

NOTICE OF PUBLIC MEETING
Governmental Body: Van Meter City Council
Date of Meeting: Monday, September 9, 2024

Time/Location: 7:00pm – Van Meter United Methodist Church, 100 Hazel Street, Van Meter, IA 50261

*NOTE: All public comments require that an individual sign in at the beginning of the meeting. **Comments will generally be limited to a maximum of three (3) minutes per person.** Under Iowa law, the City Council is prohibited from discussing or taking any action on an item not appearing on its posted agenda. Any issue raised by public comment under the Citizen Hearing will be referred to staff for a decision on whether it should be placed on a future agenda. All comments from the public, Council, and Staff shall address the presiding officer, and upon recognition by the presiding officer, shall be confined to the question under debate, avoiding all indecorous language and references to personalities and abiding by the following rules of civil debate. • We may disagree, but we will be respectful of one another. • All comments will be directed to the issue at hand. • Personal attacks will not be tolerated.*

Business Meeting Agenda:

1. Call to Order
2. Pledge of Allegiance
3. Introductions
4. Civility Statement
5. Approval of Agenda
6. Citizen Hearing
7. Consent Agenda:
 - a. Amended Minutes of the July 15, 2024 Planning & Zoning Meeting
 - b. Minutes of the August 12, 2024 City Council Meeting
 - c. Minutes of the August 26, 2024 City Council Workshop
 - d. Minutes of the August 28, 2024 Planning & Zoning Meeting
 - e. September Claims List
 - f. August Financial Statements
 - g. August Building Permit Report
 - h. IPAIT Update – August 2024
 - i. SICOG Update – August 2024
 - j. Mayor's Beggar's Night Notice – Thursday, October 31, 2024
 - k. Resolution #2024-99 Assigning an Address to the Meter Pit of Grand Ridge Estates Townhomes
 - l. Resolution #2024-100 Approval of an Agreement for Professional Services with Veenstra & Kimm – Microsoft Development
8. Discussion: Livestock Request – 2522 Brookview Court
9. Public Hearing for Ordinance Amendments as a result of the 2024 Legislative Session (Bond Requirements, Electronic Meetings, Operating Budget, Publication of Minutes, Fire Department Authority, Adult Establishments, Pedestrian Right of Way & Sidewalk Liability)
10. Discussion and Possible Action: Ordinance #2024-21 Ordinance Amendments as a result of the 2024 Legislative Session (Bond Requirements, Electronic Meetings, Operating Budget, Publication of Minutes, Fire Department Authority, Adult Establishments, Pedestrian Right of Way & Sidewalk Liability)
11. Public Hearing for an Ordinance to Amend Chapter 23 Planning & Zoning (#of members)
12. Discussion and Possible Action: Ordinance #2024-22 Chapter 23 Planning & Zoning (# of members)
13. Public Hearing for an Ordinance to Amend Chapter 167 Site Plan Regulations – Lighting Standards
14. Discussion and Possible Action: Ordinance #2024-23 Amend Chapter 167 Site Plan Regulations – Lighting Standards
15. Public Hearing for a proposed Amendment to the Development Agreement with Trindle Ridge, LLC including Annual Appropriation Tax Increment Payments
16. Discussion and Possible Action: Resolution #2024-101 Approving a proposed Amendment to the Development Agreement with Trindle Ridge, LLC Authorizing Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement
17. Public Hearing regarding the Voluntary, Non-Consenting Annexation of Brookview Lane (Van Meter Country Estates)
18. Discussion and Possible Action: Resolution #2024-102 Assenting to the Annexation of Certain Real Estate Identified as Lot 7, Lot 8, Lot 9, Lot 10, Lot 11, and Lot 1 of Van Meter Country Estates Plat 1 and Certain Real Estate Owned by Edith Westfall (aka Brookview Lane), Including Non-Consenting Property as Identified Herein
19. Public Hearing for a proposed amendment to the Van Meter City Code of Ordinances – Chapter 47 Park Regulations
20. Discussion and Possible Action: Ordinance #2024-24 Amending Chapter 47 – Park Regulations
21. Discussion and Possible Action: Fire Department Request regarding the Vehicle Swap with the VMPD
22. Discussion and Possible Action: Resolution #2024-103 Approving Equipment Purchases for Public Works
23. Staff Reports
24. Committee Reports
25. Recognition of Service – Liz Faust 20 Years
26. Adjournment

Agenda Item #1

Call to Order

Mayor: *The time is 7:00pm on Monday, September 9, 2024.*

I hereby call this meeting of the Van Meter City Council to order.

Agenda Item #2

Pledge of Allegiance

Those Present Led by Mayor: ***“I pledge Allegiance to the Flag of the United States of America, and to the Republic for which it stands, on Nation under God, indivisible, with liberty and justice for all.”***

Agenda Item #3

Introductions

City Council, City Staff and Guests will introduce themselves with their name and title/role.

Agenda Item #4

Civility Statement

Mayor: ***Our organization is proud to participate in the Show Some Respect Initiative from the Iowa Civility Project. The goal of the Show Some Respect campaign is to improve respect and civility in our community. To help achieve this goal, our expectations are that everyone will:***

- *Listen attentively*
- *Respect the opinions of others*
- *Keep an open mind*
- *Give constructive feedback, comments, and suggestions*
- *Avoid personal attacks*
- *Remember the things we have in common*
- *Value the People, the Process, and the Results*

Agenda Item #5

Approval of the Agenda

Submitted for: **ACTION**

Recommendation: **APPROVAL**

Sample Language:

Mayor: ***Do I hear a motion to approve the agenda?***

City Councilmember: _____ ***So moved.***

City Councilmember: _____ ***Second.***

Mayor: ***Roll Call Please.***

City Clerk: Akers _____ Brott _____ Grolmus _____ Pelz _____ Westfall _____

Mayor: ***The agenda is adopted.***

Agenda Item #6

Citizen Hearing

Sample Language:

Mayor: ***At this time, I will recognize members of the public who have signed in and wish to address the City Council. Once given the floor, please state your full name. You will have a maximum of three (3) minutes to address the Council.***

Under Iowa law, the City Council is prohibited from discussing or taking any action on an item not appearing on its' posted agenda. Any issue raised by the public comment under Citizen Hearing will be referred to City Staff for a decision on whether or not it should be placed on a future agenda.

It is required that individuals addressing the City Council avoid all indecorous language, references to personalities and abide by these two simple rules of civil debate:

- ***We may disagree, but we will be respectful of one another.***
- ***Personal attacks will not be tolerated.***

Agenda Item #7

Consent Agenda

Submitted for: **ACTION**

Recommendation: **APPROVAL**

Sample Language:

Mayor: ***Would staff please review the Consent Agenda?***

Staff: *Gives review. As of 9/6/24, SICOG did not provide a monthly report. Claims will be provided Monday, 9/9/24. The Building Permit report will be provided 9/9/24 as well.*

Mayor: ***Does the City Council wish to discuss any item on the Consent Agenda separately? If not, I would entertain a motion to Adopt the Consent Agenda as presented.***

City Councilmember: _____ ***So moved.***

City Councilmember: _____ ***Second.***

Mayor: ***Roll Call Please.***

City Clerk: Akers _____ Brott _____ Grolmus _____ Pelz _____ Westfall _____

Mayor: ***The Consent Agenda is adopted.***

City of Van Meter, Iowa

Planning & Zoning Commission Meeting, July 15, 2024

- 1) The Van Meter Planning & Zoning Commission met on Monday, July 15, 2024, at City Hall located at 310 Mill St. Chairperson Wahlert called the meeting to order at 5:33PM.
Roll was called: Feldman, DeVore, Miller, Cook and Hulse were present.
Staff present: Jessica Drake – City Clerk
- 2) Feldman moved, supported by Miller, to approve the agenda. Motion carried unanimously.
- 3) Hulse moved, supported by Feldman, to approve the minutes from the June 26, 2024 Planning & Zoning Meeting. Feldman – YES; DeVore – YES; Miller – YES; Cook – YES; Wahlert – YES; Hulse - YES.
- 4) Discussion ensued regarding the proposed preliminary plat and construction drawings for Trindle Ridge Plat 2.
Hulse moved, supported by Feldman, to recommend approval of the preliminary plat and construction drawings for Trindle Ridge Plat 2, to waive the requirement to upgrade Richland Circle and to waive the stormwater management requirement contingent on the satisfaction of the City Engineer of a stormwater management study. Feldman – YES; DeVore – YES; Miller – YES; Cook – YES; Wahlert – ABSTAIN; Hulse - YES
- 5) Feldman moved, supported by Cook, to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 5:54pm.

- 1) The Van Meter City Council met for a regular council meeting on Monday, August 12, 2024, at the United Methodist Church located at 100 Hazel Street, Van Meter, IA 50261. Mayor Herman called the meeting to order at 7:00 pm. The following council members were present upon roll call: Joel Akers, Travis Brott, Blake Grolmus, Quin Pelz and Penny Westfall.
 Staff present: City Attorney Fatino, City Engineer Bob Veenstra (arrived at 7:58pm), Police Chief Mike Brown, Public Works Director Drew McCombs, Library Director Jonatha Basye, Parks & Rec Director Sam Chia, City Clerk Jessica Drake, and City Administrator Liz Faust.
 Public Present: Rona Jacobs, Randy Johnson, Nate Weitzl, Jessame Reedholm, Michael Wahlert, Nathan & Emily Hansen, Ben Clark, and Paul Clausen.
- 2) Mayor Herman led the Pledge of Allegiance.
- 3) Introductions were made.
- 4) Mayor Herman read a Civility Statement setting expectations of respect for the meeting.
- 5) Akers moved, supported by Grolmus, to approve the agenda. On roll call the votes were as follows: Akers – YES; Brott – YES; Grolmus – YES; Pelz – YES; Westfall - YES.
- 6) Nathan & Emily Hansen addressed the Council regarding Hudson Avenue. Paving ends in the 100 block and there are approximately 20-40 cars per day using the unpaved portion – also known as the construction entrance. The unpaved portion is not wide enough for 2 cars to pass through. Upcoming street projects in the neighborhood will also impact usage. The request was for council to consider paving the section and creation of a permanent road way through that area.
- 7) Mayor Herman asked for a motion to adopt the consent agenda which included the following:
 - a. Minutes of the July 8, 2024 City Council Meeting
 - b. Minutes of the July 22, 2024 City Council Workshop
 - c. Minutes of the July 15, 2024 Planning & Zoning Meeting
 - d. Minutes of the August 5, 2024 Planning & Zoning Meeting
 - e. August Claims List

CLAIMS REPORT

VENDOR	REFERENCE	AMOUNT
ACCO	WATER CHEMICALS	951
ACCUJET LLC	VACU'D LIFT STATIONS	709.36
AFLAC	PAYROLL CORRECTION	102.06
AGSOURCE COOPERATIVE SERVICES	WA/SW TESTING	1,229.00
ALL AMERICAN TURF BEAUTY	LAGOON WEED CONTROL	989
AMERICAN LIBRARY ASSOC	ALA MEMBERSHIP	162
AMERICAN UNDERGROUND SUPPLY	MANHOLE REPAIRS - VIRIGINA	996.32
ARNOLD MOTOR SUPPLY	PW TRUCK MAINTENANCE	241.5
ASSOC FOR RURAL & SMALL LIB	ARSL MEMBERSHIP	50
AT&T MOBILITY	PD/FD PHONE SERVICE	277.43
BASE	SEPT FSA ADMIN	30
BOBCAT WILDLIFE & PEST	PARKS & REC MOLE TREATMENT	755
BOUND TREE MEDICAL LLC	CYLINDER STAND	184.78
CARTER CONSTRUCTION GROUP LLC	HAZEL STREET CREEK CLEANUP	750
CHALLENGER TEAMWEAR	YOUTH SOCCER UNIFORMS	5,285.98
CORE & MAIN	FIRE HYDRANT REPAIR	1,354.52
CULLIGAN	WATER COOLER RENTAL	87.11
DALLAS CO SHERIFFS OFFICE	NEW WORLD MODULE 2407-2506	714
GATEHOUSE MEDIA IA HOLDINGS	20240708 MINUTES	701.4
DEMCO	BOOK SUPPLIES	331.87
EARLHAM SAVINGS BANK	EBANK EFT ACH FEES	35
EFTPS	FED/FICA TAX	23,660.11
ELAN FINANCIAL - EBANK CC	JULY PURCHASES	119.98
FENIX USA LLC	AUGUST HOSTING	289.3
FREEDOM TIRE AND AUTO	22F250 TIRES	1,080.80
FULLER PETROLEUM SERVICE	#2dSL ULS DYED	1,472.32
GRIMES ASPHALT	BULLDOG AVE RESURFACE	166,041.50
HEARTLAND BUSINESSES SYSTEM	CLOUD MIGRATION	33,175.54
IOWA LAW ENFORCEMENT ACADEMY	PATROL RIFLE INSTRUCTOR RENEW	250
INDUSTRIAL CHEM LABS	LIFT STATION DEGREASER	1,214.92
IOWA LEAGUE OF CITIES	24/25 GRANT FINDER SUBSCRIP	100

IOWA LIBRARY ASSOCIATION	ILA MEMBERSHIP	48.3
IOWA PRISON INDUSTRIES	PUBLIC WORKS TRUCK DECALS	107.6
IOWA PUMP WORKS INC	SEWER PUMP REPLACEMENT (2X)	34,953.74
IOWA WORKFORCE DEVELOPMENT	RIEDERER UNEMP	369
IPERS	IPERS	4,760.20
JESSICA DRAKE	FSA REIBMURSE	546.84
JUNGMANN CORPORATION	CEMETERY ROADSTONE	622.78
KONICA MINOLTA	QUARTERLY MAINTENANCE	250.85
LAURA KUNKEL	CLEANING SERVICES 07/25	25
LEXIPOL LLC	POLICE1 ACADEMY 2409-2508 (4)	424.36
LOWE'S	JULY CHARGES	714.16
MATHESON TRI GAS INC	OXYGEN	41.78
MIDAMERICAN ENERGY	GAS/ELEC	3,531.32
MID-IOWA PLANNING ALLIANCE	MIPA FY25 DUES	223
	VIDEOMANAGER LICENSE 2408-	
MOTOROLA	2508	975
ORKIN	AUGUST PEST CONTROL	69.55
P&M APPAREL	FD UNIFORMS	896.92
PEEK SALES & SERVICE	MOWER PARTS	20.8
PRAIRIE AG SUPPLY	MOWER REPAIRS	1,107.26
RD MCKINNEY PLUMBING	HYDRANT REPAIR	955
SAM CHIA	PAINT	42.99
SIMMERING-CORY INC	2024 LEGISLATIVE UPDATES	1,768.00
STACK PAY - REC FEES	REC FEE REFUND	79.86
STAR EQUIPMENT LTD	HARLEY RAKE RENTAL	1,485.00
STATE HYGIENIC LAB	HH2 TIE IN SAMPLE TESTING	95
TREAS - ST OF IA SALES TX	JULY WET	2,160.32
TREAS - STATE OF IOWA W/H	STATE TAX	1,055.77
TRUSTED TREE SERVICES LLC	TREE REMOVAL - CH & ROW	1,900.00
UNITYPOINT CLINIC	JULY DOT MRO	154.5
UNPLUGGED WIRELESS	MOTO IMPRESS 2 LI-ION	195
US POSTMASTER	AUGUST NEWSLETTERS	323.61
UTILITY EQUIPMENT CO	METERS	11,683.63
VEENSTRA & KIMM INC	JUNE BUILDING PERMITS	44,244.54
VERIZON WIRELESS	CELL PHONE CHARGES	1,517.92
VM UNITED METHODIST CHURCH	FACILITY	1,400.00
WASTE CONNECTIONS	GARBAGE CONTRACT	12,423.54
WASTE SOLUTIONS OF IA	KYBOS - AUGUST	1,749.00
WAUKEE POWER EQUIPMENT	CHAINSAW SUPPLIES	213.33
WELLS FARGO	JUNEJULY PURCHASES	6,000.57
WEX BANK	GAS & MERCH	2,124.51
WHITFIELD & EDDY PLC	WIRE TRANSFER PURCHASE DAHLS	522,894.63
Accounts Payable Total		907,496.98
Invoices: Paid		563,175.09
Invoices: Scheduled		344,321.89
GENERAL		97,061.07
PARK OPERATIONS		13,346.48
ROAD USE TAX		164,161.73
EMPLOYEE BENEFITS		915.84
LIBRARY TRUST FUND		5,388.10
CIP - BUILDING PROJECT		522,081.63
WATER SUPPLY IMPROVEMENTS		13,831.77
WATER		36,996.68
SEWER		53,713.68
TOTAL FUNDS		907,496.98

- f. June Financial Statements
- g. July Financial Statements
- h. July Building Permit Report
- i. IPAIT Update – July 2024
- j. Resolution #2024-80 Approval of 5th Quarter Special Event Liquor License
- k. Resolution #2024-81 Appointing a Representative and Alternate to CIRHA through a 28E Agreement
- l. Resolution #2024-82 Approving Tom Thorpe Operator by Affidavit
- m. Resolution #2024-83 Approving A Member to the Van Meter Volunteer Fire Department

- Grolmus moved, supported by Brott, to adopt the consent agenda. On roll call the votes were as follows: Akers – YES; Brott – YES; Grolmus – YES; Pelz – YES; Westfall – YES.
- 8) Staff received an application for tax abatement for residential improvements at 104 Main Street. Grolmus moved, supported by Akers, to approve the tax abatement application for 104 Main Street. On roll call the votes were as follows: Akers – YES; Brott – YES; Grolmus – YES; Pelz – YES; Westfall – YES.
 - 9) Staff received an application for tax abatement for residential improvements at 308 Elm Street. Grolmus moved, supported by Pelz, to approve the tax abatement application for 308 Elm Street. On roll call the votes were as follows: Akers – YES; Brott – YES; Grolmus – YES; Pelz – YES; Westfall – YES.
 - 10) Staff reviewed the Agreement for Professional Services with Bolton & Menk for design & engineering services for Phase 1 of the Master Trails Plan. Councilman Akers asked when decisions were going to be made about the walking bridge portion of the trails. City Clerk Drake noted that the walking bridge is not part of Phase 2 and will be addressed in future phases. Westfall motioned, supported by Akers, to adopt Resolution #2024-84 Approving the Agreement for Professional Services with Bolton & Menk for Master Trails Phase 1. On roll call the votes were as follows: Akers – YES; Brott – YES; Grolmus – YES; Pelz – YES; Westfall – YES.
 - 11) Brott moved, supported by Grolmus, to open the Public Hearing regarding proposed fee changes by the Van Meter Police Department at 7:14pm. Motion carried. No comments were received prior to or during the hearing. Brott moved, supported by Grolmus, to close the hearing at 7:15pm. Motion carried.
 - 12) Grolmus moved, supported by Brott, to adopt Ordinance #2024-19 to Amend Chapter 70 Traffic Code Enforcement Procedures of the Code of Ordinances of the City of Van Meter and waive subsequent readings. On roll call the votes were as follows: Akers – YES; Brott – YES; Grolmus – YES; Pelz – YES; Westfall - YES.
 - 13) Grolmus moved, supported by Brott, to open the Public Hearing regarding a proposed amendment to the Dallas County Multi-Jurisdictional Hazard Mitigation Plan at 7:16pm. Motion carried. No comments were received prior to or during the hearing. Grolmus moved, supported by Brott, to close the hearing at 7:16pm. Motion carried.
 - 14) Westfall moved, supported by Brott, to adopt Resolution #2024-85 Approving the Amendment of the Dallas County Multi-Jurisdictional Hazard Mitigation Plan. On roll call the votes were as follows: Akers – YES; Brott – YES; Grolmus – YES; Pelz – YES; Westfall - YES.
 - 15) Pelz moved, supported by Akers, to open the Public Hearing regarding a proposed addition of Chapter 57 – Urban Chickens and an amendment to Chapter 55 – Animal Control of the Code of Ordinances of the City of Van Meter at 7:18pm. Motion carried. Rona Jacobs asked how many chickens would be allowed. City Clerk Drake responded that the new Chapter allows for 6 chickens, no roosters. Akers moved, supported by Pelz, to close the hearing at 7:19pm. Motion carried.
 - 16) Akers moved, supported by Westfall, to adopt Ordinance #2024-20 to Add Chapter 57 – Urban Chickens and to Amend Chapter 55 – Animal Control to the Code of Ordinances of the City of Van Meter and waive subsequent readings. On roll call the votes were as follows: Akers – YES; Brott – YES; Grolmus – NO; Pelz – YES; Westfall – YES.
 - 17) Brott moved, supported by Akers to adopt Resolution #2024-86 to Terminate the 28E Agreement with the City of De Soto for Mutual Law Enforcement Services by providing 30 days written notice. Councilwoman Westfall stated that she is uncomfortable with termination of services. On roll call the votes were as follows: Akers – YES; Brott – YES; Grolmus – YES; Pelz – YES; Westfall – NO.
 - 18) City Staff received an application for review and acceptance of the final plat of Grand Ridge Estates Plat 2. All public improvements have been completed. Planning & Zoning reviewed and recommended acceptance of the final plat. Akers moved, supported by Brott, to adopt Resolution #2024-87 Approving the Final Plat of Grand Ridge Estates Plat 2. On roll call the votes were as follows: Akers – YES; Brott – YES; Grolmus – YES; Pelz – YES; Westfall – NO.
 - 19) City Staff received an application for review and acceptance of the preliminary plat and construction drawings for Trindle Ridge Plat 2. The City Engineer reviewed the plans and provided comments. The developer's engineer of record provided comment response. Planning & Zoning reviewed and recommended the acceptance of the drawings, granting of a waiver of paved road requirements and granting of a waiver of the storm water management requirements upon a satisfactory review of a storm water management study by the City Engineer. The City Engineer received & reviewed a satisfactory storm water management study. Ben Clark asked where the preliminary plat and documentation could be reviewed. All of the requested information is available from City Hall. Councilman Akers asked why Trindle Ridge 1 was required to have paving. Councilwoman Westfall requested additional information. Councilman Brott asked if PW has concerns regarding the paved driveways meeting a gravel road. PW indicated they would review and work with the engineer of record. Westfall moved, supported by Grolmus, to table action on Resolution #2024-88 Approval of Preliminary Plat & Construction Drawings – Trindle Ridge Plat 2 until the Council Workshop on August 26 to allow for additional council review. On roll call the votes were as follows: Akers – YES; Brott – NO; Grolmus – YES; Pelz – YES; Westfall – YES.
 - 20) Brott moved, supported by Westfall, to adopt Resolution #2024-89 to Approve Cashing Out Library CD #1118163 and to apply the funds to the purchase of the new library facility. On roll call the votes were as follows: Akers – YES; Brott – YES; Grolmus – YES; Pelz – YES; Westfall – YES.
 - 21) Akers moved, supported by Grolmus, to adopt Resolution #2024-90 Approving FY25 Transfers. On roll call the votes were as follows: Akers – YES; Brott – YES; Grolmus – YES; Pelz – YES; Westfall - YES.
 - 22) Akers moved, supported by Westfall, to adopt Resolution #2024-91 Setting Date for Public Hearing on proposed amendments to the Van Meter Code of Ordinances as a result of the 2024 Legislative Session for 7:00pm on Monday, September 9, 2024. On roll call the votes were as follows: Akers – YES; Brott – YES; Grolmus – YES; Pelz – YES; Westfall - YES.

- 23) Westfall moved, supported by Akers, to adopt Resolution #2024-92 Setting Date for Public Hearing on a proposed amendment to Chapter 23 – Planning & Zoning to the Van Meter Code of Ordinances for 7:00pm on Monday, September 9, 2024. On roll call the votes were as follows: Akers – YES; Brott – YES; Grolmus – YES; Pelz – YES; Westfall - YES.
- 24) Grolmus moved, supported by Brott, to adopt Resolution #2024-93 Setting Date for Public Hearing on a proposed amendment to Chapter 167 Site Plan Regulations – Lighting Standards to the Van Meter Code of Ordinances for 7:00pm on Monday, September 9, 2024. On roll call the votes were as follows: Akers – YES; Brott – YES; Grolmus – YES; Pelz – YES; Westfall - YES.
- 25) Brott moved, supported by Grolmus, to adopt Resolution #2024-94 Setting Date for Public Hearing on a proposed amendment to the Development Agreement with Trindle Ridge, LLC including Annual Appropriation Tax Increment Payments for 7:00pm on Monday, September 9, 2024. On roll call the votes were as follows: Akers – YES; Brott – YES; Grolmus – YES; Pelz – YES; Westfall - YES.
- 26) Akers moved, supported by Grolmus, to adopt Resolution #2024-95 Setting Date for Public Hearing regarding a voluntary, non-consenting annexation of Van Meter Country Estates for 7:00pm on Monday, September 9, 2024. On roll call the votes were as follows: Akers – YES; Brott – YES; Grolmus – YES; Pelz – YES; Westfall - YES.
- 27) Brott moved, supported by Grolmus, to adopt Resolution #2024-96 Setting Date Public Hearing regarding an amendment to Chapter 47 Park Regulations. On roll call the votes were as follows: Akers – YES; Brott – YES; Grolmus – YES; Pelz – YES; Westfall – YES.
- 28) Westfall moved, supported by Brott, to adopt Resolution #2024-97 Authorizing Staff to proceed with necessary steps for a Request for Proposal for Architectural Services for 601 Main Street. On roll call the votes were as follows: Akers – YES; Brott – YES; Grolmus – YES; Pelz – YES; Westfall – YES.
- 29) Mayor Herman declared August 31, 2024 Overdose Awareness Day.
- 30) Mayor Herman led a discussion regarding a proposed project to resurface Arlington Avenue and add storm water management. Brott moved, supported by Grolmus, to direct staff to obtain bid letting proceedings for the Arlington Avenue Project. On roll call the votes were as follows: Akers – YES; Brott – YES; Grolmus – YES; Pelz – YES; Westfall – YES.
- 31) Mayor Herman initiated a discussion regarding the possible creation of a storm water utility. City Engineer Veenstra provided further information regarding storm water utilities including various fees structures as this is a fee that would be billed directly to account holders, a description of the use of revenue generated from storm water utilities and the process required to create a new utility. No action was taken.
- 32) City Staff provided written department reports. Administrative staff provided updates the rental registration, code enforcement, vacant buildings and dangerous building processes as well as a timeline regarding the Brookview Annexation. City Staff also provided supporting documentation regarding the water utility disconnection due to non-payment process. Public Works provided an update on continuing education status. Police reported on completed firearm training & upcoming trainings including active shooter and responded to 138 calls in July (62 of which were traffic stops). Fire reported on training activities and reported 39 total calls of which 11 were responded in De Soto, and 20 in Van Meter. Van Meter Public Library reported that the grant funding received in CY24 has been spent on new library furniture as intended. Parks & Rec reported many successful programming opportunities this summer including a Concert in the Park, Yoga in the Park and Art in the Park.
- 33) Council members reported on monthly committee meetings. Finance committee discussed building financing option & need for a vehicle replacement schedule. Public Safety was commended for the success of the 1st National Night Out. Public Works committee discussed prioritization of projects. Economic Development discussed downtown & the impact of the vacant & dangerous building codes. Policy committee had no report. The Library Liaison reported that there was an upcoming meeting, no report. Parks & Rec committee members noted that they are working with Parks & Rec and local athletic groups on a community clean up day. Personnel committee had no report.
- 34) Brott moved, supported by Akers, to adjourn the meeting. On roll call, the votes were as follows: Akers – YES; Brott – YES; Grolmus – YES; Pelz – YES; Westfall – YES. Mayor Herman adjourned the meeting at 9:07pm.

