adopt a rule that Boards of Adjustment shall make the written findings of fact on all issues presented in any adjudicatory proceeding. Such a finding must be sufficient to enable a review in Court to determine with reasonable certainty the factual basis and legal principles upon which the Board acted. The rule shall apply to Board of Adjustment proceedings after the date

this opinion is filed. *Citizens Against Lewis & Clark (Mower) Landfill*, 277 N.W.2d at 925.

This position of the Court was slightly modified in the case of *Bontrager Auto Service, Inc. v. Iowa City Board of Adjustment* 748 N.W.2d 483, 489 (Iowa 2008). Bontrager involved the granting of a special exception to a zoning ordinance allowing transient housing to be built in a commercial district. The party appealing the decision, neighboring property owners, claimed that although the Board had made written findings of fact and conclusions of law, a finding that the use would not affect property values was mandatory under the applicable ordinance, but the decision failed to specifically discuss that issue. The District Court found there was no expert evidence presented as to property values presented by the applicant before the Board other than an apartment manager stating that it was difficult to rent property already. Bontrager @ 496. The Supreme Court examined the record and found that it was a close call but that there was evidence, including from an urban planner that such facilities do not affect property values which allowed an inference that the use would not affect values. Based on that review of the record, the Court found that there was substantial compliance by the Board of Adjustment regarding the written decision requirement to allow a review in Court to determine whether a particular matter had been addressed. *Bontrager Auto Service, Inc. v. Iowa City Board of Adjustment* 748 N.W.2d 483, 489 (Iowa 2008).

In this case, a reviewing Court is left in the dark as far as what the actual reasons were for the Board of Adjustment's findings of fact. Under the Zoning Ordinance, the Board was instructed to consider five general perimeters set forth in the Warren County Zoning Code. Unlike in *Bontrager* where the applicant was required to prove 5 different facts, the criteria set forth in the Zoning Ordinance are not mandatory and each does not need to be met. The Warren County Zoning staff members evaluating the information that has been provided to the Board

found that all of the requirements in the Zoning Ordinances had been met and that adequate protections were in place for all of the property owners. They found this first in September based on the application, and then again in October based upon the information from the City and the points raised by the objectors. Although the Board discussed many issues prior to the vote, there is no decision as to what facts were being used to ultimately deny the application which would allow the City or a reviewing court to discern what was the basis of the decision. This is fatal to the Board's action.

The Board has not satisfied its duty of making a findings of fact and its decision may not stand. In addition, because the Board failed to make its appropriate findings, this court should determine the issue for itself since to allow the Board a "second bit of the apple" only allows a back filling of findings to support a denial. *See U.S. Cellular Corp. v. Board of Adjustment of the City of Des Moines*, 589 N.W.2d 712, 719 (Iowa 1999). The decision should be overturned.

### **III. THE BOARD ACTED ARBITRARILY AND CAPRICIOUSLY AND ITS DECISION WAS NOT SUPPORTED BY SUBSTANTIAL EVIDENCE.**

Even if this court feels it can determine what findings of fact were made by the Board, the record in this case shows that there was not substantial evidence that could be relied on to reject the application. In fact, the overwhelming weight of the evidence supports a finding that the City is entitled to the Special Use Permit.

A District Court reviewing the actions of a Board of Adjustment has some constraints put upon it. The Iowa Supreme Court has stated that in a certiorari proceeding involving zoning matters, the District Court finds the facts anew on the record made on the proceeding. That record includes the return to the Writ and any additional evidence which may have been offered by the parties. However, the District Court is not free to decide the case anew. The illegality of the challenged Board action is established if the facts do not provide substantial support for the

Board's decision. If the District Court's Findings of Fact leave the reasonableness of the Board's decision open to a fair difference of opinion; the Court may not substitute its decision for that of the Board. *Baker v. Board of Adjustment of the City of Johnston*, 671 N.W.2d, 405, 413 (Iowa 2003).

It is the City's burden to show that that Board's action was illegal or unsupported by substantial evidence. *Bontrager Auto Service, Inc. v. Iowa City Board of Adjustment*, 748 N.W.2d 483, 495 (Iowa 2008). Substantial evidence is evidence which is "substantial and a reasonable mind accepted as adequate to reach the same findings". *City of Cedar Rapids v. Municipal Fire & Police Retirement System of Iowa* 526 N.W.2d 284, 287 (Iowa 1995).

In this case, the Board was presented with substantial information from the City of Indianola regarding its compliance with all the rules and regulations pertaining to the granting of a Special Use Permit at three separate hearings. The Board was then provided with the property owners' claims on various issues regarding the use of the property and property values but no competent, legitimate evidence to establish any of those claims. The City submits the Board had no substantial evidence before it to sustain a denial of a Special Use Permit. As importantly, the City and this Court are denied the opportunity to know the rationale for the Board's decision because it failed to submit any type of findings, facts, or conclusions of law to explain its decision.