Joe Herman, Mayor

Jessica Drake, City Clerk

City of Van Meter, Iowa

City Council Minutes – August 26, 2024

1) The Van Meter City Council met for a workshop on Monday, August 26, 2024, at the Van Meter United Methodist Church located at 100 Hazel Street, Van Meter, IA 50261. Mayor Herman called the meeting to order at 6:00pm. The following council members were present upon roll call: Joel Akers, Travis Brott, Blake Grolmus, Quin Pelz and Penny Westfall.

Staff present: Library Director Jonatha Basye, City Engineer Bob Veenstra, City Clerk Jessica Drake and City Administrator Liz Faust.

Public present: Jon Sieck, Michael Wahlert.

2) Grolmus moved, supported by Akers, to approve the agenda. On roll call the votes were as follows: Akers – YES; Brott – YES; Grolmus – YES; Pelz – YES; Westfall - YES.

3) City staff presented information regarding the previously tabled action item relating to Approval of Trindle Ridge Plat 2 – Preliminary Plat and Construction Drawings, Wavier of Paving Requirements and Waving of Storm Water Management. Council members Akers and Westfall expressed concerns with possible conflicts of interest and continued concerns with the storm water management waiver and paving requirement waiver. City Clerk Drake noted that there was an error in the Planning & Zoning minutes from 7/15/2024 and stated that amended minutes & supporting documentation would be provided to the commission for review and Council to approve at the next regular meetings. Commissioner Wahlert did abstain from action during the 7/15/2024 P&Z meeting. City Engineer Veenstra spoke to the recommendation of the waivers and provided his opinion of support for the waivers. Council member Westfall requested a street resurface priority list. The September Workshop will include further discussion regarding street resurfacing. Grolmus moved, supported by Pelz, to adopt Resolution #2024-98 Approval of Trindle Ridge Plat 2 – Preliminary Plat and Construction Drawings, Waiver of Paving Requirement and Waiver of Storm Water Management regulations. On roll call, the votes were as follows: Akers – NO; Brott – YES; Grolmus – YES; Pelz – YES; Westfall – NO. City Engineer Veenstra left the meeting at 6:45pm.

4) City Clerk Drake led a discussion regarding the City's current Future Land Use Map. There are certain updates needed as a result of zoning activities. Staff will work with the City Engineer to update and align the zoning map and Future Land Use map.

5) City staff led a discussion reviewing the City's Comprehensive Plan. The City wishes to review the plan every 5 years. Actionable items were identified at the time of creation. City Clerk Drake will provide workbooks to each sub-committee to review prior to the October workshop.

6) Brott moved, supported by Akers, to adjourn the meeting. On roll call the votes were as follows: Akers – YES; Brott – YES; Grolmus – YES; Pelz – YES; Westfall - YES. Mayor Herman adjourned the meeting at 7:36 pm.



Mayor



City Clerk Jessica Drake

City of Van Meter, Iowa

Planning & Zoning Commission Meeting, August 28, 2024

- 1) The Van Meter Planning & Zoning Commission met on Wednesday, August 8, 2024, at City Hall located at 310 Mill St. Commissioner Feldman called the meeting to order at 5:36PM.
Roll was called: Feldman, Miller, Hulse, DeVore and Cook were present.
Staff present: Jessica Drake – City Clerk
Chairperson Wahlert was absent.
- 2) Hulse moved, supported by Miller, to approve the agenda. Motion carried unanimously.
- 3) City Clerk Drake noted that there was an error in the previously approved minutes from the 07/15/24 meeting. Chairperson Wahlert abstained from action regarding Trindle Ridge Plat 2. Amended minutes and supporting documentation was provided. DeVore moved, supported by Cook, to approve the amended minutes from the July 15, 2024 Planning & Zoning Meeting. On roll call, the votes were as follows: DeVore – YES, Cook – YES; Hulse – YES; Miller – YES; Feldman – YES.
- 4) Miller moved, supported by Cook, to approve the minutes of the 8/5/24 Planning & Zoning Meeting. On roll call, the votes were as follows: Miller – YES; Cook – YES; Feldman – YES. Commissioners Hulse and DeVore abstained as they were not present at the meeting.
- 5) City Clerk Drake provided information regarding a request to tie a series of single family lots together, creating 8 single family lots from 16 single family lots. Information was provided from the City Engineer and a written response from Chairperson Wahlert. Hulse questioned the potential impact of the LMI component of the Developer's Agreement. DeVore expressed concerns with the abandonment of services and potential long term impacts of buyer financing. This item was brought to Planning & Zoning for discussion only.
- 6) City Clerk Drake described the current plat review process as it relates to the City's sub-division code. Prior to the most recent final plat review, the process followed did not align with City code. The commission expressed a desire to follow code and have a consistent process. This item was brought to Planning & Zoning for discussion only.
- 7) City Clerk Drake described the current permitted uses under the City's commercial zoning code. The commission will continue to review. This item was brought to Planning & Zoning for discussion only.
- 8) DeVore moved, supported by Cook, to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 6:23pm.

Transaction No	Date	Mod	Emp1/Vend	Vendor/Employee Name	Other No	Checks	Deposits
1 CHECKING-EARLHAM SAVINGS BK#1						Beginning Statement Balance	4,564,968.31
8318262	8/01/2024	RM					233.33
8318263	8/02/2024	RM					155.00
8318265	8/05/2024	RM					5,345.66
8318266	8/06/2024	RM					785.03
8318267	8/07/2024	RM					1,342.34
8318268	8/08/2024	RM					1,320.17
8318269	8/01/2024	BK					335.55
8318270	8/01/2024	BK					552.34
8318271	8/02/2024	BK					307.41
8318272	8/02/2024	BK					2,144.45
8318273	8/05/2024	BK					114.63
8318274	8/06/2024	BK					142.14
8318275	8/05/2024	BK					436.76
8318276	8/06/2024	BK					939.92
8318277	8/06/2024	BK					101.27
8318278	8/06/2024	BK					827.50
8318279	8/07/2024	BK					102.97
8318280	8/07/2024	BK					206.45
8318281	8/07/2024	BK					872.80
8318282	8/08/2024	BK					100.00
8318283	8/08/2024	BK					269.89
8318284	8/08/2024	BK					284.42
8318285	8/09/2024	BK					956.78
8318286	8/09/2024	RM					726.77
8318287	8/15/2024	BK		ACH UTILITY DEPOSIT			33,951.79
8318288	8/12/2024	RM					4,780.46
8318289	8/09/2024	GL					357.50
8318290	8/13/2024	RM					1,375.18
8318291	8/14/2024	RM					2,075.70
8318292	8/15/2024	RM					1,178.73
8318293	8/16/2024	RM					1,672.97
8318294	8/19/2024	RM					474.98
8318295	8/12/2024	BK					1,545.46
8318296	8/12/2024	BK					20.00
8318297	8/12/2024	BK					50.00
8318298	8/12/2024	BK					2,516.11
8318299	8/13/2024	BK					113.54
8318300	8/13/2024	BK					401.02
8318301	8/14/2024	BK					87.51
8318302	8/14/2024	BK					1,556.05
8318303	8/15/2024	BK					91.05
8318304	8/15/2024	BK					688.33
8318305	8/16/2024	BK					1,523.00
8318306	8/16/2024	BK					1,032.15
8318307	8/13/2024	BK					472.90
8318308	8/13/2024	BK					545.26
8318309	8/19/2024	BK					3,019.94
8318310	8/19/2024	BK					1,088.76
8318311	8/19/2024	BK					412.11
8318312	8/14/2024	BK					852.11
8318313	8/20/2024	RM					712.68
8318314	8/21/2024	RM					82.41

Transaction No	Date	Mod	Empl/Vend	Vendor/Employee Name	Other No	Checks	Deposits
1 CHECKING-EARLHAM SAVINGS BK#1							- continued -
8318315	8/22/2024	RM					209.87
8318316	8/23/2024	RM					159.73
8318317	8/26/2024	RM					3,503.90
8318318	8/20/2024	BK					938.82
8318319	8/20/2024	BK					1,232.40
8318320	8/22/2024	BK					117.83
8318321	8/22/2024	BK					394.88
8318322	8/22/2024	BK					10.00
8318323	8/23/2024	BK					196.19
8318324	8/23/2024	BK					439.97
8318325	8/26/2024	BK					94.15
8318326	8/26/2024	BK					147.60
8318327	8/26/2024	BK					196.04
8318328	8/26/2024	BK					778.62
8318329	8/20/2024	BK					334.25
8318330	8/20/2024	BK					378.36
8318331	8/21/2024	BK					112.88
8318332	8/21/2024	BK					20.00
8318333	8/28/2024	RM					2,502.99
8318334	8/30/2024	RM					20,832.82
8318336	8/28/2024	BK					148.90
8318337	8/28/2024	BK					503.37
8318338	8/29/2024	BK					13.00
8318339	8/29/2024	BK					113.00
8318340	8/30/2024	BK					209.45
8318342	8/30/2024	GL					847.25
8318343	8/26/2024	GL					40,062.33
8318344	8/15/2024	GL					15,585.22
8318347	8/14/2024	GL					1,843.58
8318348	8/16/2024	RM					10,000.00
8318350	8/23/2024	RM					16,131.04
8318351	8/23/2024	GL					779.50
8318352	8/23/2024	GL					.63
32662	6/10/2024	AP		1305 AVEY WATSON		50.00	
32698*	6/10/2024	AP		1224 LANDON LUNKAN		20.00	
32702*	6/10/2024	AP		1109 LEVI LUKAN		565.00	
32717*	6/10/2024	AP		1272 SCOTT SCHOENLEBER		45.00	
32722*	6/10/2024	AP		1107 TYSON SCHOENLEBER		230.00	
32812*	7/19/2024	PR		13 ROBERT CARR		16.62	
32814*	7/19/2024	PR		143 JOEL E AKERS		461.75	
32815	7/19/2024	PR		148 PAUL LATARE		407.27	
32816	7/19/2024	PR		161 EDITH A WESTFALL		461.75	
32817	7/30/2024	AP		16 US POSTMASTER		323.61	
32818	8/12/2024	AP		6 ACCO		951.00	
32819	8/12/2024	AP		422 ACCUJET LLC		709.36	
32820	8/12/2024	AP		30 AGSOURCE COOPERATIVE SERVICES		1,229.00	
32821	8/12/2024	AP		29 ALL AMERICAN TURF BEAUTY		989.00	
32823*	8/12/2024	AP		1137 AMERICAN UNDERGROUND SUPPLY		996.32	
32824	8/12/2024	AP		39 ARNOLD MOTOR SUPPLY		241.50	
32826*	8/12/2024	AP		964 AT&T MOBILITY		277.43	
32827	8/12/2024	AP		1242 BASE		30.00	
32828	8/12/2024	AP		1323 BOBCAT WILDLIFE & PEST		755.00	

Transaction No	Date	Mod	Empl/Vend	Vendor/Employee Name	Other No	Checks	Deposits
1 CHECKING-EARLHAM SAVINGS BK#1					- continued -		
32829	8/12/2024	AP	984	BOUND TREE MEDICAL LLC		184.78	
32831*	8/12/2024	AP	94	CORE & MAIN		1,354.52	
32832	8/12/2024	AP	103	CULLIGAN		87.11	
32833	8/12/2024	AP	886	DALLAS CO SHERIFFS OFFICE		714.00	
32834	8/12/2024	AP	414	DEMCO		331.87	
32835	8/12/2024	AP	1244	ELAN FINANCIAL - EBANK CC		119.98	
32837*	8/12/2024	AP	1187	FREEDOM TIRE AND AUTO		1,080.80	
32838	8/12/2024	AP	876	FULLER PETROLEUM SERVICE		1,472.32	
32839	8/12/2024	AP	1324	GRIMES ASPHALT		166,041.50	
32843*	8/12/2024	AP	1277	HEARTLAND BUSINSES SYSTEM		33,175.54	
32844	8/12/2024	AP	282	IOWA LAW ENFORCEMENT ACADEMY		250.00	
32845	8/12/2024	AP	81	INDUSTRIAL CHEM LABS		1,214.92	
32846	8/12/2024	AP	9	IOWA LEAGUE OF CITIES		100.00	
32848*	8/12/2024	AP	2	IOWA PRISON INDUSTRIES		107.60	
32849	8/12/2024	AP	421	IOWA PUMP WORKS INC		34,953.74	
32850	8/12/2024	AP	97	JUNGMANN CORPORATION		622.78	
32851	8/12/2024	AP	5	KONICA MINOLTA		250.85	
32852	8/12/2024	AP	707	LAURA KUNKEL		25.00	
32853	8/12/2024	AP	1035	LEXIPOL LLC		424.36	
32854	8/12/2024	AP	44	LOWE'S		714.16	
32855	8/12/2024	AP	26	MATHESON TRI GAS INC		41.78	
32856	8/12/2024	AP	24	MIDAMERICAN ENERGY		3,531.32	
32857	8/12/2024	AP	1139	MID-IOWA PLANNING ALLIANCE		223.00	
32858	8/12/2024	AP	722	MOTOROLA		975.00	
32859	8/12/2024	AP	1250	ORKIN		69.55	
32860	8/12/2024	AP	1165	P&M APPAREL		896.92	
32861	8/12/2024	AP	276	PEEK SALES & SERVICE		20.80	
32862	8/12/2024	AP	729	PRAIRIE AG SUPPLY		1,107.26	
32863	8/12/2024	AP	1306	RD MCKINNEY PLUMBING		955.00	
32864	8/12/2024	AP	1322	SAM CHIA		42.99	
32865	8/12/2024	AP	621	SIMMERING-CORY INC		1,768.00	
32866	8/12/2024	AP	301	STAR EQUIPMENT LTD		1,485.00	
32867	8/12/2024	AP	172	STATE HYGIENIC LAB		95.00	
32868	8/12/2024	AP	1247	TRUSTED TREE SERVICES LLC		1,900.00	
32869	8/12/2024	AP	334	UNITYPOINT CLINIC		154.50	
32870	8/12/2024	AP	478	UNPLUGGED WIRELESS		195.00	
32871	8/12/2024	AP	134	UTILITY EQUIPMENT CO		11,683.63	
32872	8/12/2024	AP	35	VEENSTRA & KIMM INC		44,244.54	
32874*	8/12/2024	AP	4	VERIZON WIRELESS		1,517.92	
32875	8/12/2024	AP	22	WASTE CONNECTIONS		12,423.54	
32876	8/12/2024	AP	820	WASTE SOLUTIONS OF IA		1,749.00	
32877	8/12/2024	AP	889	WAUKEE POWER EQUIPMENT		213.33	
32881*	8/12/2024	AP	28	WHITFIELD & EDDY PLC		2,324.20	
32883*	8/20/2024	AP	1325	NATIONWIDE TRAILERS		12,918.00	
114*	8/31/2024	GL					1,681.46
146	8/15/2024	BK		ACH NSF RETURN L MICHALSKI		95.79	
4068	8/02/2024	PR	1	ELIZABETH I FAUST		2,795.76	
4069	8/02/2024	PR	69	MICHAEL A BROWN		2,232.48	
4070	8/02/2024	PR	120	EMMA G BACKSTROM		152.84	
4071	8/02/2024	PR	125	MARK J SCHMITT		287.02	
4072	8/02/2024	PR	132	DREW A MCCOMBS		2,492.06	
4073	8/02/2024	PR	134	JESSICA S DRAKE		2,102.06	

Transaction No	Date	Mod	Empl/Vend	Vendor/Employee Name	Other No	Checks	Deposits
1 CHECKING-EARLHAM SAVINGS BK#1				- continued -			
4074	8/02/2024	PR	135	SHANE M LUYAAS		1,692.66	
4075	8/02/2024	PR	139	ANDREW E COOPER		1,688.62	
4076	8/02/2024	PR	140	JONATHA J BASYE		1,523.62	
4077	8/02/2024	PR	142	ADIN DELIC		1,684.04	
4078	8/02/2024	PR	146	CALE P MCCLAIN		169.94	
4079	8/02/2024	PR	149	JOAN R VON RUDEN KRUGER		745.18	
4080	8/02/2024	PR	155	MASON DRAKE		754.78	
4081	8/02/2024	PR	156	TYLER GLADE		777.89	
4082	8/02/2024	PR	157	SPENCER M LEONARD		1,411.31	
4083	8/02/2024	PR	158	SAM CHIA		1,394.48	
4084	8/02/2024	PR	159	LARAIN V CLIMER		1,367.91	
4085	8/16/2024	PR	1	ELIZABETH I FAUST		2,837.18	
4086	8/16/2024	PR	69	MICHAEL A BROWN		2,252.07	
4087	8/16/2024	PR	120	EMMA G BACKSTROM		97.78	
4088	8/16/2024	PR	125	MARK J SCHMITT		47.41	
4089	8/16/2024	PR	132	DREW A MCCOMBS		2,492.06	
4090	8/16/2024	PR	134	JESSICA S DRAKE		2,102.06	
4091	8/16/2024	PR	135	SHANE M LUYAAS		1,692.66	
4092	8/16/2024	PR	139	ANDREW E COOPER		1,688.62	
4093	8/16/2024	PR	140	JONATHA J BASYE		1,523.62	
4094	8/16/2024	PR	142	ADIN DELIC		1,684.04	
4095	8/16/2024	PR	146	CALE P MCCLAIN		174.90	
4096	8/16/2024	PR	149	JOAN R VON RUDEN KRUGER		754.80	
4097	8/16/2024	PR	155	MASON DRAKE		351.28	
4098	8/16/2024	PR	156	TYLER GLADE		409.47	
4099	8/16/2024	PR	157	SPENCER M LEONARD		1,413.81	
4100	8/16/2024	PR	158	SAM CHIA		1,247.76	
4102	8/16/2024	PR	159	LARAIN V CLIMER		1,367.91	
4121	8/30/2024	PR	1	ELIZABETH I FAUST		2,795.76	
4122	8/30/2024	PR	69	MICHAEL A BROWN		2,232.48	
4123	8/30/2024	PR	120	EMMA G BACKSTROM		152.03	
4124	8/30/2024	PR	125	MARK J SCHMITT		427.86	
4125	8/30/2024	PR	132	DREW A MCCOMBS		2,492.06	
4126	8/30/2024	PR	134	JESSICA S DRAKE		50.00	
4127	8/30/2024	PR	134	JESSICA S DRAKE		2,052.06	
4128	8/30/2024	PR	135	SHANE M LUYAAS		1,692.66	
4129	8/30/2024	PR	139	ANDREW E COOPER		1,688.62	
4130	8/30/2024	PR	140	JONATHA J BASYE		1,523.62	
4131	8/30/2024	PR	142	ADIN DELIC		1,684.05	
4132	8/30/2024	PR	146	CALE P MCCLAIN		262.77	
4133	8/30/2024	PR	149	JOAN R VON RUDEN KRUGER		718.68	
4134	8/30/2024	PR	155	MASON DRAKE		311.14	
4135	8/30/2024	PR	156	TYLER GLADE		327.70	
4136	8/30/2024	PR	157	SPENCER M LEONARD		1,413.81	
4137	8/30/2024	PR	158	SAM CHIA		1,476.18	
4138	8/30/2024	PR	159	LARAIN V CLIMER		1,367.91	
11180103	7/19/2024	AP	56	IPERS		8,921.33	
11180104	7/19/2024	AP	57	TREAS - STATE OF IOWA W/H		2,019.81	
11180115	8/02/2024	AP	59	EFTPS		7,572.02	
11180128	8/02/2024	AP	20	GATEHOUSE MEDIA IA HOLDINGS		163.60	
11180129	8/02/2024	AP	20	GATEHOUSE MEDIA IA HOLDINGS		167.20	
11180133	8/12/2024	AP	59	EFTPS		7,251.58	

Transaction No	Date	Mod	Empl/Vend	Vendor/Employee Name	Other No	Checks	Deposits
1 CHECKING-EARLHAM SAVINGS BK#1				- continued -			
11180134	8/12/2024	AP	58	TREAS - ST OF IA SALES TX		2,160.32	
11180135	8/14/2024	AP	20	GATEHOUSE MEDIA IA HOLDINGS		46.86	
11180136	8/14/2024	AP	20	GATEHOUSE MEDIA IA HOLDINGS		56.86	
11180137	8/22/2024	AP	180	WELLS FARGO CC		6,000.57	
11180138	8/21/2024	AP	20	GATEHOUSE MEDIA IA HOLDINGS		428.80	
11180139	8/16/2024	AP	20	GATEHOUSE MEDIA IA HOLDINGS		39.29	
11180140	8/16/2024	AP	20	GATEHOUSE MEDIA IA HOLDINGS		39.29	
11180141	8/16/2024	AP	20	GATEHOUSE MEDIA IA HOLDINGS		80.70	
11180142	8/16/2024	AP	20	GATEHOUSE MEDIA IA HOLDINGS		29.20	
11180143	8/16/2024	AP	20	GATEHOUSE MEDIA IA HOLDINGS		60.50	
11180144	8/20/2024	AP	20	GATEHOUSE MEDIA IA HOLDINGS		751.60	
11180145	8/20/2024	AP	20	GATEHOUSE MEDIA IA HOLDINGS		59.80	
11180146	8/20/2024	AP	20	GATEHOUSE MEDIA IA HOLDINGS		241.29	
11180149	8/30/2024	AP	59	EFTPS		7,338.73	
11180150	8/30/2024	AP	887	AFLAC		204.12	
11180152	8/07/2024	AP	19	THE HARTFORD		576.09	
11180153	8/02/2024	AP	10	WELLMARK		11,147.23	
11180154	8/02/2024	AP	18	DELTA DENTAL		851.78	
11180155	8/12/2024	AP	550	FORTE		435.31	
11180156	8/12/2024	AP	550	FORTE		25.82	
11180157	8/28/2024	AP	1163	STACK PAY - REC FEES		377.48	
11180158	8/14/2024	AP	912	WEX BANK		2,493.55	
11180159	8/15/2024	AP	384	EARLHAM SAVINGS BANK		25.00	
11180160	8/29/2024	AP	1215	JESSICA DRAKE		185.00	
11180161	8/23/2024	AP	180	WELLS FARGO CC		.63	

Fund Description

001	GENERAL	135,468.36	38,878.78
059	PARK OPERATIONS	15,336.97	10,847.25
110	ROAD USE TAX	171,427.03	15,585.22
112	EMPLOYEE BENEFITS	8,122.11	355.15
119	EMERGENCY FUND		
121	LOCAL OPTION SALES TAX		40,062.33
125	TIF-CR ESTATE		715.01
182	LIBRARY TRUST FUND	12,937.52	
200	DEBT SERVICE		37.30
320	CIP - BUILDING PROJECT	1,511.20	16,131.04
330	WATER SUPPLY IMPROVEMENTS	13,831.77	
500	CEMETARY-PERPETUAL CARE		200.00
600	WATER	54,350.07	23,331.49
610	SEWER	67,366.52	13,498.37
Fund Grand Total		480,351.55	159,641.94

Ending Statement Balance 4,286,322.28

Transaction No	Date	Mod	Emp/Vend	Vendor/Employee Name	Other No	Checks	Deposits
1	CHECKING-EARLHAM SAVINGS	BK#1					
						Beginning Statement Balance	4,564,968.31
				147 Credit Transactions		480,447.34	
				86 Debit Transactions			201,801.31
						Ending Statement Balance	4,286,322.28

TREASURER'S REPORT
CALENDAR 8/2024, FISCAL 2/2025

ACCOUNT TITLE	LAST MONTH END BALANCE	RECEIVED	DISBURSED	CHANGE IN LIABILITY	ENDING BALANCE
001 GENERAL	25,378.41	46,605.84	132,883.47	384.39	60,514.83-
049 VEHICLE INSPECTION FUND					
051 LIBRARY BUILDING FUND	15,678.34				15,678.34
052 PW-VEHICLE REPLACEMENT	7,000.00				7,000.00
053 FD-VEHICLE REPLACEMENT	18,085.10				18,085.10
054 VEHICLE REPLACEMENT-POL	16,150.00				16,150.00
055 VEHICLE REPLACEMENT-FIR	1,115.07				1,115.07
056 TECHNOLOGY REPLACEMENT-	5,000.00				5,000.00
057 BUILDING REPAIR RESERVE	3,000.00				3,000.00
058 FARMERS MARKET					
059 PARK OPERATIONS	62,517.85-	20,847.25	18,677.00		60,347.60-
060 GAS/ELEC FRANCHSIE FEE	333,973.37				333,973.37
110 ROAD USE TAX	444,778.90	15,585.22	171,287.63		289,076.49
112 EMPLOYEE BENEFITS	89,292.55-	355.15	9,490.14	7,937.11-	106,364.65-
119 EMERGENCY FUND	36,310.17				36,310.17
121 LOCAL OPTION SALES TAX	1,073,701.72	40,062.33			1,113,764.05
125 TIF-CR ESTATE	322,860.24	715.01			323,575.25
126 TIF-WH PINES SUBDIVISIO	135,914.48				135,914.48
127 TIF-POLK CO. BANK	78,617.52				78,617.52
128 TIF-STANDBROUGH	36,450.64				36,450.64
129 TIF ORIGINAL (420-844)	119,827.09				119,827.09
180 PARK TRUST FUND	6,402.47				6,402.47
181 REC TRUST	35,099.42				35,099.42
182 LIBRARY TRUST FUND	22,735.81		12,188.51		10,547.30
183 VM COMMUNITY BETTERMENT					
184 CDBG/HOUSING PROJECT					
185 REC CAPITAL FUND					
186 SITE CERT/WA PROJECT	18,170.62				18,170.62
200 DEBT SERVICE	5,190.05-	37.30			5,152.75-
205 DEBT SERVICE-WATER					
213 DEBT SERVICE-LIFT STATION					
300 SIDEWALK CAPITAL PROJECT					
310 TRINDLE CITY PROJECTS	237,117.06				237,117.06
320 CIP - BUILDING PROJECT	395,069.43-	16,131.04	1,511.20		380,449.59-
330 WATER SUPPLY IMPROVEMEN	897,242.86		13,831.77		883,411.09
500 CEMETARY-PERPETUAL CARE	40,910.00	200.00			41,110.00
600 WATER	825,746.18	42,113.76	53,665.19	2,866.58-	811,328.17
606 WATER MAIN PROJECT	35,564.79				35,564.79
610 SEWER	436,808.55	28,486.40	67,645.94	1,695.87-	395,953.14
612 DEBT SERVICE-SEWER LAGO	14,490.00				14,490.00
620 CARES ACT PROJECT FUND	100,270.65				100,270.65
Report Total	4,792,329.58	211,139.30	481,180.85	12,115.17-	4,510,172.86

BALANCE SHEET
CALENDAR 8/2024, FISCAL 2/2025

ACCOUNT NUMBER	ACCOUNT TITLE	MTD BALANCE	YTD BALANCE
001-000-1110	CHECKING - GENERAL	85,893.24-	60,614.83-
049-000-1110	CHECKING - VEHICLE INSPECTION		38,491.91-
051-000-1110	CHECKING - LIBRARY BUILDING		14,491.62
052-000-1110	CHECKING - PW VEHICLE REPLACE		7,000.00
053-000-1110	CHECKING - FD VEHICLE REPLACE		18,085.10
054-000-1110	CHECKING - POLICE VEHICLE REP		10,518.75
055-000-1110	CHECKING - 1ST RES VEHICLE REP		1,115.07
056-000-1110	CHECKING - TECHNOLOGY REPLACE		5,000.00
059-000-1110	PARK OPS CHECKING	2,170.25	60,547.60-
060-000-1110	CHECKING		333,973.37
110-000-1110	CHECKING - ROAD USE TAX	155,702.41-	289,076.49
112-000-1110	CHECKING - EMPLOYEE BENEFITS	17,072.10-	106,364.65-
119-000-1110	CHECKING - EMERGENCY FUND		36,310.17
121-000-1110	CHECKING - L.O.S.T.	40,062.33	1,113,764.05
125-000-1110	CHECKING - TIF CR ESTATE	715.01	288,902.34
126-000-1110	CHECKING - TIF WH PINES SUBDIV		95,914.48
127-000-1110	CHECKING - TIF POLK CO BANK		68,617.52
128-000-1110	CHECKING - TIF STANDBROUGH		36,450.64
129-000-1110	CHECKING - TIF LMI		119,827.09
180-000-1110	CHECKING - PARK/REC TRUST		14,211.32-
181-000-1110	CHECKING - REC TRUST		35,099.42
182-000-1110	CHECKING - LIBRARY TRUST	12,188.51-	6,323.61-
186-000-1110	CHECKING - SITE CERT/WA		18,170.62
200-000-1110	CHECKING - DEBT SERVICE	37.30	5,152.75-
310-000-1110	CASH		237,117.06
320-000-1110	CASH - CAPTIAL IMPROVE OTHER	14,619.84	380,449.59-
330-000-1110	CASH	13,831.77-	883,411.09
500-000-1110	CHECKING - PERPETUAL CARE	200.00	32,010.00
600-000-1110	CHECKING - WATER	14,418.01-	811,298.17
606-000-1110	CHECKING - WATER MAIN PROJ		35,564.79
610-000-1110	CHECKING - SEWER	40,855.41-	365,337.72
612-000-1110	CHECKING - LAGOON DEBT SERVICE		20,000.00-
620-000-1110	CASH		100,270.65
		-----	-----
	CASH TOTAL	282,156.72-	4,265,169.95
001-000-1120	PETTY CASH		100.00
059-000-1120	PETTY CASH		200.00
600-000-1120	PETTY CASH		30.00
		-----	-----
	PETTY CASH TOTAL	.00	330.00
049-000-1150	IPAIT		38,491.91
051-000-1150	IPAIT		1,186.72
054-000-1150	IPAIT		5,631.25
057-000-1150	IPAIT		3,000.00
125-000-1150	IPAIT		34,818.80
126-000-1150	IPAIT		40,000.00
127-000-1150	IPAIT		10,000.00

BALANCE SHEET
CALENDAR 8/2024, FISCAL 2/2025

ACCOUNT NUMBER	ACCOUNT TITLE	MTD BALANCE	YTD BALANCE
180-000-1150	IPAIT		20,613.79
182-000-1150	IPAIT		16,870.91
500-000-1150	IPAIT		9,100.00
610-000-1150	IPAIT		30,615.42
612-000-1150	IPAIT		34,490.00
		-----	-----
	IPAIT TOTAL	.00	244,818.80
125-000-1160	SAVINGS/CD'S		145.89-
		-----	-----
	SAVINGS/CD'S TOTAL	.00	145.89-
		=====	=====
	TOTAL CASH	282,156.72-	4,510,172.86
		=====	=====

REVENUE REPORT
CALENDAR 8/2024, FISCAL 2/2025

PCT OF FISCAL YTD 16.6%

ACCOUNT NUMBER	ACCOUNT TITLE	BUDGET ESTIMATE	MTD BALANCE	YTD BALANCE	PERCENT RECVD	UNCOLLECTED
	GENERAL TOTAL	1,080,786.00	46,605.84	169,789.22	15.71	910,996.78
	PW-VEHICLE REPLACEMENT TOTAL	50,000.00	.00	.00	.00	50,000.00
	PARK OPERATIONS TOTAL	201,000.00	20,847.25	32,360.11	16.10	168,639.89
	GAS/ELEC FRANCHSIE FEE TOTAL	82,000.00	.00	14,017.00	17.09	67,983.00
	ROAD USE TAX TOTAL	514,000.00	15,585.22	32,470.79	6.32	481,529.21
	EMPLOYEE BENEFITS TOTAL	184,406.00	355.15	407.89	.22	183,998.11
	EMERGENCY FUND TOTAL	14,000.00	.00	8.89	.06	13,991.11
	LOCAL OPTION SALES TAX TOTAL	430,000.00	40,062.33	76,534.51	17.80	353,465.49
	TIF-CR ESTATE TOTAL	161,156.00	715.01	734.03	.46	160,421.97
	TIF ORIGINAL (420-844) TOTAL	4,008.00	.00	.00	.00	4,008.00
	LIBRARY TRUST FUND TOTAL	149,100.00	.00	1,290.00	.87	147,810.00
	DEBT SERVICE TOTAL	128,688.00	37.30	141.29	.11	128,546.71
	CIP - BUILDING PROJECT TOTAL	18,171.00	16,131.04	16,131.04	88.77	2,039.96
	CEMETARY-PERPETUAL CARE TOTAL	2,600.00	200.00	200.00	7.69	2,400.00
	WATER TOTAL	616,500.00	42,113.76	92,795.39	15.05	523,704.61
	SEWER TOTAL	382,500.00	28,486.40	60,132.25	15.72	322,367.75
	TOTAL REVENUE BY FUND	4,018,915.00	211,139.30	497,012.41	12.37	3,521,902.59

BUDGET REPORT
CALENDAR 8/2024, FISCAL 2/2025

PCT OF FISCAL YTD 16.6%

ACCOUNT NUMBER	ACCOUNT TITLE	TOTAL BUDGET	MTD BALANCE	YTD BALANCE	PERCENT EXPENDED	UNEXPENDED
	GENERAL TOTAL	1,322,835.00	132,883.47	213,744.09	16.16	1,109,090.91
	LIBRARY BUILDING FUND TOTAL	15,837.00	.00	.00	.00	15,837.00
	PW-VEHICLE REPLACEMENT TOTAL	14,492.00	.00	.00	.00	14,492.00
	VEHICLE REPLACEMENT-FIRST TOTA	1,115.00	.00	.00	.00	1,115.00
	PARK OPERATIONS TOTAL	171,900.00	18,677.00	29,478.50	17.15	142,421.50
	GAS/ELEC FRANCHSIE FEE TOTAL	82,000.00	.00	.00	.00	82,000.00
	ROAD USE TAX TOTAL	513,500.00	171,287.63	178,929.91	34.85	334,570.09
	EMPLOYEE BENEFITS TOTAL	181,500.00	9,490.14	24,163.84	13.31	157,336.16
	LOCAL OPTION SALES TAX TOTAL	82,000.00	.00	.00	.00	82,000.00
	TIF-CR ESTATE TOTAL	46,700.00	.00	.00	.00	46,700.00
	TIF-STANDBROUGH TOTAL	100,000.00	.00	.00	.00	100,000.00
	LIBRARY TRUST FUND TOTAL	149,100.00	12,188.51	19,305.01	12.95	129,794.99
	SITE CERT/WA PROJECT TOTAL	18,171.00	.00	.00	.00	18,171.00
	DEBT SERVICE TOTAL	246,000.00	.00	.00	.00	246,000.00
	CIP - BUILDING PROJECT TOTAL	.00	1,511.20	522,081.63	.00	522,081.63-
	WATER SUPPLY IMPROVEMENTS TOTA	1,450,000.00	13,831.77	35,906.50	2.48	1,414,093.50
	WATER TOTAL	552,900.00	53,665.19	101,389.22	18.34	451,510.78

BUDGET REPORT
CALENDAR 8/2024, FISCAL 2/2025

PCT OF FISCAL YTD 16.6%

ACCOUNT NUMBER	ACCOUNT TITLE	TOTAL BUDGET	MTD BALANCE	YTD BALANCE	PERCENT EXPENDED	UNEXPENDED
	SEWER TOTAL	334,700.00	67,645.94	89,436.11	26.72	245,263.89
	TOTAL EXPENSES BY FUND	5,282,750.00	481,180.85	1,214,434.81	22.99	4,068,315.19

BUDGET REPORT
CALENDAR 8/2024, FISCAL 2/2025

PCT OF FISCAL YTD 16.6%

ACCOUNT NUMBER	ACCOUNT TITLE	TOTAL BUDGET	MTD BALANCE	YTD BALANCE	PERCENT EXPENDED	UNEXPENDED
	POLICE TOTAL	429,300.00	32,944.42	54,974.98	12.81	374,325.02
	EMERGENCY MANAGEMENT TOTAL	3,000.00	13.16	26.66	.89	2,973.34
	FIRE TOTAL	142,535.00	3,899.06	12,322.27	8.65	130,212.73
	AMBULANCE TOTAL	18,600.00	2,085.86	2,905.89	15.62	15,694.11
	ANIMAL CONTROL TOTAL	2,000.00	.00	.00	.00	2,000.00
	PUBLIC SAFETY TOTAL	595,435.00	38,942.50	70,229.80	11.79	525,205.20
	ROADS, BRIDGES, SIDEWALKS TOTA	674,200.00	193,698.62	204,237.56	30.29	469,962.44
	STREET LIGHTING TOTAL	3,000.00	237.85	475.79	15.86	2,524.21
	GARBAGE TOTAL	148,400.00	12,423.54	25,087.95	16.91	123,312.05
	PUBLIC WORKS TOTAL	825,600.00	206,360.01	229,801.30	27.83	595,798.70
	LIBRARY TOTAL	174,300.00	13,649.68	22,668.27	13.01	151,631.73
	PARKS TOTAL	3,300.00	423.34	423.34	12.83	2,876.66
	RECREATION TOTAL	173,600.00	19,748.45	31,901.69	18.38	141,698.31
	CEMETERY TOTAL	1,500.00	622.78	622.78	41.52	877.22
	CULTURE & RECREATION TOTAL	352,700.00	34,444.25	55,616.08	15.77	297,083.92
	ECONOMIC DEVELOPMENT TOTAL	54,900.00	507.16	2,683.96	4.89	52,216.04
	PLANNING & ZONING TOTAL	107,000.00	22,913.59	35,617.99	33.29	71,382.01
	OTHER COMM & ECO DEV TOTAL	100,000.00	.00	.00	.00	100,000.00
	COMMUNITY & ECONOMIC DEV TOTA	261,900.00	23,420.75	38,301.95	14.62	223,598.05
	MAYOR/COUNCIL/CITY MGR TOTAL	15,900.00	477.74	5,369.19	33.77	10,530.81
	CLERK/TREASURER/ADM TOTAL	162,750.00	26,431.08	38,881.03	23.89	123,868.97
	ELECTIONS TOTAL	1,000.00	.00	.00	.00	1,000.00
	LEGAL SERVICES/ATTORNEY TOTAL	116,000.00	12,976.59	25,062.48	21.61	90,937.52
	CITY HALL/GENERAL BLDGS TOTAL	18,850.00	1,473.83	1,987.32	10.54	16,862.68
	GENERAL GOVERNMENT TOTAL	314,500.00	41,359.24	71,300.02	22.67	243,199.98
	DEBT SERVICES TOTAL	246,000.00	.00	.00	.00	246,000.00
	DEBT SERVICE TOTAL	246,000.00	.00	.00	.00	246,000.00
	CAPITAL PROJECTS TOTAL	1,450,000.00	15,342.97	557,988.13	38.48	892,011.87
	CAPITAL PROJECTS TOTAL	1,450,000.00	15,342.97	557,988.13	38.48	892,011.87
	WATER TOTAL	452,900.00	53,665.19	101,576.92	22.43	351,323.08

BUDGET REPORT
CALENDAR 8/2024, FISCAL 2/2025

PCT OF FISCAL YTD 16.6%

ACCOUNT NUMBER	ACCOUNT TITLE	TOTAL BUDGET	MTD BALANCE	YTD BALANCE	PERCENT EXPENDED	UNEXPENDED
	SEWER/SEWAGE DISPOSAL TOTAL	284,700.00	67,645.94	89,620.61	31.48	195,079.39
	ENTERPRISE FUNDS TOTAL	737,600.00	121,311.13	191,197.53	25.92	546,402.47
	TRANSFERS IN/OUT TOTAL	499,015.00	.00	.00	.00	499,015.00
	TRANSFER OUT TOTAL	499,015.00	.00	.00	.00	499,015.00
	TOTAL EXPENSES	5,282,750.00	481,180.85	1,214,434.81	22.99	4,068,315.19

OUTSTANDING TRANSACTION REGISTER
8/01/2024 TO 8/31/2024

MOD CODE	BANK NO	NAME	NUMBER	DATE	PERIOD	VEND/EMPL	OTHER NUMB	DEPOSITS	CHECKS AND WITHDRAWALS	RECONCILING	VOIDED	MANUAL
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1 CHECKING-EARLHAM SAVINGS BK#1 STATEMENT DATE: 8/31/2024

AP	CHK	32822	8/12/24	02/25	AMERICAN LIBRARY ASSOC				162.00			
AP	CHK	32825	8/12/24	02/25	ARSL				50.00			
AP	CHK	32830	8/12/24	02/25	CARTER CONSTRUCTION GROUP				750.00			
AP	CHK	32836	8/12/24	02/25	FENIX USA LLC				289.30			
AP	CHK	32847	8/12/24	02/25	IOWA LIBRARY ASSOCIATION				48.30			
AP	CHK	32884	8/29/24	02/25	COMPASS BUSINESS SOLUTION				2,396.09			
AP	CHK	32885	8/29/24	02/25	US POSTMASTER				342.37			
AP	ETR	11180147	8/30/24	02/25	IPERS				13,476.21			
AP	ETR	11180148	8/30/24	02/25	TREAS - STATE OF IOWA W/H				3,119.32			

BANK TOTAL								.00	20,633.59		.00	
DEPOSITS-CHECKS								20,633.59-				

BANK NO	DATE	JOURNAL	PENDING DEPOSITS	ADJUSTMENTS*
1	8/08/2024	RM 9272	2,434.65	.00
1	8/08/2024	RM 9309	2,434.65-	.00
1	8/29/2024	RM 9340	218.08	.00
1	8/30/2024	RM 9343	102.96	.00
BANK TOTAL			321.04	.00
REPORT TOTAL			321.04	

*Adjustments include fees and returns that reduce GWorks Payments Deposits.



City of Van Meter

PMA Financial Network
2135 CityGate Lane
7th Floor
Naperville, IL 60563
Phone: 630-657-6400
Fax: 630-718-8701

Monthly Activity Summary

8/1/2024 - 8/31/2024

Class	Account	Beginning Balance	Contributions	Interest	Other Withdrawals	Month End Balance
Diversified	[REDACTED] General	\$258,788.11	\$0.00	\$1,116.79	\$0.00	\$259,904.90
Diversified	[REDACTED] LOST	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Diversified	[REDACTED] Bond Proceeds	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$258,788.11	\$0.00	\$1,116.79	\$0.00	\$259,904.90

Account Numbers - Redacted



310 Mill Street
Van Meter, Iowa 50261-0160

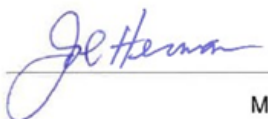
Telephone: 515-996-2644
www.vanmeteria.gov

September 9, 2024

From the Mayor's Desk:

Beggar's Night is set for Thursday, October 31, 2024 from 6:00pm – 8:00pm.

Have a safe Halloween!



Handwritten signature of J. Herman in blue ink, positioned above a horizontal line.

Mayor

Resolution #2024-99

“A Resolution to Assign an Address to the Meter Pit of Grand Ridge Estates Townhomes”

Whereas, the City wishes to provide an address to the meter pit of Grand Ridge Estates Townhomes, and

Whereas, the Property Owner has requested an address to be assigned to allow for energy services to be provided, and

Whereas, the City Administrator has reviewed the proposed address change, and

Therefore, be it resolved by the Van Meter City Council that the address for the meter pit located at 2945 Long Avenue located in the City of Van Meter is assigned as follows:

2945 ½ Long Avenue, Van Meter, IA 50261

Passed and approved September 9, 2024.

ATTEST:

City Clerk

Mayor



4044 E. 14th St. DSM, Iowa 50313
515.331.6501

August 27th, 2024

To Whom This May Concern,

We are in need of an electrical meter placement for our properties on Long Ave. in Van Meter, Iowa. We would like to use the address for the meter that Mid American places as 2945 ½ Long Ave. Van Meter, Iowa. All billing inquiries for this meter should be sent to:

CDM Real Estate
3035 99th St.
Urbandale, Iowa 50322

I appreciate your help in this matter if there are any questions, please contact me on the number below.

Thanks,
Heidi Tucker
Ironroad Properties
515.779.2223

Resolution # 2024-100

“A Resolution to Approve an Agreement for Professional Services with Veenstra & Kimm, Inc.”

Whereas, the City of Van Meter is in need of time critical services associated with the development of the Microsoft project; and

Whereas, the City Administrator recommends utilizing Veenstra & Kimm, Inc. to perform those services; now

Therefore, be it resolved; the City Council of Van Meter hereby approves the services agreement with Veenstra & Kimm, Inc. and authorizes the Mayor and City Clerk to execute the agreement on behalf of the City effective September 9, 2024.

Passed and approved this 9th day of September, 2024.

Mayor

ATTEST:

City Clerk Jessica Drake



VEENSTRA & KIMM INC.

3000 Westown Parkway
West Des Moines, Iowa 50266

515.225.8000 // 800.241.8000
www.v-k.net

August 30, 2024

Liz Faust
City Administrator
City of Van Meter
310 Mill Street
P.O. Box 160
Van Meter, Iowa 50261-0160

VAN METER, IOWA
AGREEMENT FOR PROFESSIONAL SERVICES
MICROSOFT PROJECT DEVELOPMENT

Enclosed is a copy of the Agreement for Professional Services between the City of Van Meter and Veenstra & Kimm, Inc. for time critical services associated with the development of the Microsoft project. The services in this agreement include the preliminary survey time critical road projects including the improvements to F90 from Ute Avenue to Tabor Road, improvements to Tabor Road between F90 and 365th Street and improvements to 365th Street from Tabor Road to approximately one-quarter mile west of Seneca Avenue.

The work under this agreement for the time critical road projects includes the preliminary survey and development of the base drawings. This work will be completed in September and October 2025.

Subsequent Design Services are anticipated to start in the November 2024 time frame concurrently with the approval of the development agreement. The actual design work for the road projects will be set forth in a subsequent amendment to this agreement or a separate agreement. Engineering services for other public improvement projects that are not time critical will be set forth in the subsequent agreement.

The maximum fee for the preliminary survey and base drawing development will be \$45,000. Microsoft is aware the City is moving forward with the preliminary survey and is in agreement with these costs to be incorporated in the cost of public improvements included in the development agreement.

Liz Faust
August 30, 2024
Page 2

Microsoft is moving forward with its site development. It is anticipated there will be a fairly significant amount of planning and coordination activities and review activities for the Microsoft project that will need to be completed prior to the approval of the development agreement scheduled for November 2024. As indicated in Jackie Nickolaus's email of August 29, 2024. Microsoft is interested in obtaining a grading permit and the approval of the site plan and platting documents prior to the approval of the development agreement.

This Agreement includes a task to provide planning and coordination services associated with the Microsoft project prior to the approval of the development agreement. The cost for these planning and coordination services will also be incorporated in the cost structure for the development agreement.

It is anticipated there will be additional planning review and coordination services that will be necessary following approval of the development agreement. Those services are anticipated to be set forth in a separate agreement that will incorporate the balance of the work activities time critical road improvement projects and non-time critical projects.

At the work session on August 26, 2024 the City Council indicated general concurrence with moving forward with these two elements of service. Veenstra & Kimm, Inc. has started work on the preliminary survey.

The writer indicated at the work session on August 26, 2024 the services would be set forth in a written agreement to be considered by the City Council at the September 9, 2024 meeting.

If you have any questions or comments concerning the project, please contact the writer at 515-225-8000, or bveenstra@v-k.net.

VEENSTRA & KIMM, INC.



H. R. Veenstra Jr.

HRVJr:crt
193
Enclosures

AGREEMENT FOR PROFESSIONAL SERVICES

**CITY OF VAN METER, IOWA
MICROSOFT PUBLIC IMPROVEMENTS – PRELIMINARY SURVEY
MICROSOFT PROJECT PLANNING AND COORDINATION SERVICES**

THIS AGREEMENT, made this ____ day of _____, 2024 by and between the **CITY OF VAN METER, IOWA**, hereinafter referred to as the **CITY**, party of the first part, and **VEENSTRA & KIMM, INC.** of West Des Moines, Iowa, a corporation organized and existing under the laws of the State of Iowa, hereinafter referred to as the **ENGINEERS**,

WITNESSETH, THAT WHEREAS, Microsoft is currently negotiating a development agreement with the City of Van Meter for the development of the Vision Park area, and

WHEREAS, as part of the development of the Microsoft project the City will need to construct certain public improvements, including road improvements, water main improvements and sanitary sewer improvements, and

WHEREAS, the City and Microsoft anticipate the development agreement will be approved in the general timeframe of November 2024, and

WHEREAS, to meet the anticipated schedule for development of the Microsoft project certain public improvements will need to be constructed in 2025, and

WHEREAS, two of the public improvements, including the reconstruction F90 from Ute Avenue to Tabor Road and the improvements of Tabor Road from F90 to 365th Street and improvements of 365th Street from Tabor Road to approximately one-quarter mile west of Seneca Avenue are planned for construction in 2025, and

WHEREAS, to complete the road improvements in 2025 it is necessary to complete the design and bid the projects in the timeframe of February 2025, and

WHEREAS, to meet the target schedule of construction in 2025 preliminary survey of the time critical road projects on F90, Tabor Road and 365th Street require the preliminary survey to be completed prior to the anticipated date for the approval of the development agreement, and

WHEREAS, the City has determined it appropriate to move forward with the preliminary survey of the time critical road projects with the understanding the costs incurred for the preliminary survey will be incorporated in the development agreement, and

WHEREAS, Microsoft is moving forward with its planning and site design with portions of that work to be completed prior to the approval of the development agreement, and

WHEREAS, to keep the Microsoft project on schedule the Engineers will need to provide certain planning and coordination services prior to the approval of the development agreement, and

WHEREAS, the City anticipates the cost for planning and coordination services will be included within the development agreement, and

WHEREAS, the City desires to retain the services of the Engineers for the critical elements of work to coordinate with the schedule for the Microsoft project.

NOW, THEREFORE, it is hereby agreed by and between the parties hereto the City retains the Engineers to provide professional engineering services for the Project subject to the following terms and conditions to wit:

1. **DESIGN SURVEYS – TIME CRITICAL PROJECTS.** The Engineers shall undertake the necessary topographic and other surveys for the design of the following projects:
 - Improvements to F90 from Ute Avenue to Tabor Road
 - Improvements to Tabor Road from F90 to 365th Street
 - Improvements to 365th Street from Tabor Road to approximately one-quarter mile west of Seneca Avenue.

The preliminary design surveys shall include all surveys necessary for the preparation of plans and specifications.

2. **BASE DRAWING DEVELOPMENT.** The Engineers shall develop base drawings for the design of the time critical road improvement projects following completion of the preliminary survey.
3. **DETAILED DESIGN.** Services under this Agreement do not include any detailed design or preparation of plans and specifications. Design work shall be included in an amendment to this Agreement or in a subsequent agreement.
4. **PROJECT PLANNING AND COORDINATION.** The Engineers shall assist the City in planning and coordination services necessary for the Microsoft project, including but not limited to coordination of public improvements, schedule and cost evaluations, review and coordination of grading plans and site plans developed by Microsoft, prior to approval of the development agreement.

5. **COMPENSATION.** The compensation for services under this Agreement shall be as follows:
- a. The fee for services for preliminary topographic survey and drawing preparation as set forth in **1. DESIGN SURVEYS – TIME CRITICAL PROJECTS** and **2. BASE DRAWING DEVELOPMENT** shall be on the basis of the Engineers' standard hourly fees, plus reimbursement of direct out of pocket expenses, with a maximum not to exceed fee of Forty-five Thousand and 00/100 Dollars (\$45,000.00).
 - b. The fee for services planning and coordination services through the approval of the development agreement as set forth in **4. PROJECT PLANNING AND COORDINATION** shall be on the basis of the Engineers' standard hourly fees, plus reimbursement of direct out of pocket expenses, with a maximum not to exceed fee of Twenty Thousand and 00/100 Dollars (\$20,000.00). The fee for Project Planning and Coordination services may be amended if the City and Engineers determine additional services are required prior to the approval of the development agreement.
6. **METHOD OF PAYMENT.** The Engineers shall submit monthly invoices for the actual costs for Project services completed to the end of the invoice period. The monthly invoices of the Engineers shall show the total fees due, the amounts paid to date and the balance of the amount of the contract.