Nevertheless, the Court must make a determination as to whether the Board acted illegally from the record made before the agency. *Bontrager Auto Service, Inc. v. Iowa City Board of Adjustment*, 748 N.W.2d 483, 495 (Iowa 2008). It is difficult to exactly determine what evidence the Board relied on in this case because the Board failed to make any written findings of fact setting forth any detail as to how it made the decision; nevertheless, based on the record



developed in this matter, there is no rational basis upon which the Board could take the actions it did.

The objections to the construction of the WWTP seemed to follow in the following areas:

1. Increase the amount of smell or odor;
2. Increase travel or truck traffic;
3. Diminished esthetics as far site; and
4. Decrease property values.

In response to claims raised by property owners that the establishment of the WWTP would decrease their property values, the City of Indianola pointed out that the property was purchased by the City in 2001 and was designated as the future site of the WWTP for the City of Indianola at that time. (September Tr. pg. 43). This fact is relevant because no neighbor can claim surprise that the facility was contemplated and that they were unaware of this fact. It is also relevant because there was no evidence whatsoever to show that the fact the residences were located so close to what was known as the future site of the Indianola WWTP diminished values over the years.

Not resting on the fact that the property owners were well aware that a WWTP would be built on the site, the City of Indianola provided additional expert testimony. HR Green, the Consulting Engineers for the WWTP provided evidence of other homes in and around the WWTP's both in Indianola and in other communities which showed that the increase in the value of the homes near wastewater treatment plants is as good if not better than other homes in the general vicinity. This analysis was not an anecdote but identified and evaluated properties within close proximity to other wastewater treatment plants and valuations of comparable properties away from those plants. The results of that investigation are that there will be no

measurable effect on those properties not only based on the empirical evidence showing there is no such effect, but also because the WWTP site is a 360-acre parcel designed to provide as much distance as possible between the plant and the property owner. (September Trans. Pg. 44).

In response to this information, the objectors provided one article entitled “Impact on Quality of Life When Close to a Municipal Waste Water Treatment Plant” which evaluated a wastewater treatment plant in Greece but failed to identify the age of the facility, any difference in wastewater treatment in Greece and in the United States. No evidence was presented regarding an actual decrease in property values for the WWPT other than to say “they must decrease” simply because the WWTP was being placed on the property. This article is not evidence. In the Board’s findings, there is no determination as to property values. In fact, the only finding of fact was a motion for approval which found that there was no impact on the property values. (November Tr. pgs. 30-32)

The Board failed to make any findings or to discuss any of the evidence concerning these matters. There was scarce evidence that countered the City’s proofs and the citizen objectors presented a “moving target” as far as their complaints making it impossible for the City to satisfy any legitimate concerns as those concerns kept changing throughout the process. As one Board member correctly stated, the objectors brought forth nothing but “fears” and an attitude that the facility should not be built “in my backyard”. The Board required the City to appear at three different hearings purportedly so that they could answer all questions presented; which they did, so they could get input from the County Engineer; which they did (and the County Engineer was in favor of the WWTP application), and they wanted the City to meet with neighbors to put down on paper the commitments made by the city; which they did. Despite all of this, the Board ignored the evidence and facts and voted inappropriately. The decision cannot stand.

**IV. The City of Indianola is not subject to the Zoning Ordinance of Warren County, Iowa.**

The City also alleges, by way of a Declaratory Judgment action, that the Warren County Zoning Ordinance does not apply to the City based upon a balancing of the interests of the City and the County. Upon the record, the balance of factors must be resolved in favor of the City.

As a general proposition the state, its agencies, counties and other subordinate governments need not comply with municipal zoning regulations. School districts, too, in performance of state functions, are not subject to a municipal zoning amendment excluding the erection of schools within the municipality. 101 C.J.S. Zoning, Section 135 says, “Ordinarily, a governmental body is not subject to zoning restrictions in its use of property for governmental purposes.” *City of Bloomfield v. Davis County Community School Dist.*, 254 Iowa 900, 119 N.W.2d 909, 911 (1963). The crux of this argument is that when a governmental entity is exercising functions that are imposed upon it by the legislature, it cannot be thwarted in that effort by zoning ordinances of another governmental entity. *Id.*

Depending on the circumstances, governmental entities may be immune from compliance with zoning regulations. *Id.* at 911–13. Where there is a dispute between county and city governments as to whether the zoning ordinance of one applies to the activities of the other, the Iowa Supreme Court has rejected the traditional governmental proprietary test in favor of a balancing of interest test, in which the legitimate public interests of both the city and county must be recognized and weighed by the court. *City of Ames v. Story County*, 392 N.W.2d 145, 149 (Iowa 1986), a case involving exactly the same issue as was presented here, a municipality owning property in the county and seeking a special use permit from the county. In *City of Ames*, the Iowa Supreme Court addressed the question of whether a city was immune from a

county's zoning ordinance. The conclusion reached by the court was that "it might or might not be, the determination to be made upon balancing the conflicting interests of the two local governments." *Id.* at 146.