Invoices shall be due and payable upon receipt and shall be paid by the City within thirty (30) days of the date of receipt of an approvable invoice.

7. **SERVICES NOT INCLUDED.** Services not included in this Agreement include the following:
- a. Preliminary and final design of projects.
 - b. Services for other public improvements not set forth in this Agreement.
 - c. Services associated with any arbitration or litigation that may arise in conjunction with the Project.
8. **TERMINATION OF AGREEMENT.** If, through any cause, the Engineers shall fail to fulfill in a timely and proper manner the obligations under this Agreement, the City shall have the right to terminate this Agreement by specifying the date of termination in a written notice to the Engineers at least ten (10) working days before the termination date. In this event, the Engineers shall be entitled to just and equitable compensation for any satisfactory work completed.
9. **ASSIGNABILITY.** The Engineers shall not assign any interest in this Agreement and shall not transfer any interest in the same without prior written consent of the City.

10. **TITLE TRANSFER.** The products of this Agreement shall be the property of the City. Nothing in this Agreement shall be construed as restricting the right of the Engineers to retain in their possession copies of the products of this Agreement.

The Engineers' reuse of the exact design developed under this Agreement is prohibited unless authorized by the City. The City may reuse the design, but in doing so, shall assume all liability for the design.

11. **CONFIDENTIALITY.** No reports, information and/or data given to or prepared or assembled by the Engineers under this Agreement shall be made available to any individual or organization by the Engineers without the prior written approval of the City. The Engineers shall have the right to communicate directly with IDNR during the progress of the Agreement to achieve a timely review and approval of the Project.

12. **INSURANCE.** The Engineers shall furnish the Owner with certificates of insurance by insurance companies licensed to do business in the State of Iowa, upon which the Owner is endorsed as an additional named insured, in the following limits. It must be clearly disclosed on the face of the certificates that the coverage is on an occurrence basis.

General Liability*	\$1,000,000/2,000,000
Automobile Liability	\$1,000,000
Excess Liability (Umbrella)*	\$8,000,000/8,000,000
Workers' Compensation, Statutory Benefits Coverage B	\$1,000,000
Professional Liability**, ***	\$3,000,000/3,000,000

*Occurrence/Aggregate

** The Owner is not to be named as an additional insured

***Claims made basis

13. **INDEMNIFICATION.** The Engineers shall and hereby agree to hold and save the City harmless from any and all claims, settlements, and judgments, to include all reasonable investigative fees, attorneys' fees, suit and court costs for personal injury, property damage, and/or death arising out of the Engineers' or any of its agents', servants', and employees' errors, omissions or negligent acts for services under this Agreement, and for all injury and/or death to any and all of the Engineers' personnel, agents, servants, and employees occurring under the Workers' Compensation Act of the State of Iowa.

14. **ERRORS OR DEFICIENCIES.** The Engineers shall, without additional compensation, revise any materials prepared under this Agreement if it is determined that the Engineers are responsible for any errors or deficiencies. This provision shall not apply to changes in the Project or Project materials which may result from causes or information which the Engineers could not have reasonably ascertained during the Project design, such as hidden or latent defects or conditions in the existing plant.

15. **MODIFICATIONS TO AGREEMENT.** This Agreement may be modified upon written agreement by the City and the Engineers. In the event that any additional services are required of the Engineers that are over and above those described in this Agreement, the services shall not be done without express prior written agreement between the City and the Engineers. The scope of additional services, and fees to be charged, shall be specified in any such written authorization. Additional services to be provided by the Engineers after completion of the work set forth under this Agreement may include general services during construction, resident review, start-up services, preparation of an instruction and/or operation and maintenance manual, supervision of operation or other services that may be mutually agreed upon by the City and Engineers.
16. **LEGAL SERVICES.** The City shall provide the services of an attorney experienced in legal matters pertaining to this type of project. The Engineers shall cooperate with said attorney and shall comply with his requirements as to form of contract documents and procedures relative to them.
17. **COMPLETENESS OF CONTRACT.** This document contains all terms and conditions of this Agreement. Any alterations shall be invalid unless made in writing, signed by both parties and incorporated as an amendment to this Agreement.

The undersigned do hereby covenant and state that this Agreement is executed in duplicate as though each were an original and that there are no oral agreements that have not been reduced to writing in this instrument.

It is further covenanted and stated that there are no other considerations or monies contingent upon or resulting from the execution of this Agreement nor have any of the above been implied by or for any party to this Agreement.

IN WITNESS WHEREOF, the parties hereto have hereunto subscribed their names on the date first written above.

CITY OF VAN METER, IOWA

ATTEST:

By _____
Mayor

By _____
City Clerk

VEENSTRA & KIMM, INC.

ATTEST:

By  _____
Project Manager

By  _____

VEENSTRA & KIMM, INC.
 HOURLY RATES BY EMPLOYEE CLASSIFICATION
 2024

Management I.....	\$250.00
Management II.....	235.00
Process Engineer I.....	255.00
Client Services I.....	230.00
Client Services II.....	150.00
Client Services III.....	135.00
Client Services IV.....	105.00
Client Services V.....	95.00
IT I.....	191.00
IT II.....	127.00
IT III.....	82.00
Funding Specialist I.....	141.00
Funding Specialist II.....	125.00
Engineer I-A.....	237.00
Engineer I-B.....	223.00
Engineer I-C.....	218.00
Engineer I-D.....	204.00
Engineer II-A.....	198.00
Engineer II-B.....	187.00
Engineer III-A.....	176.00
Engineer III-B.....	170.00
Engineer III-C.....	165.00
Engineer IV.....	157.00
Engineer V.....	149.00
Engineer VI.....	140.00
Engineer VII.....	135.00
Engineer VIII.....	129.00
Engineer IX.....	121.00
Engineer X.....	106.00
Engineer XI.....	96.00
Engineer XII.....	88.00
Design Technician I.....	138.00
Design Technician II.....	120.00
Design Technician III.....	107.00
Architect I.....	193.00
Architect II.....	167.00
Architect III.....	150.00
Planner I.....	151.00
Planner II.....	107.00
Planner III.....	98.00
Drafter IA.....	136.00
Drafter IB.....	125.00
Drafter II.....	120.00
Drafter III.....	115.00
Drafter IV.....	105.00

Drafter V.....	95.00
Drafter VI.....	85.00
Drafter VII.....	75.00
Clerical I.....	95.00
Clerical II.....	89.00
Clerical III.....	77.00
Clerical IV.....	67.00
Clerical V.....	57.00
Construction Engineer I.....	225.00
Construction Engineer II.....	145.00
Construction Engineer III.....	128.00
Construction Engineer IV.....	107.00
Surveyor I.....	163.00
Surveyor II.....	145.00
Technician I.....	122.00
Technician II.....	108.00
Technician III.....	99.00
Technician IV.....	95.00
Technician V.....	90.00
Technician VI.....	80.00
Technician VII.....	72.00
Technician VIII.....	65.00
Technician IX.....	54.00
Building Inspector I.....	220.00
Building Inspector I-A.....	154.00
Building Inspector II.....	119.00
Building Inspector III.....	95.00
Accounting I.....	196.00
Accounting II.....	142.00
Accounting III.....	126.00
Accounting IV.....	99.00
Accounting V.....	91.00
Administrative Assistant II.....	108.00
Design Engineer I.....	120.00
Engineer Intern.....	102.00
Office Coordinator.....	122.00
Principal of Firm I.....	235.00
Project Engineer I.....	135.00
Project Engineer II.....	152.00
Project Engineer III.....	161.00
Project Engineer IV.....	174.00
Project Manager I.....	121.00
Senior Project Engineer I.....	155.00
Senior Project Engineer II.....	168.00
Senior Project Engineer III.....	182.00
Senior Project Engineer IV.....	187.00
Senior Project Manager IV.....	218.00
Senior Technician IV.....	157.00
Engineering Technician I.....	120.00

Engineering Technician II	124.00
Engineering Technician III	149.00

REIMBURSABLES AND EQUIPMENT RATES

GPS / Robotics.....	35.00
Tablet	45.00
Fluoroscope	50.00
4-Wheeler	50.00
Drone	75.00
Mileage	IRS Rate

Agenda Item #8

Discussion:

Livestock Request - 2522 Brookview Court

Submitted for: **Discussion**

Email request enclosed from the new residents at 2522 Brookview Court, Paul Cunningham. Chapter 55 Animal Control defines "caprine" - goats as livestock and prohibits livestock. It also defines pets - and goats are not a defined pet. I've included the ordinance adopted on August 12, 2024 and subsequently published in the Des Moines Register on August 23, 2024. The ordinance has not been added to the codification on line yet due to the timing. With that being said, the sections relating to this issue have not changed.

From: [Jess Drake](#)
To: paul.cunningham@live.com
Subject: RE: Livestock at 2522 Brookview Court
Date: Wednesday, August 28, 2024 9:02:00 AM

You are on the council agenda for September 9 to have your request for a variance heard by Council.

Since that date is after the originally stated compliance date of September 4, next steps will be determined after the September 9 council meeting.

Jess

From: paul.cunningham@live.com <paul.cunningham@live.com>
Sent: Wednesday, August 28, 2024 9:01 AM
To: Jess Drake <jdrake@vanmeteria.gov>
Subject: RE: Livestock at 2522 Brookview Court

I just wanted to verify you told me on the phone to not worry about the September 4th if we are working towards a solution.

On Aug 22, 2024 4:59 PM, Jess Drake <jdrake@vanmeteria.gov> wrote:

Paul –

We will put this on the agenda for Council to consider at the regular business meeting on Monday, September 9, 2024 at 7:00pm at the United Methodist Church.

Please come prepared to discuss your request with the Council. I will send you a copy of the agenda when it is available.

Thank you!

Jessica Drake

City of Van Meter | City Clerk

515-996-2644 (o) | 515-505-4469 (c)

jdrake@vanmeteria.gov

MAIL TO: P.O. Box 160, Van Meter, Iowa 50261

UPDATED HOURS FOR CITY HALL:

Monday – Thursday 8:00am – 5:00pm

Friday 8:00am – 1:00pm, appointments by request

From: paul.cunningham@live.com <paul.cunningham@live.com>
Sent: Thursday, August 22, 2024 4:53 PM
To: Jess Drake <jdrake@vanmeteria.gov>
Subject: Re: Livestock at 2522 Brookview Court

On Aug 20, 2024 10:05 AM, Jess Drake <jdrake@vanmeteria.gov> wrote:

Good Morning –

It has been brought to our attention that you currently have goats at the property located at 2522 Brookview Court, Van Meter, IA 50261. Livestock is prohibited within city limits pursuant to the Municipal Code of Ordinances of the City of Van Meter – Chapter 55 Animal Protection & Control, Section 55.05 Livestock.



Please make arrangements to re-home the goats to a property outside of city limits within 15 days. If the livestock have not been rehomed by Wednesday, September 4, 2024, you may be subject to a municipal infraction subject to the provisions of Section 364.22 of the Code of Iowa as amended.

Please let us know if you have any questions.

Jess

Jessica Drake

City of Van Meter | City Clerk

515-996-2644 (o) | 515-505-4469 (c)

jdrake@vanmeteria.gov

MAIL TO: P.O. Box 160, Van Meter, Iowa 50261

UPDATED HOURS FOR CITY HALL:

Monday – Thursday 8:00am – 5:00pm

Friday 8:00am – 1:00pm, appointments by request

Me and my wife would like to try and get the city council to let us keep her two pets on our property. They are emotional support animals for my wife. She has raised them since they were baby's as our pets. We bought this house because of the acre lot and didn't see any regulations on licensing of pets. We don't consider them livestock so we didn't see that livestock code. If we would of know they were not aloud we wouldn't have bought this house in van meter. Please let us know what we need to do to move foward with the city council to try and work something out. Thanks.

ORDINANCE #2024-20

“An Ordinance Adding Chapter 57 – Urban Chickens and Repealing and Replacing Chapter 55 – Animal Control of the City of Van Meter Code of Ordinances”

BE IT INACTED, by the City Council of the City of Van Meter, Iowa, that:

SECTION 1. Chapter 57 Urban Chickens is added to the Code of Ordinances of the City of Van Meter, IA and reads as follows:

**CHAPTER 57
URBAN CHICKENS**

57.01 Definitions	57.07 Predators, Rodents, Insects & Parasites
57.02 Permit Required	57.08 Chickens at Large and Injury Caused by Other Animals
57.03 General Requirements	57.09 Feed and Water
57.04 Chicken Requirements	57.10 Storage & Removal of Feces and Waste
57.05 Site Requirements	57.11 Nuisances
57.06 Enclosure Requirements	

57.01 DEFINITIONS.

1. “Chicken” means a member of the subspecies *Gallus gallus domesticus*, a domesticated fowl.
2. “Coop” means a cage, enclosure, or structure used for housing and protecting chickens from weather and predators.
3. “Single-family dwelling” means any building that contains only one dwelling unit used, intended, rented, leased, let or hired to be occupied for residential purposes.
4. “Urban chicken” means a chicken kept on a tract of land pursuant to a permit issued under the terms of this chapter.

57.02 PERMIT REQUIRED

1. Permit Required. No person shall raise, harbor or keep chickens within the City of Van Meter on any land not zoned “A” – Agricultural District without a valid permit obtained from the City Clerk under the provisions of this chapter.
2. Application. In order to obtain a permit, an applicant must submit a completed application on forms provided by the City Clerk and paying all fees required by this chapter. The urban chicken permit shall be valid for three (3) years and may not be sold, transferred or assigned.
3. Permit Fees. Initial permit fee is \$10.00. The fee to renew the permit is \$5.00. If the City issues the permittee a Notice of Violation and if the permittee has not cured the violation when the property is re-inspected, the permittee shall be assessed a re-

inspection fee of \$35.00, which is due in 30 days. If the violation has been cured, no re-inspection fee shall be assessed.

4. Requirements. The requirements to the receipt of a permit include:

- A. All requirements of this chapter are met.
- B. All fees, as may be provided for from time to time by City Council resolution, for the permit are paid in full.
- C. All judgments in the City's favor and against the applicant have been paid in full.
- D. The tract of land to be permitted shall contain only one Single Family Dwelling occupied and used as such by the permittee.
- E. Private Restrictions Take Precedence. Private restrictions on the use of the property shall remain enforceable and shall supersede the terms of this chapter and any permit issued. The private restrictions include, but are not limited to: deed restrictions, condominium restrictions, neighborhood association bylaws, covenants and restrictions, and rental agreements.
- F. Tenant must obtain the landlord's written permission to install a coop.

6. Issuance of Permit. If the City Clerk or designee concludes as a result of the information contained in the application that the requirements for a permit have been met, then the officer shall issue the permit.

7. Denial, Suspension, Revocation, Non-Renewal. The City Clerk or designee may deny, suspend, revoke, or decline to renew any permit issued for any of the following grounds:

- A. False statements on any application or other information or report required by this section to be given by the applicant.
- B. Failure to pay any application, penalty, re-inspection or reinstatement fee required by this section or City Council resolution.
- C. Failure to correct deficiencies noted in notices of violation in the time specified in the notice.
- D. Failure to comply with the provisions of an approved mitigation/remediation plan by the City Clerk or designee.
- E. Failure to comply with any provision of this chapter.

8. Notification. A decision to revoke, suspend, deny or not renew a permit shall be in writing, delivered by ordinary mail or in person to the address indicated on the application. The notification shall specify reasons for the action.

9. Effect of Revocation, etc. When an application for a permit is denied, or when a permit is revoked, the applicant may not re-apply for a new permit for a period of 1 year from the date of the denial or revocation.

10. Appeals. No permit may be denied, suspended, revoked, or not renewed without notice and an opportunity to be heard given the applicant or holder of the permit. In any instance where the City Clerk has denied, revoked, suspended, or not renewed a permit, the applicant or holder of urban chicken may appeal the decision to the City

Administrator, or designee other than the City Clerk within ten (10) business days of receipt by the applicant or holder of the permit of the notice of the decision. The applicant or holder of the permit will be given an opportunity for a hearing. The decision of the officer hearing the appeal, or any decision by the Permitting Officer which is not appealed in accordance to this chapter shall be deemed final action.

57.03 General Requirements.

1. Non-Commercial Use Only. Permit holder shall not engage in the breeding of chickens or fertilizer production for commercial purposes.
2. Slaughter of Chickens. Any slaughter of chickens not regulated by federal or State law, or regulated otherwise, shall be performed in a humane manner and shall not be done in open view to any public area or adjacent to property owned by another.
3. Dead Chickens. Other than slaughtered chickens, the owner shall dispose of dead chickens in a sanitary manner. Composting does not qualify as proper disposal.

57.04 Chicken Requirements.

1. Hens Only. Only female chickens (hens) are allowed. Male chickens (roosters) are not allowed and shall be removed immediately by the owner.
2. No More than Six Allowed. No more than six chickens shall be allowed on any parcel.

57.05 Site Requirements.

1. Enclosures Required. Chickens must be kept in an enclosure or fenced area at all times. Chickens shall be secured within a coop or chicken tractor during non-daylight hours.
2. Location and Separation Distances.
 - A. Coops, including tractors, must be at least 10 feet from any property lines.
 - B. Coops must be at least five feet from the principal use residential structure on the applicant's property.
 - C. Coops must be in the rear yard of the property as "rear yard" is defined in the Zoning Ordinance.

57.06 ENCLOSURE REQUIREMENTS.

1. Enclosures and coops must be kept clean, dry, odor free, neat and sanitary conditions at all times.
2. Coops shall be well maintained.
3. Coops must provide adequate ventilation, sun and shade.

4. Coops shall be constructed, maintained and repaired to prevent entry by rodents, wild birds, predators, dogs and cats.
5. Coops shall be built of solid materials such as wood, metal or plastic.
6. Coops shall be at least 18 inches in height.
7. Coops shall be designed to provide safe and healthy living conditions for the chickens which reside therein, with a minimum of 16 square feet. Maximum coop size is 96 square feet. Coops must allow a minimum of four square feet per chicken.
8. Coops shall be enclosed on all sides and shall have a roof and at least one door. Access doors must be able to be shut and locked at night. Opening windows, vents or doors must be covered with predator and bird proof wire of less than one-inch openings.
9. Materials used for coops shall be uniform of each element of the structure that the walls are made of the same material, the roof has the same shingles or covering, and any windows or openings are constructed using the same materials. The use of scrap, waste board, sheet metal or similar materials is prohibited.
10. Well Drained. Enclosures, coops and tractors must be well drained to prevent accumulations of moisture; accumulations of moisture shall be avoided and removed.
11. Fences. Fences that serve as enclosures for chickens shall consist of sturdy wire fencing of a type customarily designed for and used to enclose chickens and shall be constructed in a sturdy manner so as to contain the chickens and prevent entry by predators, dogs and cats.

57.07 PREDATORS, RODENTS, INSECTS AND PARASITES.

The permittee shall take necessary action to reduce the attraction of predators and rodents, and the potential for infestation by insects and parasites. Chickens found to be infested with insects or parasites that may result in unhealthy conditions to human habitation shall be removed by the owner and may be removed by the Mayor at the owner's expense.

57.08 CHICKENS AT LARGE AND INJURY CAUSED BY OTHER ANIMALS.

1. At Large Prohibited. Permittee shall not allow chickens to roam off the parcel of land covered by the permit. Any chicken found off the permitted property shall be considered to be "at-large" and subject to the penalties and provisions of this Code of Ordinance for at-large animals.
2. Dangerous or Vicious Designation. Injury or death to a chicken that is caused by a

dog, cat or other domesticated animal shall not be considered sufficient grounds, in and of itself, to designate the animal as dangerous or vicious pursuant to Chapter 4r of this Code of Ordinances.

3. City not Liable. The City shall not be liable for injury or death of chickens caused by dogs, cats, or other animals domestic or wild, regardless of whether or not licensed by the City.

57.09 FEED AND WATER.

Chickens shall be provided with access to feed and clean water at all times. All feed and other items associated with keeping chickens shall be protected in a manner to prevent rodents, wild birds, and predators from coming into contact with them.

57.10 STORAGE AND REMOVAL OF FECES AND WASTE.

1. Feces and waste shall be removed from enclosures, coops and tractors at least once per week.

2. Feces and waste may be stored on the permittee's property. Feces and waste must be stored in a fully enclosed unit with a roof or lid. The storage unit may allow sunlight and movement of air so the materials dry, but must be designed, used and maintained in such a manner as to keep the material fully contained so that it does not blow or otherwise erode onto other properties. When stored, feces and waste must be stored in a manner to not attract flies, rodents or other vermin.

3. Feces and waste may be used as fertilizer on the permitted property subject to being turned in to the soil completely immediately upon application and there is no noxious odor.

57.11 NUISANCES.

Any violation of this chapter that constitutes a health hazard or that interferes with the use or enjoyment of neighboring property is a nuisance, subject to sanctions and abatement as set out in Chapter 50 of this Code of Ordinances.

SECTION 2. Chapter 55 is repealed of the Code of Ordinances of the City of Van Meter, Iowa and replaced with the following:

CHAPTER 55

ANIMAL PROTECTION AND CONTROL

55.01 Definitions	55.12 Animals in Food Handling Establishments
55.02 Animal Neglect	55.13 Number of Cats and Dogs Limited
55.03 Livestock Neglect	55.14 Owner's Duty
55.04 Abandonment of Cats and Dogs	55.15 Confinement
55.05 Livestock	55.16 Contract with Society or Association
55.06 At Large Prohibited	55.17 Impoundment

55.07 Damage or Interference	55.18 Pet Awards Prohibited
55.08 Annoyance or Disturbance	55.19 At Large Cats
55.09 Vicious Dogs	55.20 Tampering with Rabies Vaccination
55.10 Rabies Vaccination	55.18 Tampering with An Electronic Handling Device
55.11 Animal Littering	

55.01 DEFINITIONS.

The following terms are defined for use in this chapter.

1. "Advertise" means to present a commercial message in any medium including but not limited to print, radio, television, sign, display, label, tag or articulation.
2. "Animal" means a nonhuman vertebrate.

(Code of Iowa, Sec. 717B.1)

3. "Animal abuse or neglect" shall be defined by the *Code of Iowa*, Section 717B.2 and 717B.3.

4. "Animal shelter" means a facility which is used to house or contain dogs or cats, or both, and which is owned, operated, or maintained by an incorporated humane society, animal welfare society, society for the prevention of cruelty to animals, or other nonprofit organization devoted to the welfare, protection, and humane treatment of such animals.

(Code of Iowa, Sec. 162.2)

5. "At large" means running or found within the City upon any street, alley, sidewalk, public, or private grounds. An animal, properly licensed as required by law, shall not be deemed at large if any of the following is true:

- A. It is on the premises of the owner; or
- B. It is under the control of a person competent to restrain and control the animal, either by leash, cord, chain, or other similar restraint not more than six feet in length, or properly restrained within a motor vehicle; or
- C. It is properly housed in a veterinary hospital or registered kennel; or
- D. It is accompanied by or at heel beside and obedient to the commands of the owner or a person capable of controlling the animal.

Notwithstanding any other provision of this chapter, any animal shall be deemed at large at any time when attacking persons or domestic animals, destroying property or when on

a public school ground, except when under restraint as set out in paragraphs B and D of this subsection. Further, any female dog in heat shall be deemed at large at any time when not under restraint as set out in paragraphs A and C of this subsection.

6. “Business” means any enterprise relating to any of the following:

- A. The sale or offer for sale of goods or services.
- B. A recruitment for employment or membership in an organization.
- C. A solicitation to make an investment.
- D. An amusement or entertainment activity.

7. “Cat” means and includes all members of the *Felis Domestica* species, male or female, whether altered or not. The definition of cat specifically excludes a feral cat. Feral cats are born in the wild or may be abandoned or lost pets that have reverted to a wild state.

8. “Commercial establishment” means an animal shelter, boarding kennel, commercial breeder, commercial kennel, dealer, pet shop, pound, public auction, or research facility.

(Code of Iowa, Sec. 717.B1)

9. “Dog” means and includes both male and female animals of the *Canine* species, including spayed or neutered dogs.

10. “Fair” means any of the following:

A. The annual fair and exposition held by the Iowa State Fair Board pursuant to Chapter 173 of the Code of Iowa or any fair event conducted by a fair under the provisions of Chapter 174 of the Code of Iowa.

B. An exhibition of agricultural or manufactured products.

C. An event for operation of amusement rides or devices or concession booths.

11. “Game” means a “game of chance” or “game of skill” as defined in Section 99B.1 of the Code of Iowa.

12. “Injury” means an animal’s disfigurement; the impairment of an animal’s health; or an impairment to the functioning of an animal’s limb or organ, or the loss of an animal’s limb or organ.

(Code of Iowa, Sec. 717.B1)

13. “Livestock” means an animal belonging to the bovine, caprine, equine, ovine or porcine species, ostriches, rheas and emus; farm deer as defined in Section 170.1 of the Code of Iowa; ~~or poultry.~~

(Code of Iowa, Sec. 717.1)

14. "Livestock abuse or neglect" shall be defined by the *Code of Iowa*, Section 717.1A and 717.2.

15. "Owner" means any person owning, keeping, sheltering or harboring an animal.

16. "Pet" means a living dog, cat, or an animal normally maintained in a small tank or cage in or near a residence, including but not limited to a rabbit, gerbil, hamster, mouse, parrot, canary, mynah, finch, tropical fish, goldfish, snake, turtle, gecko, or iguana.

17. "Pound" means a facility for the prevention of cruelty to animals operated by the State, a municipal corporation, or other political subdivision of the State for the purpose of impounding or harboring seized stray, homeless, abandoned, or unwanted dogs, cats, or other animals; or a facility operated for such a purpose under a contract with any municipal corporation or incorporated society.

(Code of Iowa, Sec. 162.2)

18. "Research facility" means any school or college of medicine, veterinary medicine, pharmacy, dentistry, or osteopathic medicine, or hospital, diagnostic or research laboratories, or other educational or scientific establishment situated in the State concerned with the investigation of, or instruction concerning the structure or function of living organisms, the cause, prevention, control, or cure of diseases or abnormal conditions of human beings or animals.

(Code of Iowa, Sec. 162.2)

19. "Responsible party" means a person who owns or maintains or is responsible for the care of the animal.

20. "Society" means any incorporated society or association organized for the express purpose of prevention of cruelty to animals.

21. "Vaccinated" means an animal vaccinated by a licensed veterinarian against rabies, or it means that satisfactory proof is furnished to establish such prior vaccination of the animal within eighteen months prior to the impounding or licensing of the animal if the vaccination was by modified live virus vaccine of egg embryo origin, or within six months if the vaccination was by killed tissue vaccine.

22. "Veterinarian" means a veterinarian licensed pursuant to Chapter 169 of the *Code of Iowa* who practices veterinary medicine in the State.

23. "Vicious Dog" means:

A. Any dog which has attacked a human being or domestic animal one or more times, without provocation.

B. Any dog with a history, tendency or disposition to attack, to cause injury to or otherwise endanger the safety of human beings or domestic animals.

C. Any dog that snaps, bites or manifests a disposition to snap or bite.

D. Any dog that has been trained for dog fighting or animal fighting or is owned or kept for such purposes.

E. Any dog trained to attack human beings, upon command or spontaneously in response to human activity, except dogs owned by and under the control of the Police Department, a law enforcement agency of the State, or the United States or a branch of the armed forces of the United States.

55.02 ANIMAL NEGLECT.

1. It is unlawful for a person who owns or has custody of an animal and confines that animal to fail to provide the animal with any of the following conditions for the animal's welfare:

(Code of Iowa, Sec. 717B.3)

A. Access to food in an amount and quality reasonably sufficient to satisfy the animal's basic nutrition level to the extent that the animal's health or life is endangered.

B. Access to a supply of potable water in an amount reasonably sufficient to satisfy the animal's basic hydration level to the extent that the animal's health or life is endangered. Access to snow or ice does not satisfy this requirement.

C. Sanitary conditions free from excessive animal waste or the overcrowding of animals to the extent that the animal's health or life is endangered.

D. Ventilated shelter reasonably sufficient to provide adequate protection from the elements and weather conditions suitable for the age, species, and physical condition of the animal so as to maintain the animal in a state of good health to the extent that the animal's health or life is endangered. The shelter must protect the animal from wind, rain, snow, or sun and have adequate bedding to provide reasonable protection against cold and dampness. A shelter may include a residence, garage, barn, shed, or doghouse.

E. Grooming, to the extent it is reasonably necessary to prevent adverse health effects or suffering.

F. Veterinary care deemed necessary by a reasonably prudent person to relieve an animal's distress from any of the following:

(1) A condition caused by failing to provide for the animal's welfare as described in this section.

(2) An injury or illness suffered by the animal causing the animal to suffer prolonged pain and suffering.

2. This section does not apply to any of the following:

A. A person operating a commercial establishment under a valid authorization issued or renewed under Section 162.2A of the *Code of Iowa*, or a person acting under the direction or supervision of that person, if all of the following apply:

(1) The animal, as described in Subsection 1, was maintained as part of the commercial establishment's operation.

(2) In providing conditions for the welfare of the animal, as described in Subsection 1, the person complied with the standard of care requirements provided in Section 162.10A[1] of the *Code of Iowa*, including any applicable rules adopted by the Department of Agriculture and Land Stewardship applying to: (i) a State licensee or registrant operating pursuant to Section 162.10A[2a] or [2b] of the *Code of Iowa*; or (ii) a permittee operating pursuant to Section 162.10A[2c] of the *Code of Iowa*.

B. A research facility if the research facility has been issued or renewed a valid authorization by the Department of Agriculture and Land Stewardship pursuant to Chapter 162 of the *Code of Iowa* and performs functions within the scope of accepted practices and disciplines associated with the research facility.

55.03 LIVESTOCK NEGLECT.

It is unlawful for a person who impounds or confines livestock in any place to fail to provide the livestock with care consistent with customary animal husbandry practices or to deprive the livestock of necessary sustenance or to injure or destroy livestock by any means that causes pain or suffering in a manner inconsistent with customary animal husbandry practices.

(Code of Iowa, Sec. 717.2)

55.04 ABANDONMENT OF CATS AND DOGS.

It is unlawful for a person who owns or has custody of a cat or dog to relinquish all rights in and duties to care for the cat or dog. This section does not apply to any of the following:

(Code of Iowa, Sec. 717B.8)

1. The delivery of a cat or dog to another person who will accept ownership and custody of the cat or dog.

2. The delivery of a cat or dog to an animal shelter or that has been issued or renewed a valid authorization by the Department of Agriculture and Land Stewardship under Chapter 162 of the *Code of Iowa*.

3. A person who relinquishes custody of a cat at a location in which the person does not hold a legal or equitable interest, if previously the person had taken custody of the cat at the same location and provided for the cat's sterilization by a veterinarian.

(*Code of Iowa, Sec. 717B.8*)

55.05 LIVESTOCK.

It is unlawful for a person to keep livestock within the City except by written consent of the Council or except in compliance with the City's zoning regulations.

55.06 AT LARGE PROHIBITED.

It is unlawful for any owner or responsible party of any animal to permit or allow the animal to be at large. All violations of any provision(s) of Section 55.06 are hereby declared simple misdemeanors punishable by ~~a fine of at least \$50 plus surcharge and court costs~~ fees approved by City Council and/or municipal infractions punishable by a penalty as listed in Chapter 34 of this Code of Ordinances. ~~Violations may be charged as either a misdemeanor criminal offense or a municipal infraction at the sole discretion of the peace officer.~~ An animal shall not be deemed at large if:

1. The animal is on the premises of the owner or a person given charge of the animal by the owner and is either:

A. Restrained on those premises by an adequate protective fence, or by leash, cord, chain or other similar restraint that does not allow an animal to go beyond the owner's real property line; or

B. At all times within the actual physical presence of and immediately obedient to the commands of the owner or person given charge of the animal by the owner. At no time shall the animal be more than six feet from such person.

2. The animal is off the premises of the owner and is:

A. On a leash, cord, or chain or other similar restraint not more than six feet in length and under the control of a person competent to restrain and control the animal; or

B. Accompanied by the owner or other person competent to restrain and control the animal, and the animal is immediately obedient to voice or electronic commands of that person; or

C. Properly restrained within a motor vehicle.

3. The animal is properly housed in a veterinary hospital or registered kennel.

4. The owner and the animal are participating in a regularly scheduled competitive or exhibition event sanctioned or sponsored by a nationally recognized organization, local chapter thereof, or other generally recognized local organization.
5. The animal and the owner are actively engaged in a generally recognized animal obedience training program or training for a generally recognized kennel club event, provided:
 - A. The animal is in the actual presence of the owner or trainer at all times;
 - B. The owner or trainer is at no time more than 50 feet from the animal;
 - C. The animal is immediately obedient to the commands of the owner or trainer; and
 - D. The owner or trainer has, at all times, on his or her person a leash of sufficient strength to restrain the animal.

An animal shall be deemed to be at large if it is not properly registered or if it is not housed, restrained or controlled in one of the methods set forth above in this section. ~~The owner of any animal allowed to run at large in violation of this section shall be guilty of a municipal infraction.~~

55.07 DAMAGE OR INTERFERENCE.

It is unlawful for the owner of an animal to allow or permit such animal to pass upon the premises of another thereby causing damage to, or interference with, the premises.

55.08 ANNOYANCE OR DISTURBANCE.

It is unlawful for the owner or custodian of any dog, cat, or other household animal to permit such animal to: (i) bark, bay, cry, howl, yelp, crow, or make any other noise excessively, continuously, or intermittently, for any unreasonable period of time so as to create an annoyance or disturbance of any person at any time of day or night regardless of whether the animal is physically situated on property under the control of the owner or custodian of the dog, cat, or other household animal; and (ii) run after or chase persons, bicycles, automobiles, or other vehicles. All violations of any provision(s) of Section 55.06 are municipal infractions and punishable by a fee approved by City Council and/or municipal infractions punishable by a penalty as listed in Chapter 3 of this Code of Ordinances. ~~All violations of any provision(s) of Section 55.08 are hereby declared simple misdemeanors punishable by a fine of at least \$50 plus surcharge and court costs and/or municipal infractions punishable by a penalty as listed in Chapter 3 of this Code of Ordinances.~~ Violations may be charged as either a misdemeanor criminal offense or a municipal infraction at the sole discretion of the peace officer.

55.09 VICIOUS DOGS.

1. Confinement of Vicious Dogs. All vicious dogs shall be securely confined within an occupied house or residence or in a securely enclosed and locked pen or kennel, except

when leashed. Such pen, kennel, or structure must have secure sides and a secure top attached to the sides or, in lieu of a top, walls at least six feet in height and at least six inches taller than any internal structure. All pens or other structures designed, constructed, or used to confine vicious dogs must be locked with a key or combination lock when such animals are within the structure. Such structure must have a secure bottom, floor, or foundation attached to the sides of the pen or the sides of the pen must be embedded in the ground no less than two feet in order to prevent digging under the walls by the confined dog. All structures erected to house vicious dogs must comply with all zoning and building regulations of the City. All such structures must be adequately lighted and ventilated and kept in a clean and sanitary condition. No vicious animal may be kept on a porch, patio, or in any part of a house or structure that would allow the animal to exit such building on its own volition.

2. Leashing of Vicious Dogs. No person shall permit a vicious dog to go outside its kennel or pen unless such dog is securely leashed with a leash no longer than six feet in length. No person shall permit a vicious dog to be kept on a chain, rope, or other type of leash unless the dog is under the actual physical control of a person 18 years of age or older. Such dogs may not be leashed to inanimate objects such as trees, posts, buildings, or any other object or structure.

3. At Large Vicious Dogs. A vicious dog which is found, more than twice in any calendar year, not to be confined as herein required, shall be required to be permanently removed from the City or destroyed. An animal which is returned to the City after removal shall be destroyed.

55.10 RABIES VACCINATION.

Every owner of a dog shall obtain a rabies vaccination for such animal. It is unlawful for any person to own or have a dog in said person's possession, six months of age or over, which has not been vaccinated against rabies. Dogs kept in State or federally licensed kennels and not allowed to run at large are not subject to these vaccination requirements.

(Code of Iowa, Sec. 351.33)

55.11 ANIMAL LITTERING.

It is unlawful for the owner or responsible party to allow the animal to deposit feces on public or private property without the consent of the property owner. Animal feces deposited on public or private property shall be immediately removed and disposed of in a sanitary manner. This section does not apply to the owner of a service dog when the owner is deemed to be legally blind or to have other medically and physically limiting disabilities. All violations of any provision(s) of Section 55.1 are hereby declared simple misdemeanors punishable by a fine of at least \$50 plus surcharge and court costs and/or municipal infractions punishable by a penalty as listed in Chapter 3 of this Code of

Ordinances. Violations may be charged as either a misdemeanor criminal offense or a municipal infraction at the sole discretion of the peace officer.

55.12 ANIMALS IN FOOD HANDLING ESTABLISHMENTS.

No person shall take or permit to remain any dog, cat, or any live animal on or in any premises where food is sold, offered for sale, or processed for consumption by the general public. Fish in tanks and dogs serving persons who are blind or who have other medically and physically limiting disabilities are exempt from this prohibition.

55.13 NUMBER OF CATS AND DOGS LIMITED.

No family or occupant of the same address shall own, harbor or keep more than four dogs or four cats or a combination exceeding four dogs and cats per household on any residentially zoned lot except that a litter of puppies or kittens or a portion of the litter may be kept on the property not more than twelve weeks from birth.

55.14 OWNER'S DUTY.

It is the duty of the owner of any dog, cat, or other animal that has bitten or attacked a person or any person having knowledge of such bite or attack to report this act to a local health or law enforcement official. It is the duty of physicians and veterinarians to report to the local board of health the existence of any animal known or suspected to be suffering from rabies.

(Code of Iowa, Sec. 351.38)

55.15 CONFINEMENT.

If a local board of health receives information that an animal has bitten a person or that a dog or animal is suspected of having rabies, the board shall order the owner to confine such animal in the manner it directs. If the owner fails to confine such animal in the manner directed, the animal shall be apprehended and impounded by such board, and after 10 days the board may humanely destroy the animal. If such animal is returned to its owner, the owner shall pay the cost of impoundment. This section does not apply if a police service dog or a horse used by a law enforcement agency and acting in the performance of its duties has bitten a person.

(Code of Iowa, Sec. 351.39)

55.16 CONTRACT WITH SOCIETY OR ASSOCIATION.

The City may contract with any incorporated society or association for the following:

1. The prevention of cruelty to animals;

2. The collection and protection of dogs;
3. The maintenance of a shelter or pound for unlicensed or untagged dogs, and for lost, strayed or homeless dogs;
4. The destruction or other disposition of seized dogs not redeemed as provided by law or ordinance;
5. The disposal of dead animals;
6. Assistance in the collection of licenses upon dogs.

The City shall incorporate in the contract the manner in which the work shall be done and in which payments are to be made by the City thereunder, and it may also direct the disposition of all dogs seized, as provided by law, and provide for the costs of care or disposition as provided in this chapter.

55.17 IMPOUNDMENT.

1. Notification of Owner. It shall be the duty of the Police Department or any society under contract with the City to cause to be collected and impounded any dog or cat found to be at large within the City, as defined in Section 55.01(4) of this chapter. When an animal has been apprehended and impounded, written notice shall be provided to the owner within two (2) days after impoundment, if the owner's name and current address can reasonably be determined by accessing a tag or other device that is on or part of the animal.
2. Impoundment Fees. Impoundment fees are set and charged by the society under contract with the City. The City requires a \$45.00 impoundment fee for any animal transported to the society by the City and recovered by the owner.
3. Service Fee. The owner or responsible party of a licensed animal impounded by the City shall pay a \$25.00 service fee to the City. The owner or responsible party of an unlicensed animal impounded by the City shall pay a \$45.00 service fee to the City. The owner or responsible party of an unlicensed animal impounded by the City shall license the animal within five business days after the animal is recovered from impoundment. The owner or responsible party of an unlicensed animal recovered at the Police Department will be billed the service fee charged for impoundment.
4. Procedure for Redemption. Owners of animals recovered from the Police Department will be charged a service fee. Owners of animals recovered from the society may be charged impoundment fees and/or service fees.
5. Disposition of Animals. If the owner of an animal apprehended or impounded under the provisions of this section fails to redeem the animal within seven days from the date that the notice is mailed, or if the owner cannot be located within seven days, the animal shall be disposed of in accordance with law or destroyed by euthanasia. Feral cats shall be disposed of pursuant to Section 55.17.

55.18 PET AWARDS PROHIBITED.

(Code of Iowa, Ch. 717E)

1. Prohibition. It is unlawful for any person to award a pet or advertise that a pet may be awarded as any of the following:

A. A prize for participating in a game.

B. A prize for participating in a fair.

C. An inducement or condition for visiting a place of business or attending an event sponsored by a business.

D. An inducement or condition for executing a contract that includes provisions unrelated to the ownership, care or disposition of the pet.

2. Exceptions. This section does not apply to any of the following:

A. A pet shop licensed pursuant to Section 162.5 of the Code of Iowa if the award of a pet is provided in connection with the sale of a pet on the premises of the pet shop.

B. Youth programs associated with 4-H Clubs; Future Farmers of America; the Izaak Walton League of America; or organizations associated with outdoor recreation, hunting or fishing, including but not limited to the Iowa Sportsmen's Federation.

55.19 AT LARGE CATS.

Any cat found to be at large without (a) collar, (b) license or (c) imbedded ownership chip shall be determined to be a feral cat. For purposes of this section a cat shall have a short coat of fur to qualify as a feral cat in addition to the aforementioned requirements of the definition. A feral cat shall be held for a period of twenty-four hours from the date of capture before transportation to the Animal Rescue League. If unclaimed within twenty-four hours, the cat shall be identified as a feral cat for purposes of record management with the Animal Rescue League.

55.20 TAMPERING WITH A RABIES VACCINATION TAG.

It is unlawful to tamper with a rabies vaccination tag.

(Code of Iowa, Sec. 351.45)

1. A person commits the offense of tampering with a rabies vaccination tag if all of the following apply:

A. The person knowingly removes, damages, or destroys a rabies vaccination tag as described in Section 351.35 of the *Code of Iowa*.

B. The rabies vaccination tag is attached to a collar worn by a dog, including as provided in Sections 351.25 and 351.26 of the *Code of Iowa*.

2. This section shall not apply to an act taken by any of the following:

A. The owner of the dog, an agent of the owner, or a person authorized to take action by the owner.

B. A peace officer.

C. A veterinarian.

D. An animal shelter or pound.

55.21 TAMPERING WITH AN ELECTRONIC HANDLING DEVICE.

It is unlawful to tamper with an electronic handling device.

(Code of Iowa, Sec. 351.46)

1. A person commits the offense of tampering with an electronic handling device if all of the following apply:

A. The person knowingly removes, disables, or destroys an electronic device designed and used to maintain custody or control of the dog or modify the dog's behavior.

B. The electronic device is attached to or worn by the dog or attached to an item worn by the dog, including (but not limited to) a collar, harness, or vest.

2. This section shall not apply to an act taken by any of the following:

A. The owner of the dog, an agent of the owner, or a person authorized to take action by the owner.

B. A peace officer.

C. A veterinarian.

D. An animal shelter or pound.

SECTION 3. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 4. Severability Clause. If any section, provision, or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 5. When Effective. This Ordinance shall in full force and effect from and after its passage and publication as provided by law for all services provided on and after August 12, 2024.

1st Reading – August 12, 2024

2nd Reading – Waived

3rd Reading - Waived

Passed by the City Council and approved the 12th day of August 2024.

Mayor, Joe Herman

Attest:

City Clerk

Agenda Item #9

Public Hearing for Ordinance Amendments as a result of the 2024 Legislative Session

Sample Language:

Mayor: ***I would entertain a motion to open the public hearing.***

City Councilmember: _____ ***So moved.***

City Councilmember: _____ ***Second.***

Mayor: ***Roll Call Please.***

City Clerk: Akers _____ Brott _____ Grolmus _____ Pelz _____ Westfall _____

Mayor: ***The public hearing is now open at _____pm.***

Has City Staff received any comments regarding this matter? _____ Does anyone present wish to be heard regarding this matter?

Mayor: ***I would entertain a motion to close the public hearing.***

City Councilmember: _____ ***So moved.***

City Councilmember: _____ ***Second.***

Mayor: ***Roll Call Please.***

City Clerk: Akers _____ Brott _____ Grolmus _____ Pelz _____ Westfall _____

Mayor: ***The public hearing is now closed at _____pm.***



310 Mill Street
Van Meter, Iowa 50261-0160

Telephone: 515-996-2644
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NOTICE OF PUBLIC HEARING

YOU ARE HEREBY NOTIFIED THAT on the 9th day of September, 2024, the Van Meter City Council at its meeting at 7PM at the Van Meter United Methodist Church, 100 Hazel Street, Van Meter Iowa, will consider the following proposed amendment to the Van Meter Code of Ordinances based on updates as a result of the 2024 Iowa Legislative Session.

- Add Section 50.08 Adult Establishments to Chapter 50 Nuisance Abatement Procedure
- Amend Section 5.02 Bonds in Chapter 5 Operating Procedures
- Amend Section 5.06 Meetings in Chapter 5 Operating Procedures
- Amend Section 35.13 Authority to Cite Violations in Chapter 35 Fire Department
- Amend Subsection 4 in Section 7.05 Annual Statement in Chapter 7 Fiscal Management
- Amend Section 60.02 Definitions in Chapter 60 Administration of Traffic Code
- Amend Section 65.05 Pedestrian's Right of Way in Chapter 65 Stop or Yield Required
- Amend Section 18.03 Publication of Minutes in Chapter 18 City Clerk
- Amend Section 136.04 Property Owner's Responsibility for Maintenance in Chapter 136 Sidewalk Regulations

•
You are invited to attend and comment. Written comments may be submitted to Jess Drake, PO Box 160, Van Meter, Iowa.

This notice is given by order of the Council of the City of Van Meter, Iowa.

Joe Herman, Mayor

ATTEST:
Jessica Drake, City Clerk

Agenda Item #10

Discussion and Possible Action:

Ordinance #2024-21 to Amend Certain Sections of the Code of Ordinances City of Van Meter due to the 2024 Legislative Session

Submitted for: **Discussion and Possible Action**

Documentation included in the packet including a summary of the changes. As a reminder, Simmering Cory provided the recommended changes based on the 2024 Legislative Session. This is an annual service that they provide to all cities that use Simmering Cory for their codification.

Recommendation: **Approval**

Sample Language: **Motion to adopt Ordinance #2024-21 to Amend Certain Sections of the Code of Ordinances City of Van Meter due to the 2024 Legislative Session and to waive subsequent readings**

City Councilmember: _____ ***So moved.***

City Councilmember: _____ ***Second.***

Mayor: ***Roll Call Please.***

City Clerk: Akers _____ Brott _____ Grolmus _____ Pelz _____ Westfall _____

Ordinance passes/fails.

ORDINANCE NO. 2024-21

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF VAN METER, IOWA, BY AMENDING PROVISIONS PERTAINING TO PEDESTRIANS' RIGHT-OF-WAY, ADULT ESTABLISHMENTS, BOND REQUIREMENTS, ELECTRONIC MEETINGS, FIRE OFFICIALS AUTHORITY TO CITE VIOLATIONS, OPERATING BUDGET PREPARATION, PUBLICATION OF MINUTES, AND SIDEWALK LIABILITY

Be It Enacted by the City Council of the City of Van Meter, Iowa:

SECTION 1. SECTION MODIFIED. Section 60.02 of the Code of Ordinances of the City of Van Meter, Iowa, is repealed and the following adopted in lieu thereof:

60.02 DEFINITIONS. Where words and phrases used in the Traffic Code are defined by State law, such definitions apply to their use in said Traffic Code and are hereby adopted by reference. Those definitions so adopted that need further definition or are reiterated, and other words and phrases used herein, have the following meanings:

1. "Business District" means the territory contiguous to and including a highway when 50 percent or more of the frontage thereon for a distance of 300 feet or more is occupied by buildings in use for business.
(Code of Iowa, Sec. 321.1(7))
2. "MPH" means miles per hour.
3. "Parade" means any march or procession of persons or vehicles organized for marching or moving on the streets in an organized fashion or manner or any march or procession of persons or vehicles represented or advertised to the public as a parade.
4. "Park" or "parking" means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.
5. "Peace officer" means every officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.
6. "Pedestrian" means a person afoot or a person using a pedestrian conveyance.
(Code of Iowa, Sec. 321.1(51))
7. "Pedestrian conveyance" means any human-powered device by which a pedestrian may move other than by walking or by which a pedestrian may move another person, including but not limited to a wheelchair, stroller, skateboard, scooter, or other similar device. Pedestrian conveyance also includes an electric personal assistive mobility device and any other device used to move a person sitting or standing on the device regardless of whether the device is powered by an electric motor, so long as the electric motor produces less than 750 watts. Pedestrian conveyance does not include a bicycle.
(Code of Iowa, Sec. 321.1(51A))
8. "Residence district" means the territory contiguous to and including a highway not comprising a business, suburban, or school district, where 40 percent or more of the frontage on such a highway for a distance of 300 feet or more is occupied by dwellings or by dwellings and buildings in use for business.
(Code of Iowa, Sec. 321.1(63))
9. "School district" means the territory contiguous to and including a highway for a distance of 200 feet in either direction from a schoolhouse.
(Code of Iowa, Sec. 321.1(70))
10. "Stand" or "standing" means the halting of a vehicle, whether occupied or not, otherwise than for the purpose of and while actually engaged in receiving or discharging passengers.

11. "Stop" means when required, the complete cessation of movement.
12. "Stop" or "stopping" means when prohibited, any halting of a vehicle, even momentarily, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a peace officer or traffic control sign or signal.
13. "Suburban district" means all other parts of the City not included in the business, school, or residence districts.
(Code of Iowa, Sec. 321.1(78))
14. "Traffic control device" means all signs, signals, markings, and devices not inconsistent with this chapter, lawfully placed or erected for the purpose of regulating, warning, or guiding traffic.
15. "Vehicle" means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway. Vehicle does not include:
 - A. Any device moved by human power, including a low-speed electric bicycle.
 - B. Any device used exclusively upon stationary rails or tracks.
 - C. Any personal delivery device operated pursuant to Chapter 321O of the Code of Iowa.
 - D. Any integral part of a truck tractor or road tractor which is mounted on the frame of the truck tractor or road tractor immediately behind the cab and which may be used to transport persons and property, but which cannot be drawn upon the highway by the truck tractor or another motor vehicle.
 - E. Any steering axle, dolly, auxiliary axle, or other integral part of another vehicle which in and of itself is incapable of commercially transporting any person or property but is used primarily to support another vehicle.
(Code of Iowa, Sec. 321.1(90))

SECTION 2. SECTION MODIFIED. Section 65.05 of the Code of Ordinances of the City of Van Meter, Iowa, is repealed and the following adopted in lieu thereof:

65.05 PEDESTRIANS' RIGHT-OF-WAY. Where traffic control signals are not in place or in operation, the driver of a vehicle shall yield the right-of-way, slowing down or stopping, if need be, to so yield to a pedestrian or a person riding a bicycle crossing the roadway within any marked crosswalk or within any unmarked crosswalk at an intersection.

(Code of Iowa, Sec. 321.327)

SECTION 3. NEW SECTION. Chapter 50 of the Code of Ordinances of Van Meter, Iowa, is amended by adding a new Section 50.08 entitled, ADULT ESTABLISHMENTS, which is hereby adopted to read as follows:

50.08 ADULT ESTABLISHMENTS.

1. As used in this section, "adult establishment" means any business that provides nude or topless dancing or operates any other adult-oriented business.
2. A public safety nuisance exists when it is established by clear and convincing evidence that an owner, manager, employee, contemporaneous patron, or guest of an adult establishment commits any of the following acts either on the premises or in any parking lots or areas, including but not limited to public rights-of-way, adjacent to the premises:
 - A. Unlawfully discharges a firearm or uses an offensive weapon, as defined in Section 724.1 of the Code of Iowa, regardless of whether it inflicts injury or death.