The Iowa Supreme Court described the balancing of the interests test as follows:

Resolution under the balancing of interests test we have adopted will be more complex. The legitimate public interests of both the city and the county must be recognized and weighed in the balance. The county can have no absolute veto over the construction or placement of the plant. On the other hand the city cannot proceed oblivious of the county's authority to zone all county lands outside corporate boundaries. To whatever extent they can be, all conflicting governmental interests must be accommodated. Where they cannot be accommodated the court is to resolve the dispute, after weighing the interests, on the basis of the greater public good. *Id.* at 149.

Although Iowa Courts have not enumerated factors to be considered in applying the "balancing of interest" test, many courts and commentators have. Specifically, "the origin of the [balancing of interest] test appears to be a 1971 Harvard Law Review Note in which the author urged courts to jettison the three traditional tests, and to 'examine the composite factual context of a political unit's attempt to violate a zoning ordinance to determine whether the violation should be tolerated.'" See Gary D. Taylor & Mark A. Wyckoff, *Intergovernmental Zoning Conflicts over Public Facilities Siting: A Model Framework for Standard State Acts*, 41 Urb. Law. 653, 665 (2009) (quoting Note, *Governmental Immunity from Local Zoning Ordinances*, 84 Harv. L. Rev. 869, 883 (1971)). This originating law review listed the following nine "fundamental considerations" to be addressed in the balancing analysis:

1. Is there any statutory guidance as to which interest should prevail? Does the statute explicitly authorize immunity, or does it merely direct a particular governmental unit to perform a certain function without mentioning any possible exemption from local zoning regulation?
2. Do the zoning ordinance and any other manifestation of the local planning process comprehend alternative locations for the particular facility?

3. Did the governmental unit consider alternative locations for the facility?
4. What is the scope of the political authority of the governmental unit performing the function relative to the body instituting the zoning ordinance?
5. Has there been any independent supervisory review of the proposed facility by a governmental unit of “higher” authority such as a state-wide planning commission? Was this review designed by statute to be exclusive?
6. How essential is the facility to the local community? To the broader community?
7. How detrimental is the proposed facility to the surrounding property?
8. Has the governmental unit made reasonable attempts to minimize the detriment to the adjacent landowners’ use and enjoyment of their property?
9. Has there been any attempt to comply with the zoning procedure for obtaining an amendment or a variance? Have the adversely affected landowners been given an opportunity to present their objections to the proper nonjudicial authorities?

*Governmental Immunity from Local Zoning Ordinances*, 84 Harv. L. Rev. at 883–84; see also Rutgers, State Univ. v. Philuso, 286 A.2d 697, 702-03 (N.J. 1972) (setting forth the following five factors: (1) the nature and scope of the instrumentality seeking immunity; (2) the kind of function or land use involved; (3) the extent of the public interest to be served thereby; (4) the effect local land-use regulation would have upon the enterprise concerned; and (5) the impact upon legitimate local interests).

A review of the relative positions of the governmental entities in this matter shows that the balance of interests clearly is weighted in the favor of the City. This is not only based on the nature of the proposed use, but also upon the evidence presented.

At the outset, it is clear that the WWTP is of paramount importance to the City and that a review of statutory obligations as powers illustrate this position. As presented to the Board, the

current City plant, which is 40 years old, is insufficient to meet state requirements and to serve the citizens of the City. (September Tr. Pg. ). It is also clear that the construction of a plant to dispose of sewage and industrial waste in a sanitary manner is declared by state statute to be an essential corporate purpose. *Iowa Code* §384.24(3)(d)(2019). As a part of that duty, the legislature has authorized a city, by statute, to execute any essential corporate purpose “within or without its corporate limits”. *Iowa Code* §384.25 (2019). Thus, a city is authorized to construct a sewage treatment plant and extension without its corporate limits and it is clear the legislature intended for the important purpose to be exercised outside of the city limits.