B. Assaults another person with a dangerous weapon as defined in Section 702.7 of the *Code of Iowa* resulting in injury or death.

C. Engages in a riot as defined in Section 723.1 of the *Code of Iowa* on three or more dates within a 12-month period to which the police respond and disperse a crowd. The participants need not be the same persons for each incident.

3. When the City Attorney believes a serious threat to the public safety exists, the City Attorney or any other attorney on behalf of the City Attorney, may file a suit in equity in the district court without bond seeking abatement of the public safety nuisance arising from an adult establishment.

(*Code of Iowa, Sec. 657.12*)

SECTION 4. SECTION MODIFIED. Section 5.02 of the Code of Ordinances of the City of Van Meter, Iowa, is repealed and the following adopted in lieu thereof:

5.02 BONDS. Surety bonds are provided in accordance with the following:

1. Required. The Council shall provide by resolution for a surety bond or blanket position bond running to the City and covering the Mayor, Clerk, Treasurer, and such other officers and employees as may be necessary and advisable except as allowed in Subsection 5.

(*Code of Iowa, Sec. 64.13*)

2. Bonds Approved. Bonds shall be approved by the Council.

(*Code of Iowa, Sec. 64.19*)

3. Bonds Filed. All bonds, after approval and proper record, shall be filed with the Clerk.

(*Code of Iowa, Sec. 64.23(6)*)

4. Record. The Clerk shall keep a book, to be known as the "Record of Official Bonds" in which shall be recorded the official bonds of all City officers, elective or appointive.

(*Code of Iowa, Sec. 64.24(1)(a)*)

5. Insurance Policy in Lieu of Bond. In lieu of a bond, a public officer required to obtain a bond pursuant to Chapter 64 of the *Code of Iowa* may obtain an insurance policy in an amount not less than the amounts required of a bond.

(*Code of Iowa, Sec. 64.3*)

SECTION 5. SECTION MODIFIED. Section 5.06 of the Code of Ordinances of the City of Van Meter, Iowa, is repealed and the following adopted in lieu thereof:

5.06 MEETINGS. All meetings of the Council, any board or commission, or any multi-membered body formally and directly created by any of the foregoing bodies shall be held in accordance with the following:

1. Definitions. The following terms are defined for use in this section.

A. "Closed session" means a meeting to which all members of the public do not have access as allowed by Section 21.5 of the *Code of Iowa*.

B. "Hybrid meeting" means a meeting involving both remote participation and in-person participation by members.

(*Code of Iowa, Sec. 21.8(4)(a)*)

C. "Open session" means a meeting to which all members of the public have access.

(*Code of Iowa, Sec. 21.2(3)*)

D. "Remote participation" means real-time participation by a remotely located individual in a meeting which is being held in a different physical location using integrated audio, video, and other digital tools.

(Code of Iowa, Sec. 21.8(4)(b))

E. “Reasonable notice” means advising the news media who have filed a request for notice with the governmental body and posting the notice on a bulletin board or other prominent place which is easily accessible to the public and clearly designated for that purpose at the principal office of the body holding the meeting, or if not such office exists, at the building in which the meeting is to be held.

(Code of Iowa, Sec. 21.4(1))

F. “Teleconference participation” means participation using audio conference tools involving multiple participants in at least two separate locations.

(Code of Iowa, Sec. 21.8(4)(c))

G. “Virtual meeting” means a meeting involving real-time interaction using integrated audio, video, and other digital tools, in which participants do not share a physical location.

(Code of Iowa, Sec. 21.8(4)(d))

2. Notice of Meetings. Reasonable notice of the time, date, and place of each meeting and its tentative agenda shall be given.

(Code of Iowa, Sec. 21.4)

3. Meetings Open. All meetings shall be held in open session unless closed sessions are held as expressly permitted by State law.

(Code of Iowa, Sec. 21.3)

4. Minutes. Minutes shall be kept of all meetings showing the date, time, and place, the members present, and the action taken at each meeting. The minutes shall show the results of each vote taken and information sufficient to indicate the vote of each member present. The vote of each member present shall be made public at the open session. The minutes shall be public records open to public inspection.

(Code of Iowa, Sec. 21.3)

5. Closed Session. A closed session may be held only by affirmative vote of either two-thirds of the body or all of the members present at the meeting and in accordance with Chapter 21 of the Code of Iowa.

(Code of Iowa, Sec. 21.5)

6. Cameras and Recorders. The public may use cameras or recording devices at any open session.

(Code of Iowa, Sec. 21.7)

7. Electronic Meetings. A governmental body shall provide for hybrid meetings, teleconference participation, virtual meetings, remote participation, and other hybrid options for the members of the governmental body to participate in official meetings. A governmental body conducting a meeting pursuant to this subsection shall comply with all of the provisions of Chapter 21 of the Code of Iowa.

(Code of Iowa, Sec. 21.8)

SECTION 6. SECTION MODIFIED. Section 35.13 of the Code of Ordinances of the City of Van Meter, Iowa, is repealed and the following adopted in lieu thereof:

35.13 AUTHORITY TO CITE VIOLATIONS. Fire officials acting under the authority of Chapter 10A, Subchapter V, Part 2 of the Code of Iowa, may issue citations in accordance with Chapter 805 of the Code of Iowa, for violations of Chapter 10A, Subchapter V, Part 2 of the Code of Iowa or a violation of a local fire safety code.

(Code of Iowa, Sec. 100.41)

SECTION 7. SECTION MODIFIED. Subsection 4 of Section 7.05 of the Code of Ordinances of the City of Van Meter, Iowa, is repealed and the following adopted in lieu thereof:

4. Annual Statement.
(Code of Iowa, Sec. 24.2A(2))

A. On or before 4:00 p.m. on March 5 of each year, the City shall file, with the Department of Management, a report containing all necessary information for the Department of Management to compile and calculate amounts required to be included in the statement mailed under Paragraph B.

B. Not later than March 15, the County Auditor, using information compiled and calculated by the Department of Management shall send to each property owner or taxpayer within the County, by regular mail, an individual statement containing all of the required information as provided under Section 24.2(2)(B)(1-10) of the *Code of Iowa*.

C. The Department of Management shall prescribe the form for the report required under Paragraph A, the statements to be mailed under Paragraph B, and the public hearing notice required under Paragraph D.

D. The Council shall set a time and place for a public hearing on the City's proposed property tax amount for the budget year and the City's information included in the statements under Paragraph B. The proposed property tax hearing shall be set on a date on or after March 20 of the budget year immediately preceding the budget year for which the tax is being proposed. At the hearing, the Council shall receive oral or written testimony from any resident or property owner of the City. This public hearing shall be separate from any other meeting of the Council, including any other meeting or public hearing relating to the City's budget, and other business of the City that is not related to the proposed property tax amounts and the information in the statements shall not be conducted at the public hearing. After all testimony has been received and considered, the governing body may decrease, but not increase, the proposed property tax amount to be included in the City's budget.

(1) Notice of the public hearing shall be published not less than 10 nor more than 20 days prior to the hearing, in a newspaper published at least once weekly and having general circulation in the City. However, if the City has a population of 200 or less, publication may be made by posting in three public places in the City.

(2) Notice of the hearing shall also be posted and clearly identified on the City's internet site for public viewing beginning on the date of the newspaper publication and shall be maintained on the City's internet site with all such prior year notices.

(3) Additionally, if the City maintains a social media account on one or more social media applications, the public hearing notice or an electronic link to the public hearing notice shall be posted on each such account on a date no later than the date of publication of the notice.

(4) Failure of a newspaper to publish a required notice under this paragraph shall not be considered a failure of a political subdivision to provide required notice under this paragraph if all of the following conditions are met:

a. Notice of the public hearing was provided to each property owner and each taxpayer within the political subdivision in statements required under Subsection 2, Paragraph B.

b. The political subdivision can demonstrate to the county auditor that the political subdivision provided sufficient time for the newspaper to publish the notice.

SECTION 8. SECTION MODIFIED. Section 18.03 of the Code of Ordinances of the City of Van Meter, Iowa, is repealed and the following adopted in lieu thereof:

18.03 PUBLICATION OF MINUTES. Within 15 days following a regular or special meeting of the Council, the Clerk shall cause the minutes of the proceedings of the Council, including the total expenditure from each City fund, to be delivered to a newspaper of general circulation in the City for publication. The publication shall include a list of all claims allowed and a summary of all receipts and shall show the gross amount of the claims.

(Code of Iowa, Sec. 372.13(6))

SECTION 9. SECTION MODIFIED. Section 136.04 of the Code of Ordinances of the City of Van Meter, Iowa, is repealed and the following adopted in lieu thereof:

136.04 PROPERTY OWNER'S RESPONSIBILITY FOR MAINTENANCE. The abutting property owner shall maintain in a safe and hazard-free condition any sidewalk outside the lot and property lines and inside the curb lines or, in the absence of a curb, any sidewalk between the property line and that portion of the public street used or improved for vehicular purposes.

(Code of Iowa, Sec. 364.12(2)(c))

SECTION 10. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 11. WHEN EFFECTIVE. When Effective. This Ordinance shall in full force and effect from and after its passage and publication as provided by law for all services provided on and after September 9, 2024.

1st Reading – September 9, 2024

2nd Reading – Waived

3rd Reading - Waived

Passed by the City Council and approved the 9th day of September 2024.

Mayor, Joe Herman

Attest:

City Clerk

I certify that the foregoing was published as Ordinance No. 2024-21 on the _____ day of _____, _____.

City Clerk

Ordinance #2024-21 2024 Legislative Update Summary

Section 1:

Updates definitions by adding MPH, adding Parades, updating Park or Parking, adding Pedestrian, adding Pedestrian Conveyance, updating Vehicles to Section 60.02

Section 2:

Repeals and replaces Section 65.05 – Yield to Pedestrians in Crosswalks

Updates to Section 65.05 – Pedestrians Right of Way and includes languages regarding “a person riding a bicycle”

Section 3:

Adds 50.08 Adult Establishments and criteria for qualification as a nuisance

Section 4:

Repeals and replaces Section 5.02 – Bonds

updates to 1. Requirements and adds 5. Insurance Policy in Lieu of Bond

Section 5:

Repeals and replaces Section 5.06 – Meetings

Adds 1. Definitions

Section 6:

Repeals and replaces Section 35.13 – Authority to Cite Violations

Updates the Code of Iowa sections that the city code refers to

Section 7:

Repeals and replaces Section 7.05 Subsection 4– Operating Budget Preparation

Adds specifications on the Annual Statement including a timeline & process

Section 8:

Repeals and replaces Section 18.03 – Publication of Minutes

Keeps the 15 day publication rule but adds more specific requirements regarding posting of claims

Section 9:

Repeals and replaces Section 136.04 - Property Owner's Responsibility for Maintenance

Removes the language stating that the property owner abutting a city sidewalk may be liable for damages caused by failure to maintain the sidewalk

Agenda Item #11

Public Hearing for an Ordinance to Amend Chapter 23 Planning & Zoning

Sample Language:

Mayor: ***I would entertain a motion to open the public hearing.***

City Councilmember: _____ ***So moved.***

City Councilmember: _____ ***Second.***

Mayor: ***Roll Call Please.***

City Clerk: Akers _____ Brott _____ Grolmus _____ Pelz _____ Westfall _____

Mayor: ***The public hearing is now open at _____pm.***

Has City Staff received any comments regarding this matter? _____ Does anyone present wish to be heard regarding this matter?

Mayor: ***I would entertain a motion to close the public hearing.***

City Councilmember: _____ ***So moved.***

City Councilmember: _____ ***Second.***

Mayor: ***Roll Call Please.***

City Clerk: Akers _____ Brott _____ Grolmus _____ Pelz _____ Westfall _____

Mayor: ***The public hearing is now closed at _____pm.***



310 Mill Street
Van Meter, Iowa 50261-0160

Telephone: 515-996-2644
Fax: 515-996-2207
www.vanmeteria.gov

NOTICE OF PUBLIC HEARING

YOU ARE HEREBY NOTIFIED THAT on the 9th day of September, 2024, the Van Meter City Council at its meeting at 7PM at the Van Meter United Methodist Church, 100 Hazel Street, Van Meter Iowa, will consider the following proposed amendment to the Van Meter Code of Ordinances.

Amending Section 23.01 Planning and Zoning Commission of Chapter 23 Planning & Zoning Commission to increase the number of members from 5 to 7

You are invited to attend and comment. Written comments may be submitted to Jess Drake, PO Box 160, Van Meter, Iowa.

This notice is given by order of the Council of the City of Van Meter, Iowa.

Joe Herman, Mayor

ATTEST:
Jessica Drake, City Clerk

Agenda Item #12

Discussion and Possible Action:

Ordinance #2024-22 to Amend Chapter 23 -
Planning & Zoning Commission

Submitted for: **Discussion and Possible Action**

Proposed Ordinance language included and was provided to Council on 9/5/24.

-Update from 5 members to 7 members

Recommendation: **Approval**

Sample Language: **Motion to adopt Ordinance #2024-22 to Amend Chapter 23 - Planning & Zoning Commission and to waive subsequent readings**

City Councilmember: _____ ***So moved.***

City Councilmember: _____ ***Second.***

Mayor: ***Roll Call Please.***

City Clerk: Akers _____ Brott _____ Grolmus _____ Pelz _____ Westfall _____

Ordinance passes/fails.

ORDINANCE #2024-22

“An Ordinance Amending Chapter 23 – Planning & Zoning Commission”

BE IT INACTED, by the City Council of the City of Van Meter, Iowa, that:

SECTION 1. Section 23.01 of Chapter 23 – Planning and Zoning Commission is repealed of the Code of Ordinances of the City of Van Meter, Iowa and replaced with the following:

23.01 PLANNING AND ZONING COMMISSION.

The City Planning and Zoning Commission, hereinafter referred to as the Commission, consists of ~~five~~-seven members appointed by the Council. The Commission members shall be residents of the City and shall not hold any elective office in the City government.

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

SECTION 3. Severability Clause. If any section, provision, or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 4. When Effective. This Ordinance shall in full force and effect from and after its passage and publication as provided by law for all services provided on and after September 9, 2024.

1st Reading – September 9, 2024

2nd Reading – Waived

3rd Reading - Waived

Passed by the City Council and approved the 9th day of September 2024.

Mayor, Joe Herman

Attest:

City Clerk

Agenda Item #13

Public Hearing for an Ordinance to Amend Chapter 167 Site Plan Regulations - Lighting Standards

Sample Language:

Mayor: ***I would entertain a motion to open the public hearing.***

City Councilmember: _____ ***So moved.***

City Councilmember: _____ ***Second.***

Mayor: ***Roll Call Please.***

City Clerk: Akers _____ Brott _____ Grolmus _____ Pelz _____ Westfall _____

Mayor: ***The public hearing is now open at _____pm.***

Has City Staff received any comments regarding this matter? _____ Does anyone present wish to be heard regarding this matter?

Mayor: ***I would entertain a motion to close the public hearing.***

City Councilmember: _____ ***So moved.***

City Councilmember: _____ ***Second.***

Mayor: ***Roll Call Please.***

City Clerk: Akers _____ Brott _____ Grolmus _____ Pelz _____ Westfall _____

Mayor: ***The public hearing is now closed at _____pm.***



310 Mill Street
Van Meter, Iowa 50261-0160

Telephone: 515-996-2644
Fax: 515-996-2207
www.vanmeteria.gov

NOTICE OF PUBLIC HEARING

YOU ARE HEREBY NOTIFIED THAT on the 9th day of September, 2024, the Van Meter City Council at its meeting at 7PM at the Van Meter United Methodist Church, 100 Hazel Street, Van Meter Iowa, will consider the following proposed amendment to the Van Meter Code of Ordinances.

Add Section 167.11 Lighting Standards to Chapter 167 Site Plan Regulations

You are invited to attend and comment. Written comments may be submitted to Jess Drake, PO Box 160, Van Meter, Iowa.

This notice is given by order of the Council of the City of Van Meter, Iowa.

Joe Herman, Mayor

ATTEST:
Jessica Drake, City Clerk

Agenda Item #14

Discussion and Possible Action:

Ordinance #2024-23 to Amend Chapter
Site Plan Regulations - Lighting Standards

Submitted for: **Discussion and Possible Action**

Proposed Ordinance language included and was provided to Council on 9/5/24.

-Adding sections to address light standards

Recommendation: **Approval**

Sample Language: **Motion to adopt Ordinance #2024-23 to Amend Chapter Site Plan Regulations - Lighting Standards and to waive subsequent readings**

City Councilmember: _____ ***So moved.***

City Councilmember: _____ ***Second.***

Mayor: ***Roll Call Please.***

City Clerk: Akers _____ Brott _____ Grolmus _____ Pelz _____ Westfall _____

Ordinance passes/fails.

ORDINANCE #2024-23

“An Ordinance Amending Chapter 167 – Site Plan Regulations”

BE IT INACTED, by the City Council of the City of Van Meter, Iowa, that:

SECTION 1. Chapter 167 – Site Plan Regulations of the Code of Ordinances of the City of Van Meter, Iowa and replaced with the following:

CHAPTER 167 SITE PLAN REGULATIONS

167.01 Site Plans	167.07 Lighting Standards - Definitions
167.02 Statement of Intent	167.08 Lighting Standards – Design Guidelines
167.03 Design Standards	167.09 Amendments to Approved Site Plans
167.04 Submittal and Review Procedure	167.10 Additional Requirements
167.05 Site Plan Information	167.11 Expiration of Approval
167.06 Multiple-Family Dwelling and Townhome Standards	167.12 Fee for Site Plan Review

167.01 SITE PLANS.

Site plans are required whenever the owner of any property in the City undertakes new construction, reconstruction, expands an existing building by 20 or more percent of the area of the existing building, or remodels an existing building with a building permit value of \$25,000.00 or more (collectively “improvements” or “development”), except for the construction of single-family or two-family homes on existing platted lots. Site Plans are required for multiple-family dwellings and townhomes.

167.02 STATEMENT OF INTENT.

It is the intent and purpose of this chapter to establish a procedure which will enable the City to review certain proposed improvement to and development of property. The Site Plan shall be designed to reflect consideration for: (i) impacts to existing and proposed developments surrounding the site; (ii) impact on public rights-of-way, utilities, facilities, and services; and (iii) impact to existing on-site conditions.

167.03 DESIGN STANDARDS.

Site Plans shall reflect the following standards of design which are necessary to insure the orderly and harmonious development of property in such manner as will safeguard property values and the public’s health, safety and general welfare.

1. The design of the proposed improvements shall make adequate provisions for surface and subsurface drainage, for connections to water and sanitary sewer lines, each so designed as to neither overload existing public utility lines nor increase the danger of erosion, flooding, landslide, or other endangerment of adjoining or surrounding property.

2. The proposed development shall be designed with a proper regard to topography, surface drainage, natural drains and streams, wooded area, and other natural features which will lend themselves to proper, harmonious and attractive development of the site.

3. The proposed improvements shall be designed and located within the property in such manner as not to unduly diminish or impair the use and enjoyment of adjoining property, and to this end shall minimize the adverse effects on such adjoining property from automobile headlights, illumination of required perimeter yards, refuse containers, and impairment of light and air. Lighting, and its impact on adjacent property, shall be shown on the Site Plan. For the purpose of this section, the term "use and enjoyment of adjoining property" means the use and enjoyment presently being made of such adjoining property, unless such property is vacant. If vacant, the term "use and enjoyment of adjoining property" means those uses permitted under the zoning districts in which such adjoining property is located.

4. The proposed development shall have such entrances and exits upon adjacent streets and such internal traffic circulation pattern and will not unduly increase congestion on adjacent or surrounding public streets. Public streets are required in all multiple-family and townhouse developments. Any proposed development which will include a loading dock or truck entrance facing an exterior street must, as a part of the Site Plan approval process, conform to any and all requirements which may be established by the City with respect to the location of such loading dock or truck entrance.

5. The proposed development shall have such buffers, screen fences and landscaping and shall be designed, and the buildings and improvements located, in such a manner as to not unduly diminish or impair the use and enjoyment of adjoining or surrounding property.

6. The proposed development shall not duly increase the public danger of fire or diminish the public safety, and shall be designed to adequately safeguard the health, safety, and general welfare of the public and of persons residing and working in the development and in the adjoining or surrounding property.

7. The proposed development shall utilize stormwater management to limit the release from any site to no more than a five-year undeveloped release rate.

8. The proposed development shall conform to all applicable provisions of the Code of Iowa, as amended, and all applicable provisions of the Code of Ordinances, as amended.

167.04 SUBMITTAL AND REVIEW PROCEDURE.

Site Plans shall be submitted to the City for review and approval.

1. Ten copies of the Site Plan shall be submitted to the City Clerk and two copies shall be submitted to the City Engineer who shall refer the Site Plan to the Planning and Zoning Commission (the "Commission") for comment and recommendation prior to action by the City Council. A Site Plan must be submitted no later than 15 days prior to a meeting of the Commission. Prior to an official submittal of the Site Plan for review by the Commission, an applicant may submit a concept and Site Plan for initial review by the City Engineer for comment.

2. The Clerk may refer the Site Plan to appropriate City departments and officials for their review and comment regarding the Site Plan's compliance with this Code of Ordinances, and its effects upon the City's municipal utilities and public street system. Any comments by any department or official will be forwarded to the Commission.

3. The Commission shall, after receiving a report from the City Engineer, review the Site Plan for conformity with the regulations and design and architectural standards of this chapter, and may confer with the applicant on changes deemed advisable in the Site Plan.

4. The Commission shall forward its recommendation to the City Council for approval, modification, or disapproval of the Site Plan within 45 days of the date of the submission of the Site Plan.

5. The Commission may, in its discretion, hold a public hearing on the Site Plan and prescribe the notice thereof and to whom such notice shall be given.

6. Upon receipt of the recommendations of the Commission or, if no recommendations are received within 45 days of the referral to the Commission, the Council shall proceed with its action on the Site Plan. The Council may approve the Site Plan, approve the Site Plan with modifications, or disapprove the Site Plan.

7. No building permit for any structure for which a Site Plan is required shall be issued until the Site Plan has been approved by the Council.

167.05 SITE PLAN INFORMATION.

The purpose of the Site Plan is to show all information needed to enable the City Engineer, City staff, the Commission, and the Council to determine if the proposed development meets the requirements of this chapter and other provisions of the Code of Ordinances.

1. Information Required. The Site Plan shall include the following information concerning the proposed development:

A. Names of all persons having an interest in the property, legal description of property, point of compass, scale, and date.

B. Applicant's name, address, project location, proposed land use and present zoning, location and names of adjoining subdivisions, the numbers of the adjoining lots therein and the names and addresses of adjoining landowners.

C. If the applicant is other than the legal owner, the applicant's interest shall be stated.

D. Name and address of persons who prepared the Site Plan.

2. Required Illustrations. The Site Plan shall clearly set forth the following information concerning the proposed development.

A. Property boundary lines, dimensions, and total area of the proposed development.

B. Existing and proposed contour lines of the proposed development and 50 feet beyond the boundaries of the proposed development at intervals of not more than two feet. If substantial topographic change is proposed, the existing topography of the development and of the surrounding area shall be illustrated on a separate map, and the proposed finished topography shown on the Site Plan.

C. The availability, location, size, and capacity of existing utilities, and of proposed utilities.

D. The proposed use of building materials, location, size, height, shape, use, elevation, building sign type, and illustration of all buildings or structures in the proposed development. Samples of building materials may be required for review at the Planning and Zoning meeting.

E. The total square footage of building floor areas, both individually and collectively in the proposed development.

F. Existing buildings, rights-of-way, public sidewalks, street improvements, utility easements, drainage courses, streams and wooded areas.

G. The number of dwelling units, offices, etc., planned for the site.

H. A vicinity sketch showing adjacent existing land uses within 500 feet of the property.

I. Location number, dimensions and design of off-street parking in the proposed development, including:

- (1) Driveways, islands and planters.
- (2) Striping and curbs.
- (3) Loading facilities.
- (4) Type and location of lighting.
- (5) Surface treatment.

J. Open spaces, recreational areas, public sidewalks, walkways and Driveways, outside lighting, walls, fences, monuments, statues, and other manmade features to be used in the landscape of the proposed development.

K. Facilities for the collection and disposal of garbage and trash, and screening structures.

L. Walls, fences, or other artificial screens to be used as buffers shall be shown in elevation and perspective with proposed height and structural material indicated.

M. A Site Lighting Plan shall be provided, indicating the location, type, fixture height, power rating and shielding method of all existing and proposed lighting. A photometric plan shall be provided that details the horizontal illumination of the site and the vertical light trespass along the perimeter of the site.

N. Storm Water Management Plan shall be provided which shall include calculations of detention sizing and release rate control facilities.

O. Traffic considerations or utility capacities and all other considerations pertinent to the proposed use may be requested for illustration or statistical purposes.

P. Free standing identification signs; location, setback, dimensions, height and illustrations.

Q. Location and type of all plants, trees, ground cover to be used in the landscape. Landscaping to be used for screening purposes shall be illustrated with the size and exact names of plants, shrubs or trees to be planted clearly indicated. The planting location shall not adversely affect utility easements or service lines. On all Site Plans the following requirements shall be met.

R. Such additional information, drawings, or other materials necessary to describe a proposed project as may be requested by the City Engineer or Commission.

167.06 MULTIPLE-FAMILY DWELLING AND TOWNHOME STANDARDS.

Multiple-family and townhome projects shall be designed in compliance with certain standards which shall be set forth in the presentation of the Site Plan.

1. The Site Plan shall provide the required parking stalls for each dwelling unit located in driveways and dedicated parking lot area, exclusive of parking provided in garages. The parking stall requirement shall be satisfied with no on-street parking.

2. The Site Plan must provide a distance of at least 23 feet from the property side of any sidewalk to any residence or garage face.

3. Sidewalks shall be required along both sides of all streets unless an alternate pedestrian access plan is approved that provides access to all residential dwelling units.

167.07 LIGHTING STANDARDS – DEFINITIONS

Unless the context clearly indicates otherwise, the words and phrases used in this section shall have the following meanings:

1. “Active” means those times when sales employees are employed on site for the purpose of selling the merchandise located on the property to the general public and does not include display of merchandise which is offered for sale at locations other than the property.
2. “Display lot” means outdoor areas where active night time sales activity occurs and where accurate color perception of merchandise by customers is required.
3. “Exterior lighting” means temporary or permanent lighting that is installed, located, or used in such a manner to cause light rays to shine outdoors.
4. “Exterior lighting fixture” means the complete exterior lighting unit, including: the artificial source of light, the parts required to distribute the light, elements for light output control such as the reflector (mirror), or refractor (lens), the housing that protects and holds the lamp in place, the connection to the power supply, and the component that anchors the lighting unit to the ground or onto a structure.
5. “Floodlight” means a lamp that incorporates a reflector or a refractor to concentrate the light output into a directed beam in a particular direction.
6. “Foot-candle” means the illuminance measured one foot from a one candle source.
7. “Full cut-off” means a shielded light fixture that emits no light above a horizontal plane touching the lowest point of the fixture.
8. “Glare” means the light in a direction near one’s line of sight that either causes discomfort to the eye or impairs visibility.
9. “Horizontal and vertical foot-candles” means the illuminance, measured by a light meter, striking a vertical or horizontal plane.
10. “Illuminance” means the intensity of light in a specified direction measured at a specified point.
11. “Light” means a form of radiant energy acting on the retina of the eye to make sight possible.
12. “Light trespass” means unwanted light falling on public or private property from an external location.
13. “Merchandise” means new and used vehicles owned by and actively offered for sale to the general public by the property owner.
14. “Recreational facility” means football fields, soccer fields, baseball fields, tennis courts, swimming pools, or any other special event or show area.

167.08 LIGHTING STANDARDS – DESIGN GUIDELINES

1. Required Lamps – Generally. All lamps shall be LED, or others with similar qualities to reduce glare and provide for improved color correct vision.
2. Required Exterior Lighting Fixtures – Generally. All exterior lighting fixtures shall be full cut-offs. No portion of the lamp, lens, or diffuser shall be visible from the side or top of any shield, or otherwise protrude from the bottom of the shield. No exterior lighting fixture shall emit light at or above a horizontal plane that runs through the lowest point of the shield.
3. Architectural and Decorative Lighting (Commercial, Industrial and Business Park).
 - A. Limited building-mounted lighting may be used to highlight specific architectural features or primary customer or building entrances. Floodlights are only permitted provided all light emitted is contained by the building or by an eave or protruding structure.
 - B. Lighting fixtures shall be located, aimed, and shielded to minimize the glare that is emitted on objects other than a building’s façade or landscape walls.

C. Building-mounted neon lighting may only be used when the lighting is recessed or contained inside a cap or architectural reveal.

4. Site and Parking Lot Lighting (Commercial, Industrial and Business Park).

A. The mounting height for lighting fixtures shall not exceed 33 feet from grade to the top of the lighting fixture.

B. The maximum average-maintained foot-candles for a parking lot lighting fixture shall be three foot-candles. The maximum lighting level for a parking lot lighting fixture shall be ten foot-candles.

C. The maximum horizontal foot-candle measurement at any property line shall be two foot-candles. The maximum maintained vertical foot-candle at an adjoining property line shall be two foot-candles, as measured at five feet above grade.

5. Display Lot Lighting (Commercial, Industrial and Business Park).

A. The mounting height for lighting fixtures shall not exceed 33 feet from grade to the top of the lighting fixture.

B. The maximum average-maintained foot-candles for a display lot lighting fixture adjacent to the public right of way shall be 25 foot-candles. The minimum lighting level for a display lot lighting fixture adjacent to the public right of way shall be one foot-candle. The maximum lighting level for a display lot lighting fixture adjacent to a public right of way shall be 30 foot-candles.

The remaining rows intended for vehicle display as defined on the site plan shall have a maximum average-maintained foot-candle for display lot lighting of 20 foot-candles and a minimum of one average maintained foot-candle. The maximum lighting level for secondary rows of display lot lighting shall be 25 foot-candles.

All customer and employee parking areas and other non-display areas within the site shall conform to the site and parking lot lighting requirements as defined above.

The maximum horizontal foot-candle measurement at any property line shall be two foot-candles. The maximum maintained vertical foot-candle at an adjoining property line shall be two foot-candles, as measured at five feet above grade.

All display lot lighting fixtures shall meet the shielding and lamp requirements contained in this section and adhere to all other requirements imposed by the Code of Ordinances of the City of Van Meter.

After 10:00 p.m. and until 7:00 a.m., all display lot lighting fixture foot-candle levels shall be reduced so as to conform to the site and parking lot lighting requirements contained in this section through the means of a control system or systems.

The discontinuance of the use of the property for on-site vehicular sales shall eliminate the authority of the property owner to operate the display lot lighting at the levels set forth in this section. In the event of such discontinuation of use, the lighting may only be operated in accordance with other requirements of this section. It shall be the property owner's responsibility to notify its successors in interest or tenants of the obligations imposed by this section.

8. Canopy Lighting (Commercial, Industrial and Business Park. The average maintained foot-candles under a canopy shall be 35 foot-candles. Areas outside the canopy shall be regulated by the guidelines and standards outlined above. Permissible fixtures for canopy lighting include:

A. Recessed fixtures that incorporate a lens cover that is either recessed or flush with the bottom surface of the canopy.

B. Indirect lighting where light is emitted upward and then reflected down from the underside of the canopy. Such fixtures shall be shielded to ensure that no light is emitted at or above a horizontal plane that runs through the lowest point of the canopy.

9. Street Lighting. All private street light fixtures shall measure no more than 30 feet from grade to the top of the lighting fixture, and shall be cobra-style, unless the Commission and Council permit the installation of an alternative fixture. The Commission and Council may approve an alternative lighting fixture only after a determination has been made that the alternative fixture has been designed to avoid glare and trespass. The use of lighting fixtures that direct light upward into the air is strictly prohibited. All lighting on public streets shall conform to the current City of Van Meter Standard Specifications.

10. Recreational Facilities. The lighting fixtures at all public or private outdoor recreational facilities shall be designed to minimize the amount of light that is directed upward into the air, glare, and light trespass. The illumination of any public or private outdoor recreational facility after 11:00 p.m. is prohibited, except in order to conclude a specific activity, previously scheduled, which is in progress under such illumination prior to 11:00 p.m.

11. Exemptions. This section does not apply to the following exterior lighting sources:

A. Airport lighting required by law.

B. Temporary emergency lighting.

C. Temporary lighting, other than security lighting, at construction projects.

D. Governmental facilities where a compelling need for safety and security has been demonstrated.

E. Lighting for flag poles, church steeples or other similar non-commercial items provided they do not cause distraction within public rights-of-way.

167.~~0907~~ AMENDMENTS TO APPROVED SITE PLANS.

An approved Site Plan may be amended when there is any change in location, size, design, conformity or character of buildings and other improvements, provided that the amended Site Plan conforms to the provisions of this chapter and other provisions of the Code of Ordinances. An amended Site Plan shall be submitted to the City and reviewed by the Commission and approved by the City Council in the same manner as an original Site Plan.

167.~~1008~~ ADDITIONAL REQUIREMENTS.

As part of the Site Plan approval process, the property owner may be required by the Council to install public utilities, including but not limited to, water lines, storm sewer, sanitary sewer, fire hydrants, and such other utilities as applicable to properly serve the proposed plan. The property owner may also be required by the Council to construction street paving and sidewalks as applicable to properly serve the proposed plan. Where required as part of a Site Plan approval, utilities, streets, and sidewalks shall be constructed in accord with the City's construction standards for those portions within the public right-of-way and to be dedicated to the City. Utilities, streets, and sidewalks may also be required to be constructed to the same specifications for those undedicated portions where such utilities and improvements may have a direct affect on the future safety, proper functioning and maintenance of those portions to be dedicated.

167.~~1109~~ EXPIRATION OF APPROVAL.

All Site Plan approvals shall expire and terminate 365 days after the date of Council approval unless a building permit has been issued for the construction provided for in the Site Plan. The Council may, upon written request by the property owner, extend the time for the issuance of a building permit for 60 additional days. In the event the building construction provided for in a Site Plan expires or is cancelled, then such Site Plan approval shall thereupon terminate.

167.120 FEE FOR SITE PLAN REVIEW.

The fee for filing of a Site Plan shall be \$250.00 plus reimbursement to the City by the person submitting the Site Plan and any amended Site Plan for all costs incurred by the City including Engineers' cost.

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

SECTION 3. Severability Clause. If any section, provision, or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part there of not adjudged invalid or unconstitutional.

SECTION 4. When Effective. This Ordinance shall in full force and effect from and after its passage and publication as provided by law for all services provided on and after September 9, 2024.

1st Reading – September 9, 2024

2nd Reading – Waived

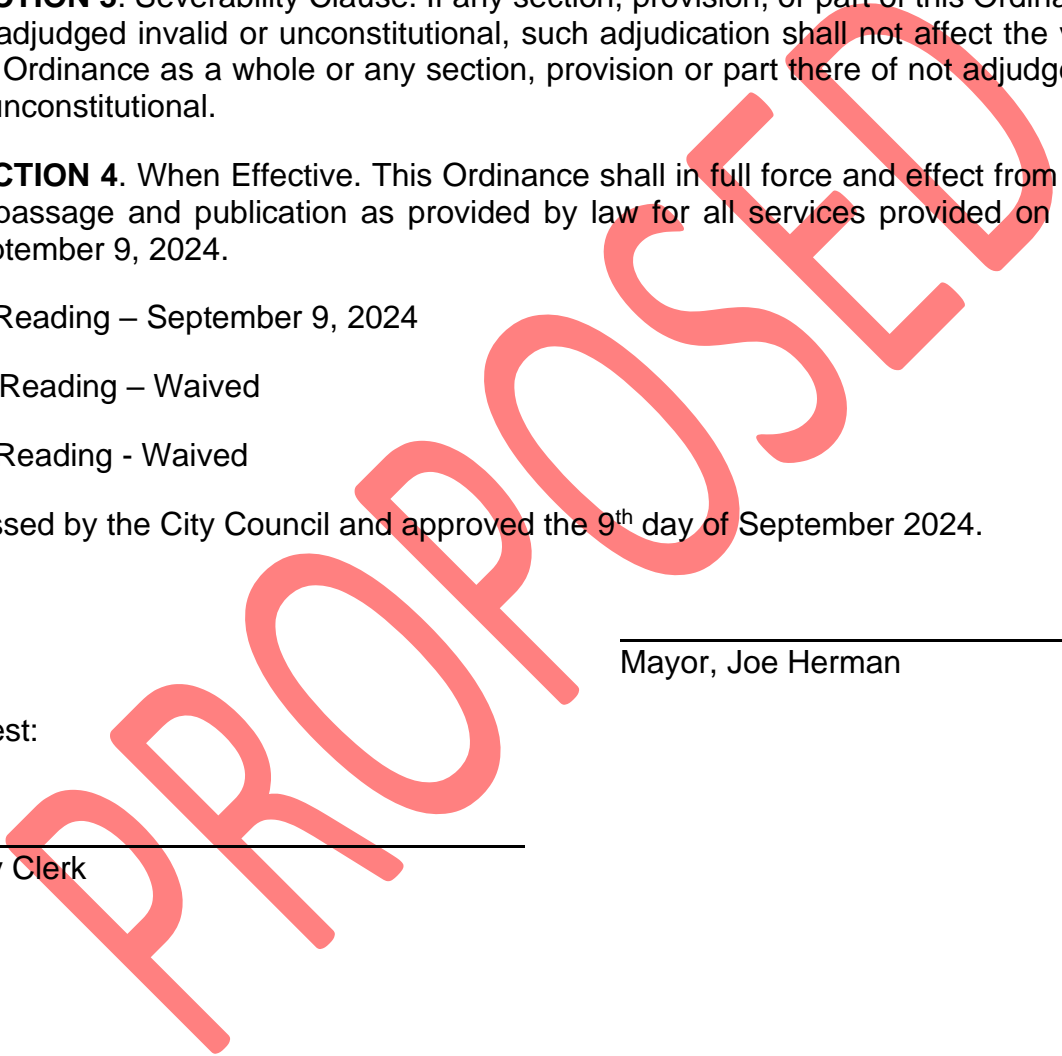
3rd Reading - Waived

Passed by the City Council and approved the 9th day of September 2024.

Mayor, Joe Herman

Attest:

City Clerk



Agenda Item #15

Public Hearing for a proposed Amended Development Agreement with Trindle Ridge, LLC

Sample Language:

Mayor: ***I would entertain a motion to open the public hearing.***

City Councilmember: _____ ***So moved.***

City Councilmember: _____ ***Second.***

Mayor: ***Roll Call Please.***

City Clerk: Akers _____ Brott _____ Grolmus _____ Pelz _____ Westfall _____

Mayor: ***The public hearing is now open at _____pm.***

Has City Staff received any comments regarding this matter? _____ Does anyone present wish to be heard regarding this matter?

Mayor: ***I would entertain a motion to close the public hearing.***

City Councilmember: _____ ***So moved.***

City Councilmember: _____ ***Second.***

Mayor: ***Roll Call Please.***

City Clerk: Akers _____ Brott _____ Grolmus _____ Pelz _____ Westfall _____

Mayor: ***The public hearing is now closed at _____pm.***

NOTICE OF MEETING FOR APPROVAL OF AMENDED
DEVELOPMENT AGREEMENT WITH TRINDLE RIDGE, LLC. AND
AUTHORIZATION OF INCREASED ANNUAL APPROPRIATION TAX
INCREMENT PAYMENTS

The City Council of the City of Van Meter, Iowa (the "City"), will meet on September 9, 2024, at 7:00 p.m., at the Van Meter United Methodist Church located at 100 Hazel Street, Van Meter, IA, at which time proceedings will be instituted and action taken to approve an amended development agreement (the "Amended Agreement") between the City and Trindle Ridge, LLC. (the "Developer") in connection with the construction of public infrastructure necessary for the development of a residential subdivision on certain real property in the Van Meter Urban Renewal Area (the "Urban Renewal Area"). The Amended Agreement (1) includes terms and provisions with respect to the construction of additional public infrastructure and housing; (2) increases the amount of annual appropriation tax increments payments to be provided to the Developer from an amount not to exceed \$600,000 to an amount not to exceed \$880,000; and (3) makes other related changes.

As authorized by Section 403.9 of the Code of Iowa, the commitment to make annual appropriation incremental property tax payments to the Developer under the Amended Agreement will not be a general obligation of the City, but such payments will be payable solely and only from incremental property tax revenues generated within the Urban Renewal Area. All payments under the Amended Agreement will be made subject to annual appropriation by the City Council.

At the meeting, the City Council will receive oral or written objections from any resident or property owner of the City. Thereafter, the City Council may, at the meeting or at an adjournment thereof, take additional action to approve the Amended Agreement or may abandon the proposal.

This notice is given by order of the City Council of Van Meter, Iowa, in accordance with Section 403.9 of the Code of Iowa.

Jessica Drake
City Clerk

Agenda Item #16

Discussion and Possible Action:

Resolution #2024-101 Approving an Amended Development Agreement with Trindle Ridge, LLC Authorizing Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement

Submitted for: **Discussion and Possible Action**

The property is already in the Urban Renewal Plan. Council already took action to approve and add the project terms into the Urban Renewal Plan. The Amended Agreement (1) includes terms and provisions with respect to the construction of additional public infrastructure and housing; (2) increases the amount of annual appropriation tax increments payments to be provided to the Developer from an amount not to exceed \$600,000 to an amount not to exceed \$880,000; and (3) makes other related changes.

Execution version of the agreement will be provided upon receipt from bond counsel. I have provided the final draft version for now.

Recommendation: **Approval**

Sample Language: **Motion to adopt Resolution #2024-101 Approving an Amended Development Agreement with Trindle Ridge, LLC Authorizing Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement**

City Councilmember: _____ *So moved.*

City Councilmember: _____ *Second.*

Mayor: *Roll Call Please.*

City Clerk: Akers _____ Brott _____ Grolmus _____ Pelz _____ Westfall _____

Resolution passes/fails.

AMENDED DEVELOPMENT AGREEMENT

This Agreement is entered into between the City of Van Meter, Iowa (the “City”) and Trindle Ridge, LLC (the “Developer”) as of the ____ day of _____, ~~2021~~2024 (the “Commencement Date”).

WHEREAS, the City has established the Van Meter Urban Renewal Area (the “Urban Renewal Area”) and has adopted a tax increment ordinance for the Urban Renewal Area; and

WHEREAS, the Developer owns certain property in the Urban Renewal Area, the legal description of which is set out in Exhibit A hereto (the “Phase 1 Property”), and the Developer has undertaken the construction of public infrastructure improvements (the “Phase 1 Infrastructure Project”) in connection with the development of a residential subdivision (the “Phase 1 Housing Project”) on the Phase 1 Property; and

WHEREAS, the Developer owns certain property in the Urban Renewal Area, the legal description of which is set out in Exhibit A-1 hereto (the “Phase 2 Property” and together with the Phase 1 Property, the “Property”), and the Developer has proposed to undertake the construction of public infrastructure improvements (the “Phase 2 Infrastructure Project”) in connection with the development a residential subdivision (the “Phase 2 Housing Project”) on the Phase 2 Property; and

WHEREAS, the Developer has requested that the City provide tax increment financing assistance for the Phase 1 Infrastructure Project and the Phase 2 Infrastructure Project; and

WHEREAS, the City Council is willing to provide tax increment financing assistance to the Developer in order to assist in paying the cost of the Phase 1 Infrastructure Project and the Phase 2 Infrastructure Project; and

WHEREAS, the City will undertake the extension of a sanitary sewer main and certain street improvements (the “City Infrastructure Project”) to serve the Housing Project; and

WHEREAS, the Iowa Urban Renewal law requires that any project related to housing which receives tax increment financing assistance must also generate funds to be used to provide assistance related to housing for low and moderate income families; and

~~WHEREAS, the base valuation (the “Base Valuation”) of the Property for purposes of calculating Incremental Property Tax Revenues (as herein defined) under this Agreement and Section 403.19 of the Code of Iowa shall be the assessed taxable valuation of the Property as of January 1 of the year prior to the year in which the Triggering Certification (as herein defined) is filed; and~~

WHEREAS, the City and the Developer entered into a Development Agreement (the “Original Agreement”) dated August 23, 2021, pursuant to which the City agreed to provide tax

increment financing assistance to the Developer with respect to the Phase 1 Infrastructure Project; and

WHEREAS, it is now necessary to amend the Original Agreement to (1) include terms and provisions with respect to the Phase 2 Infrastructure Project and the Phase 2 Housing Project; (2) increase the amount of Payments to be provided to the Developer from an amount not to exceed \$600,000 to an amount not to exceed \$880,000; and (3) make other related changes o; and

WHEREAS, this Amended Development Agreement (the “Agreement”) has been prepared to set forth the updated, mutual understanding between the City and the Developer and to replace the Original Agreement; and

WHEREAS, Chapter 15A of the Code of Iowa authorizes cities to provide grants, loans, guarantees, tax incentives and other financial assistance to or for the benefit of private persons;

NOW THEREFORE, the parties hereto agree as follows:

A. Developer’s Covenants:

1. Housing Project, Subdivision.

Phase 1 Housing Project

The Developer has submitted to the City a detailed site plan (the “Phase 1 Site Plan”) for the development of the Phase 1 Housing Project. The Phase 1 Site Plan is attached hereto as Exhibit B. The Developer agrees to undertake the marketing and sale of the lots comprising the Phase 1 Property for the construction of single-family housing thereon in accordance with the Phase 1 Site Plan.

Phase 2 Housing Project

The Developer shall submit to the City a detailed site plan (the “Phase 2 Site Plan”) for the development of the Phase 2 Housing Project. Upon approval by the City Council, the Phase 2 Site Plan shall be attached hereto as Exhibit B-1. The Developer agrees to undertake the marketing and sale of the lots comprising the Phase 2 Property for the construction of single-family housing thereon in accordance with the Phase 2 Site Plan.

2. Infrastructure Project Construction.

Phase 1 Infrastructure Project

The Developer agrees to cause the construction of the Phase 1 Infrastructure Project in accordance with the specifications set forth on Exhibit C hereto. Prior to constructing the Phase 1 Infrastructure Project, the Developer will submit copies of all engineering documents related to the proposed Phase 1 Infrastructure Project to the City. The City may request reasonable changes in such documents, to ensure compliance with any applicable ordinances or regulations.

The Developer agrees that the construction of the Phase 1 Infrastructure Project shall be completed by (i) November 30, 2021; or (ii) by such other date as the City and the Developer shall mutually agree upon in writing.

The City shall retain all rights to inspect the Phase 1 Infrastructure Project for quality of work and full compliance with City Code. Nothing in this subsection shall be interpreted as limiting the City's rights to not accept the work if the Phase 1 Infrastructure Project is not completed to the satisfaction of the City.

Upon completion of the Phase 1 Infrastructure Project, provided that (i) such improvements are of the type ordinarily dedicated to the City in connection with housing improvements meet City requirements; and (iii) the City accepts such Phase 1 Infrastructure development projects; (ii) the City confirms to the Developer in writing that such completed ~~improvements meet City requirements; and (iii) the City accepts such Infrastructure~~ Project in accordance with State law, the Developer will provide the City with either a deed, dedication or permanent easement to the improvements and related right-of-way comprising the Phase 1 Infrastructure Project, as the case may be, which shall thereafter be maintained by the City.

Phase 2 Infrastructure Project

The Developer agrees to cause the construction of the Phase 2 Infrastructure Project in accordance with the specifications set forth on Exhibit C-1 hereto. Prior to constructing the Phase 2 Infrastructure Project, the Developer will submit copies of all engineering documents related to the proposed Phase 2 Infrastructure Project to the City. The City may request reasonable changes in such documents, to ensure compliance with any applicable ordinances or regulations.

The Developer agrees that the construction of the Phase 2 Infrastructure Project shall be completed by (i) _____, 2024; or (ii) by such other date as the City and the Developer shall mutually agree upon in writing.

The City shall retain all rights to inspect the Phase 1 Infrastructure Project for quality of work and full compliance with City Code. Nothing in this subsection shall be interpreted as limiting the City's rights to not accept the work if the Phase 2 Infrastructure Project is not completed to the satisfaction of the City.

Upon completion of the Phase 2 Infrastructure Project, provided that (i) such improvements are of the type ordinarily dedicated to the City in connection with housing improvements meet City requirements; and (iii) the City accepts such Phase 2 Infrastructure development projects; (ii) the City confirms to the Developer in writing that such completed Project in accordance with State law, the Developer will provide the City with either a deed, dedication or permanent easement to the improvements and related right-of-way comprising the Phase 2 Infrastructure Project, as the case may be, which shall thereafter be maintained by the City.

3. Infrastructure Project Costs Documentation. Upon completion of the Phase 1 Infrastructure Project and the Phase 2 Infrastructure Project (collectively, the Phase 1 Infrastructure Project and the Phase 2 Infrastructure Project are hereinafter referred to as the

“Infrastructure Project”), the Developer agrees to provide documentation (the “Costs Documentation”) detailing the costs (the “Infrastructure Costs”) incurred in the completion thereof. Such Infrastructure Costs may include all infrastructure-related land acquisition costs, cost of designing and constructing the Infrastructure Project, landscaping and grading all land for the Infrastructure Project, interest expense and other costs of financing the Infrastructure Project, and other reasonably related costs of carrying out the Infrastructure Project. The Infrastructure Costs shall not include such costs as are incurred in the completion of the Phase 1 Housing Project or the Phase 2 Housing Project.

The Costs Documentation will be accompanied by invoices, and such other documentation as is reasonably requested by the City, confirming that the Infrastructure Costs detailed in such Costs Documentation were in fact incurred in the installation of the Infrastructure Project and that such costs are of an amount reasonably to have been expected with respect to such installation. The Developer will include a cover page in the form attached hereto as Exhibit D with its submittal of the Costs Documentation.

4. City Infrastructure Project; Debt Service Deduction. The Developer hereby acknowledges that the City will enter into a loan agreement and issue General Obligation Corporate Purpose Bonds or Notes (the “Bonds”) in evidence thereof in order to pay the costs of the City Infrastructure Project. The Developer further acknowledges that before making any Incremental Property Tax Revenues (as hereinafter defined) from the Property available to fund the Payments (as defined in Section B.3 hereof) the City will first deduct an amount (the “Debt Service Deduction”) sufficient to pay (i) such principal of and interest on the Bonds as has already become due and owing (and thus has been covered with lawfully available sources of City funds other than Incremental Property Tax Revenues); and (ii) such principal of and interest on the Bonds as is scheduled to come due and owing in that same fiscal year of the City. An estimated schedule of such debt service payments has been attached hereto as Exhibit E. At the time of issuance of the Bonds, a schedule reflecting the actual annual debt service payments on the Bonds will be attached hereto as an update to Exhibit E. To the extent that it becomes necessary for the City to make scheduled debt service payments on the Bonds from sources of City funds other than Incremental Property Tax Revenues (as hereinafter defined), the City shall keep a written accounting of such payments in order to demonstrate, if requested, to the Developer the amount and nature of each Debt Service Deduction.

5. Developer’s Certifications - TIF Estimates. The Developer agrees to certify (the “Triggering Certification”) to the City of its intent for the Payments (as hereinafter defined) to commence. The Triggering Certification shall be made by no later than October 15, 2023. Furthermore, the Developer agrees to certify to the City by no later than October 15 of each year, commencing October 15 of the year in which the Triggering Certification is made the estimated total amount (the “Total Amount”) of Incremental Property Tax Revenues (as hereinafter defined) anticipated to be paid with respect to the taxable incremental property valuation for the Property in the fiscal year immediately following such certification (the “Developer’s Estimate”). Each Developer’s Estimate shall then be divided into two figures: (1) The LMI Amount (see Section B.6 below) which shall equal ~~30.52~~26.22% of the Total Amount; and (2) the projected payments amount (the “Projected Payments Amount”) which shall be in an amount equal to the Total Amount minus the LMI Amount and minus the Debt Service

Deduction. In submitting each such Developer's Estimate, the Developer will complete and submit the worksheet attached hereto as Exhibit F.

For purposes of this Agreement, Incremental Property Tax Revenues are determined by: (1) determining the consolidated property tax levy (city, county, school, etc.) then in effect with respect to taxation of the Property; (2) subtracting (a) the debt service levies of all taxing jurisdictions, (b) the school district instructional support and physical plant and equipment levies and (c) any other levies which may be exempted from such calculation by action of the Iowa General Assembly; (3) multiplying the resulting modified consolidated levy rate times any incremental growth in the taxable valuation of the Property, as shown on the property tax rolls of Dallas County, above and beyond the Base Valuation (as hereinafter defined); and (4) deducting any property tax credits which shall be available with respect to the incremental valuation of the Property.