It is also important to note that the City cannot simply place a facility wherever it might desire. There is state agency review of site selection for municipal waste treatment plants. *Iowa Code* §455B.173(3), 455B.174(2); 900 I.A.C. §64.2(2), 64.2(3), and 64.2(9)(c). Additionally, the State is directly involved in the funding of sewage treatment plants. *Iowa Code* §455B.241-246(2019).

It is also clear that the City’s options were limited. The City made clear that they purchased this large parcel of property specifically for the WWTP and specifically so that there would be adequate separation between the facility and any neighboring property owners. It is also clear from the undisputed testimony that the City did explore alternate options such as joining the WRA and constructing infrastructure to do so. That alternative was prohibitively expensive. (November Tr. Pg. 21).

The City took extraordinary steps to attempt to alleviate neighboring property owner issues. Before the first Board of Adjustment meeting in September of 2018, the City had already conducted multiple meetings with neighbors and even made changes to the WWTP plans to accommodate concerns. When the September meeting was continued to get input from the



County Engineer, the City met with the Engineer and alleviated any issues the Engineer had with the plan and the Warren County Engineer was in support of the application. (November Tr. Pg. 5). When the October meeting was continued the City, at the request of the Board, again met with neighbors, and the City took the extraordinary step of enacting a Resolution outlining the City's commitment to conditions sought by property owners. (November Tr. Pg. 4). The City even had their project manager do a market analysis to show that properties in the vicinity of wastewater treatment plants do not suffer a loss of value. (November Tr. Pg. 4). Despite the City's efforts, it is clear that neighboring property owners would not be satisfied with any outcome other than a denial of the application. In essence, this group of 20 or less individuals would stop the construction of a new WWTP that is more efficient, produces 60% less biosolids, uses a process that negates smells, complies with state environmental regulations in all respects and which has been planned for almost 20 years. This despite the thousands of people who will benefit from it.

The City honored the County's process by providing all information requested, multiple times and in multiple ways, by responding to all questions presented, by making detailed presentations at three meetings of the Board, all in an effort to avoid litigation of the type now necessary. It must be noted that this use is appropriate and permitted in the A-1 district subject to a Special Use Permit. These are important factors since a court may scrutinize the reasonableness of a municipality's actions if a zoning permit was not sought and litigation ensued. *See, City of Bloomfield v. Davis County Community School District*, 254 Iowa 900, 905-906, 119 N.W.2d 909, 912-913 (1963).

The balance of interests clearly favors the City in this case. Using the principles set forth in *City of Ames v. Story County*, 392 N.W.2d 145, 149 (Iowa 1986), and other commentators, it

is apparent that the City's interests are important, the City has shown that it has acted nobly to protect neighbors from negative impacts of the WWTP, real or perceived and that this important facility must be built.

#### IV. CONCLUSION

City has shown that the Board violated its own rules and case law in failing to set forth clear written finds of fact to support its decision in this matter and the court should overturn their decision. Even if the court wishes to look beyond this significant failure, a review of the evidence clearly establishes that the Board of Adjustment decision is not supported by substantial evidence. The City provided voluminous evidence that this permitted use was appropriate and answered every concern with concrete, competent evidence dispelling unsupported claims of issues with the plant and "evidence" in the form of articles detailing a study conducted in Greece purporting to study property values, and other documents without foundation or authentication. The decision must be overturned.

Notwithstanding the foregoing, this is exactly the type of situation where the municipality is immune from the application of the Warren County Zoning Ordinance. The nature of the facility to be built, the responsibilities placed on that municipality by state law, the statutory authority given to the City and the efforts of the City to protect neighbors and alleviate any concerns they might have requires a finding that the ordinance does not apply to this facility and that the court should issue an order as such.

Respectfully submitted

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ATTORNEY FOR PETITIONER

Original Efiled.

**NOTICE OF ELECTRONIC FILING**

Notice of Electronic Filing is sent through the electronic document management system to all registered filers for the within case. A review of the filers in this matter indicates that all necessary parties have been or will be served. Any unregistered filer will be served with a paper copy and so noted in a Certificate of Service.

By: /s/ Cindy S. Juhl

Meeting Date: 08/05/2019

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**Subject**

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

**Information**

Roll call to enter into closed session is in order.

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**Fiscal Impact**

**Attachments**

*No file(s) attached.*

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Meeting Date: 08/05/2019

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**Subject**

Enter into closed session in accordance with Iowa Code Section 21.5(1)(i) to evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session

**Information**

Roll call is in order to go into closed session.

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**Fiscal Impact**

**Attachments**

*No file(s) attached.*

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Meeting Date: 08/05/2019

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**Subject**

After the closed session, the City Council may take action on any matter discussed in closed session

**Information**

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**Fiscal Impact**

**Attachments**

*No file(s) attached.*

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