Upon request, the City staff shall provide reasonable assistance to the Developer in completing the worksheet required under this Section A.5.

Base Valuation

The base valuation (the "Base Valuation") of the Property for purposes of calculating Incremental Property Tax Revenues under this Agreement and Section 403.19 of the Code of Iowa shall be the sum of the Phase 1 Base Valuation (as hereinafter defined) and the Phase 2 Base Valuation (as hereinafter defined).

The Phase 1 Base Valuation is the assessed taxable valuation of the Phase 1 Property as of January 1 of the year prior to the year in which the Triggering Certification is filed; and

The Phase 2 Base Valuation is the assessed taxable valuation of the Phase 2 Property as of January 1, 2024; and

6. Default Provisions.

A. Events of Default. The following shall be "Events of Default" under this Agreement, and the term "Event of Default" shall mean, whenever it is used in this Agreement (unless otherwise provided), any one or more of the following events:

i. ~~I.~~ Failure by the Developer to complete the construction of the Infrastructure Project and dedicate the Infrastructure Project to the City pursuant to the terms and conditions of this Agreement.

ii. ~~II.~~ Failure by the Developer to comply with Sections A.1, A.3 and A.5 of this Agreement.

iii. ~~III.~~ Failure by the Developer to observe or perform any material covenant on its part, to be observed or performed hereunder.

B. Notice and Remedies. Whenever any Event of Default described in this Agreement occurs, the City shall provide written notice to the Developer describing the cause of the default

and the steps that must be taken by the Developer in order to cure the default. The Developer shall have thirty (30) days after receipt of the notice to cure the default or to provide assurances satisfactory to City that the default will be cured as soon as reasonably possible beyond said thirty (30) day deadline if not practicable to cure the default within said thirty (30) day deadline. If the Developer fails to cure the default or provide assurances, City shall then have the right to:

i. ~~I-~~Pursue any action available to it, at law or in equity, in order to enforce the terms of this Agreement.

ii. ~~II-~~Withhold the Payments under Section B.3 of this Agreement, such right being additional to the right of annual appropriation as set forth in Section B.4 below.

7. **Legal and Administrative Costs.** The Developer hereby acknowledges that the City will cover the initial payment of legal fees and administrative costs (the “Actual Admin Costs”) incurred by the City in connection with the drafting, negotiation and authorization of this the Original Agreement and this Agreement, including the necessary ~~amendment~~amendments to the urban renewal plan for Urban Renewal Area. Furthermore, the Developer agrees that the City shall first receive an amount (the “Admin Withholding Amount”) equal to the lesser of (1) ~~\$8,000~~15,000 or (2) the Actual Admin Costs from such initial Incremental Property Tax Revenues as become available with respect to the Property prior to funding the Payments (as hereinafter defined) in order to recover some or all of the Actual Admin Costs.

B. City’s Covenants:

1. **Design and Construction of City Infrastructure Project.** The City agrees to cause the construction of the City Infrastructure Project in accordance with the specifications set forth on Exhibit G hereto. The current cost estimate for the City Infrastructure Project at the time of execution of this Agreement is \$~~_____~~565,000 (the “City Infrastructure Cost Estimate”).

The City agrees that the construction of the City Infrastructure Project shall be completed by (i) November 30, 2021; or (ii) by such other date as the City and the Developer shall mutually agree upon in writing.

The City agrees to procure construction contracts for the City Infrastructure Project through the statutory process for public bid letting set forth in Chapter 26 of the Code of Iowa and otherwise in accordance with applicable law. To the extent that the bids received for the construction of the City Infrastructure Project are higher than the City Infrastructure Cost Estimate such that the actual cost of the City Infrastructure Project is projected to exceed the City Infrastructure Cost Estimate by a factor of five percent (5%) the City may, with advice from the project engineers and legal counsel, make modifications to the City Infrastructure Project, to the extent allowed under Chapter 26 of the Code of Iowa, and/or reject the bids and modify the timeline for completion and the specifications for the City Infrastructure Project so that its costs are no longer likely to exceed the City Infrastructure Cost Estimate. Any changes to the specifications or the timeline for completion for the City Infrastructure Project shall be reflected on Exhibit G hereto.

2. Review of Costs Documentation. The City staff will review the Cost Documentation upon receipt from the Developer. If the City determines the costs set forth in the Costs Documentation are costs reasonably incurred in the construction of the Infrastructure Project, the City shall record a summary of the date, amount and nature of the costs (the “Accepted Infrastructure Costs”) on the Summary of Accepted Infrastructure Costs attached hereto as Exhibit H, and such summary shall be the official record of the Infrastructure Costs for purposes of tallying the Maximum Payment Total, as defined in Section B.3 of this Agreement.

If the City determines the Infrastructure Costs set forth in the Costs Documentation are not costs reasonably incurred in the construction of the Infrastructure Project, the City shall notify the Developer of such determination within fifteen (15) days of such determination in order to allow an opportunity for the Developer to cure the noted deficiencies.

3. Payments. In recognition of the Developer’s obligations set out above, the City agrees to make twenty (20) semiannual economic development tax increment payments (the “Payments” and individually, each a “Payment”) to the Developer during the Term (as hereinafter defined) pursuant to Chapters 15A and 403 of the Code of Iowa, provided, however, that the total Payments over said Term shall not exceed an amount (the “Maximum Payment Total”) equal to the lesser of (i) \$~~600,000~~880,000; or (ii) the Accepted Infrastructure Costs, as recorded on Exhibit H, and all Payments under the Agreement shall be made subject to annual appropriation by the City Council as hereinafter set forth.

Prior to funding any Payments under this Agreement, the City will first withhold from the Incremental Property Tax Revenues an amount equal to the Admin Withholding Amount. Once an amount equal to the Admin Withholding Amount has been withheld by the City, the Payments shall be made as hereinafter set forth.

Each Payment shall be in an amount which represents the **remaining** Incremental Property Tax Revenues received by the City with respect to the incremental valuation of the Property resulting from the Housing Project during the six (6) months immediately preceding such payment date **reduced** by the Debt Service Deduction and the LMI Amount as set forth in Section A.5 above and Section B.6 below.

The Payments will be made on December 1 and June 1 of each fiscal year following an affirmative appropriation decision as provided for under Section B.4 below, beginning on December 1 of the fiscal year immediately succeeding the year in which the Triggering Certification is made, and continuing for a period of a total of ten (10) fiscal years, provided, however, that no Payments will be made after the sooner of (i) the date on which the aggregate sum of Payments made hereunder equals the Maximum Payment Total; or (ii) June 1, 2034.

For example, assuming the Triggering Certification is made October 15, 2023 and all appropriation determinations are approved affirmatively by the City Council under Section B.4 below, then Payments will be made on each December 1 and June 1, beginning December 1, 2024, and continuing through and including the sooner of June 1, 2034 or the date on which the aggregate sum of Payments made hereunder equals the Maximum Payment Total.

4. Security and Annual Appropriation. The Payments shall not constitute general obligations of the City, but shall be made solely and only from Incremental Property Tax Revenues received by the City from the Dallas County Treasurer which are attributable to the Property with the Housing Project thereon.

The Payments shall be subject to annual appropriation by the City Council. Prior to December 1 of each year during the Term (~~as hereinafter defined~~) of this Agreement, beginning in the fiscal year in which the Triggering Certification is filed, the City Council of the City shall consider the question of obligating for appropriation to the funding of the Payments due in the following fiscal year, an amount (the "Appropriated Amount") of Incremental Property Tax Revenues to be collected in the following fiscal year equal to or less than the Projected Payments Amount reflected in the most recently submitted Developer's Estimate.

In any given fiscal year, if the City Council determines to not obligate the then-considered Appropriated Amount, then the City will be under no obligation to fund the Payments scheduled to become due in the following fiscal year, and the Developer will have no rights whatsoever to compel the City to make such Payments or to seek damages relative thereto or to compel the funding of such Payments in future fiscal years. A determination by the City Council to not obligate funds for any particular fiscal year's Payments shall not render this Agreement null and void, and the Developer shall make the next succeeding submission of the Developer's Estimate as called for in Section A.5 above, provided however that no Payments shall be made after June 1, 2034.

5. Payment Amounts. The aggregate Payments to be made in a fiscal year shall not exceed an amount equal to the corresponding Appropriated Amount (for example, for the Payments due on December 1, 2024 and on June 1, 2025, the aggregate maximum amount of such Payments would be determined by the Appropriated Amount determined for certification by December 1, 2023. Furthermore, the amount of each such Payment shall not exceed the amount of Incremental Property Tax Revenues (excluding allocations of "back-fill" or "make-up" payments from the State of Iowa for property tax credits or roll-back) actually received by the City from the Dallas County Treasurer attributable to the taxable incremental valuation of the Property in the six (6) months immediately preceding the extant Payment due date less the then-effective LMI Amount and less the Debt Service Deduction.

6. Low and Moderate Income Set Aside. On each Payment date, the City shall retain from then-accumulated Incremental Property Tax Revenues received with respect to the Property an amount equal to such accumulated Incremental Property Tax Revenues multiplied by the minimum percentage required by Section 403.22 of the Code of Iowa. As of the date of this Agreement, the applicable minimum percentage is ~~30.52%~~ 26.22%. At such time that the City has retained Incremental Property Tax Revenues equal to 26.22% of the Maximum Payment Total, the City shall no longer be required to retain the LMI Amount from the Incremental Property Tax Revenues before making the Payments to the Developer.

The funds retained shall be used by the City in the provision of assistance to low and moderate income families, pursuant to Section 403.22 of the Code of Iowa. The Developer may apply to the City for all or a portion of the funds set aside for assistance to low and moderate income families, provided the Developer can document to the satisfaction of the City that

housing units which are located on the Property are occupied or reserved to be occupied by families which meet the required income limits of state law. The City reserves the right to allocate funds retained under this Section B.6 in any lawful manner of its choosing.

7. **Certification of Payment Obligation.** In any given fiscal year, if the City Council determines to obligate the then-considered Appropriated Amount, as set forth in Section B.4 above, then the City Clerk will certify by December 1 of each such year to the Dallas County Auditor (for purposes of Section 403.19 of the Code of Iowa) an amount equal to the most recently obligated Appropriated Amount for the funding of the Payment, plus the corresponding LMI Amount, due in the next succeeding fiscal year.

C. **Administrative Provisions:**

1. **Assignment.** This Agreement may not be amended or assigned by either party without the prior written consent of the other party. However, the City hereby gives its permission that the Developer's rights to receive the economic development tax increment payments hereunder may be assigned by the Developer to a private lender, as security on a credit facility taken in connection with the Housing Project and/or the Infrastructure Project, without further action on the part of the City.

2. **Successors.** This Agreement shall inure to the benefit of and be binding upon the successors and assigns of the parties.

3. **Term.** The term (the "Term") of this Agreement shall commence on the Commencement Date and end on the date on which the last Payment is made by the City to the Developer under Section B.3 above.

4. **Choice of Law.** This Agreement shall be deemed to be a contract made under the laws of the State of Iowa and for all purposes shall be governed by and construed in accordance with laws of the State of Iowa.

The City and the Developer have caused this Agreement to be signed in their names and on their behalf by their duly authorized officers, all as of the day and date written above.

CITY OF VAN METER, IOWA

By: _____
Mayor

Attest:

City Clerk

TRINDLE RIDGE, LLC

By: _____

EXHIBIT A
LEGAL DESCRIPTION OF PHASE 1 PROPERTY

LOTS 3, 4, 5 AND 6, REPLAT OF TRAXLER SUBDIVISION AMENDED PLAT, AN OFFICIAL PLAT, DALLAS COUNTY, IOWA, CONTAINING 29.729 ACRES MORE OR LESS (INCLUDES 0.140 ACRES COUNTY ROAD RIGHT-OF-WAY).

EXHIBIT A-1
LEGAL DESCRIPTION OF PHASE 2 PROPERTY

PARCEL 24-18

AN IRREGULAR SHAPED PORTION OF THE NORTHEAST QUARTER OF THE
SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 78 NORTH, RANGE 27 WEST OF
THE 5TH P.M., DALLAS COUNTY, IOWA, ALL MORE PARTICULARLY DESCRIBED
AS:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTH 200 FEET OF THE
PARCEL DESCRIBED IN THE DEED RECORDED IN BOOK 2024 AT PAGE 01854;
THENCE S33°00'41"E ALONG THE SOUTHWESTERLY RIGHT OF WAY LINE OF
RICHLAND ROAD AS IT IS PRESENTLY ESTABLISHED, A DISTANCE OF 249.83 FEET;
THENCE N86°11 '40"W, A DISTANCE OF 221.34 FEET; THENCE S03°48'20"W, A
DISTANCE OF 144.07 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF RICHLAND
CIRCLE AS IT IS PRESENTLY ESTABLISHED; THENCE N86°54'37"W ALONG SAID
NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 107.65 FEET; THENCE
NORTHWESTERLY ALONG THE NORTHEASTERLY RIGHT OF WAY LINE OF SAID
RICHLAND CIRCLE AND ALONG A 142.00 FOOT RADIUS CURVE CONCAVE
NORTHEASTERLY, A DISTANCE OF 219.74 FEET, SAID CURVE HAVING A CHORD
BEARING OF N42°49'50"W AND A CHORD LENGTH OF 198.46 FEET; THENCE
N01°30'00"E ALONG THE EASTERLY RIGHT OF WAY LINE OF SAID RICHLAND
CIRCLE, A DISTANCE OF 32.82 FEET; THENCE N06°59'00"E ALONG SAID EASTERLY
RIGHT OF WAY LINE, A DISTANCE OF 176.62 FEET TO THE SOUTHWEST CORNER
OF THE NORTH 200 FEET OF THE PARCEL DESCRIBED IN SAID DEED RECORDED IN
BOOK 2024 AT PAGE 01854; THENCE S86°11'40"E ALONG THE SOUTH LINE OF SAID
NORTH 200 FEET, A DISTANCE OF 315.08 FEET TO THE POINT OF BEGINNING.

SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS AND
RESTRICTIONS OF RECORD.

SAID TRACT CONTAINS 2.56 ACRES (111,322 SQUARE FEET)

EXHIBIT B
SITE PLAN FOR PHASE 1 HOUSING PROJECT

EXHIBIT B-1
SITE PLAN FOR PHASE 2 HOUSING PROJECT

EXHIBIT C
SPECIFICATIONS FOR PHASE 1 INFRASTRUCTURE PROJECT

EXHIBIT C
SPECIFICATIONS FOR PHASE 2 INFRASTRUCTURE PROJECT

EXHIBIT D
FORM OF COVER PAGE FOR INFRASTRUCTURE PROJECT COSTS
DOCUMENTATION

Date submitted: _____

Submitted by: _____

Contact information: _____

Index of Invoices/Statements Attached to substantive request:

I, the undersigned hereby certify that the costs shown on the documents referred in the index above are legitimate costs reasonably incurred in the undertaking of the Infrastructure Project.

TRINDLE RIDGE, LLC

By: _____

Title: _____

Reviewed and accepted by the City of Van Meter, Iowa this ____ day of _____, 20__.

By: _____
City Administrator

EXHIBIT E
DEBT SERVICE SCHEDULE FOR BONDS

EXHIBIT F
DEVELOPER'S ESTIMATE WORKSHEET

- (1) Date of Preparation: October _____, 20____.
- (2) Assessed Taxable Valuation of Property as of January 1, 20__ :
\$ _____.
- (3) Base Taxable Valuation of Property:
\$ _____.
- (4) Incremental Taxable Valuation of Property (2 minus 3):
\$ _____ (the "TIF Value").
- (5) Current City fiscal year consolidated property tax levy rate for purposes of calculating Incremental Property Tax Revenues (the "Adjusted Levy Rate"):
\$ _____ per thousand of value.
- (6) The TIF Value (4) factored by the Adjusted Levy Rate (5).
\$ _____ x \$ _____ /1000=\$ _____ (the "Total TIF Estimate")
- (7) Estimated LMI Amount = \$ _____ (Total TIF Estimate factored by ~~30.52~~26.22%)
- (8) Projected Payments Amount = \$ _____ (Total TIF Estimate minus the LMI Amount and minus the applicable Debt Service Deduction)

EXHIBIT G
SPECIFICATIONS FOR CITY INFRASTRUCTURE PROJECT

EXHIBIT H
SUMMARY OF ACCEPTED INFRASTRUCTURE COSTS

Date of Cost	Amount of Cost	Nature of Cost	Date Accepted by City

Summary report:	
Litera Compare for Word 11.6.0.100 Document comparison done on 8/9/2024 1:19:57 PM	
Style name: Default Style	
Intelligent Table Comparison: Active	
Original DMS: nd://4839-5064-6761/4/Development Agreement (Van Meter #21 2021).docx	
Modified DMS: nd://4883-0775-8295/1/Amended Development Agreement (Van Meter #29 2024).docx	
Changes:	
Add	82
Delete	20
Move From	0
Move To	0
Table Insert	0
Table Delete	0
Table moves to	0
Table moves from	0
Embedded Graphics (Visio, ChemDraw, Images etc.)	0
Embedded Excel	0
Format changes	0
Total Changes:	102

Agenda Item #17

Public Hearing for a proposed Voluntary, Non-Consenting Annexation - Van Meter Country Estates Plat 1 (Brookview)

Sample Language:

Mayor: ***I would entertain a motion to open the public hearing.***

City Councilmember: _____ ***So moved.***

City Councilmember: _____ ***Second.***

Mayor: ***Roll Call Please.***

City Clerk: Akers _____ Brott _____ Grolmus _____ Pelz _____ Westfall _____

Mayor: ***The public hearing is now open at _____pm.***

Has City Staff received any comments regarding this matter? _____ Does anyone present wish to be heard regarding this matter?

Mayor: ***I would entertain a motion to close the public hearing.***

City Councilmember: _____ ***So moved.***

City Councilmember: _____ ***Second.***

Mayor: ***Roll Call Please.***

City Clerk: Akers _____ Brott _____ Grolmus _____ Pelz _____ Westfall _____

Mayor: ***The public hearing is now closed at _____pm.***

CITY OF VAN METER

NOTICE OF HEARING

YOU ARE HEREBY NOTIFIED THAT at 7:00 p.m. on September 9, 2024 the Van Meter City Council will hold a public hearing with regard to voluntary annexation applications filed by Edith Ann Westfall, James & Gwendolyn Folkerts, Timothy & Cheryl Costlow, Harold & Marlene Albertson, Benjamin & Stephanie Clark, Daniel & Carla Porter and Brady & Sarah Boese at the United Methodist Church located at 100 Hazel Street, Van Meter, IA 50261. These applications for voluntary annexation concerns property which contains the following legal descriptions:

BOUNDARIES OF THE ANNEXATION

Beginning at the southwest corner of Lot 7 Van Meter County Estates Plat 1, an Official Plat in forming a part of Dallas County, Iowa; thence east along the south line of said Lot 7 to the southeast corner of said Lot 7; thence east along the south line of Lot 8 of Van Meter County Estates Plat 1 to the southeast corner of said Lot 8; thence east along the south line of Lot 9 Van Meter Country Estates Plat 1 to the southeast corner of said Lot 9; thence east along the south line of Lot 10 Van Meter Country Estates Plat 1 to the southeast corner of said Lot 10; thence north along the east line of said Lot 10 to the southeast corner of Lot 11 Van Meter Country Estates Plat 1; thence north along the east line of said Lot 11 to the northeast corner of said Lot 11; thence north along the east line of Lot 1 Van Meter Country Estates Plat 1 to the northeast corner of said Lot 1; thence north along the east line of Tract B of the southeast quarter of the northeast¼ of Section 28, Township 78 North, Range 27 West of the 5th Principal Meridian Dallas County Iowa as shown in the plat of survey recorded in Book 4, Page 340 in the Office of the Dallas County Recorder; a distance of approximately 75.0 feet to a point on the corporate limits of the City of Van Meter; thence west along the corporate limits of the City of Van Meter a distance of approximately 65.5 feet to the northeast corner of Tract D of the northeast quarter of Section 28, Township 78 North, Range 27 West of the 5th Principal Meridian Dallas County, Iowa; thence south along the east line of said Tract D to the southeast corner of said Tract D; thence west along the south line of Tract D to the southwest corner of Tract D, thence north along the west line of Tract D to the northwest corner of Tract D, said point being on the south corporate limits of the City of Van Meter, thence continuing west along the south corporate limits of the City of Van Meter, across Tract B and Parcel 2 of the southeast¼ of the northeast¼ of Section 28, Township 78 North, Range 27 West of the 5th Principal Meridian Dallas County Iowa to the point of intersection with the north line of Lot 2 Van Meter Country Estates Plat 1; thence southeasterly along the easterly line of said Lot 2 to the southeast corner of said Lot 2; thence west along the north line of Lot 12 Van Meter Country Estates Plat 1 to the northwest corner of said Lot 12, thence southwesterly along the northwesterly line of said Lot 12 to the northeast corner of Lot A of Whispering Pines, an Official Plat in and serving part of Dallas County, Iowa; thence south along the east line of said Lot A to the southeast corner of said Lot A; thence east along the south line of Lot 12 Van Meter Country Estates Plat 1 to the point of beginning.

**CONSENTING PROPERTY INFORMATION
LEGAL DESCRIPTIONS**

Harold & Marlene Albertson – 2672 Brookview Lane

Lot 9 of Van Meter Country Estates Plat No. 1, being a part of the SE ¼ of the NE ¼ of Section 28, Township 78 North, Range 27 West of the 5th PM, Dallas County, Iowa.

Brady & Sarah Boese – 2680 Brookview Lane

Van Meter Country Estates, Plat 1, Lot 11

Benjamin & Stephanie Clark – 2676 Brookview Lane

Van Meter Country Estates, Plat 1, Lot 10

Tim & Cheryl Costlow – 2684 Brookview Lane

Van Meter Country Estates, Plat 1, Lot 1

James & Gwendolyn Folkerts – 2668 Brookview Lane

Van Meter Country Estates, Plat 1, Lot 8

Daniel & Carla Porter – 2664 Brookview Lane
Van Meter Country Estates, Plat 1, Lot 7

Edith Ann Westfall

Tract 1 -

Commencing at the southeast corner of Tract B of the southeast quarter of the northeast quarter of Section 28, Township 78 North, Range 27 West of the Fifth Principal Meridian, Dallas County, Iowa as shown on the Plat of Survey recorded in in Book 4 Page 340 in the Office of the Dallas County Recorder; thence west along the south line of said Tract B a distance of approximately 65.5 feet to the southeast corner of Tract D in the southeast quarter of the northeast quarter of said Section 28; thence north along the east line of said Tract D a distance of 75.0 feet to the northeast corner of said Tract D; thence east a distance of approximately 65.5 feet to a point on the east line of said Tract B; thence south along the east line of said Tract B to the Point of Beginning. .12 acres

Tract 2 –

Commencing at the northwest corner of Tract D of the southeast quarter of the northeast quarter of said Section 28; thence south along the west line of said Tract D a distance of 75.0 feet to the southwest corner of said Tract D; thence S 77° 07' W along the southerly line of Tract B of the southeast quarter of the northeast quarter of said Section 28 a distance of 59.4 feet; thence S 45° 09' 05" W along the southerly line of Parcel 2 of the southeast quarter of the northeast quarter of Section 28, Township 78 North, Range 27 West of the Fifth Principal Meridian, Dallas County, Iowa, a distance of 40.0 feet; thence N 45° 11' 35" W along the southerly line of said Parcel 2 a distance of 11.3 feet; thence continuing westerly along the southerly line of said Parcel 2 on a curve with a radius of 619 .65 feet and a delta angle of 10° 44' 4" and a cord bearing of N 50° 08' 53" W a distance of approximately J 15.89 feet; thence N 55° 38' 05" W along the southerly line of said Parcel 2 a distance of 60.0 feet; thence continuing westerly along the southerly line of said Parcel 2 on a curve with a radius of 203.92 feet and a delta angle of 02° 54' 44" and a cord bearing of N 56° 34' 1 0" W a distance of 0.37 feet; thence east across said Parcel 2 and Tract B to the Point of Beginning with the said line following the southerly boundary of the Corporate Limits of the City of Van Meter. 38 acres

Total Consenting Acres: 10.27 acres

NON-CONSENTING PROPERTY

Van Meter Country Estates – Homeowner’s Association (Nonconsenting)
Brookview Lane

Total Acres: 1.50

Anyone interested in this voluntary annexation application is invited to attend the hearing and comment on the proposal.

This Notice published by order of the City Council of Van Meter, Iowa on August 12, 2024.

Jessica Drake, City Clerk

Agenda Item #18

Discussion and Possible Action:

Resolution #2024-102 Assenting to the Annexation of Certain Real Estate Identified as Lot 7, Lot 8, Lot 9, Lot 10, Lot 11 and Lot 1 of Van Meter Country Estates Plat 1 and Certain Real Estate Owned by Edith Ann Westfall including Non-Consenting Property Identified Hearin

Submitted for: **Discussion and Possible Action**

The resolution details the annexation. Assuming approval of the resolution on 9/9, City Staff will provide the necessary information to the City Development Board. They will review at their next regular business meeting (probably October) & set a public hearing for their next meeting (probably November). Assuming the City Development Board holds the public hearing in November & approve the annexation, there is a 30 day wait period. Upon completion of the wait period, the City Development Board will notify the Secretary of State and city staff will record all of the necessary documentation upon acknowledgment of receipt of annexation from the SOS (probably December). After all of that is done, we can start the necessary steps to correct the issues with the street, pass the tax abatement by resolution as provided for in the Pre-Annexation Agreements, and start the activities to re-zone to R-1.

Recommendation: **Approval**

Sample Language: **Motion to adopt #2024-102 Assenting to the Annexation of Certain Real Estate Identified as Lot 7, Lot 8, Lot 9, Lot 10, Lot 11 and Lot 1 of Van Meter Country Estates Plat 1 and Certain Real Estate Owned by Edith Ann Westfall including Non-Consenting Property Identified Hearin**

City Councilmember: _____ ***So moved.***

City Councilmember: _____ ***Second.***

Mayor: ***Roll Call Please.***

City Clerk: Akers _____ Brott _____ Grolmus _____ Pelz _____ Westfall _____

Resolution passes/fails.

Return to: City Clerk, City of Van Meter, 310 Mill Street, PO BOX 160, Van Meter, IA 50261

RESOLUTION #2024-102

RESOLUTION ASSENTING TO THE ANNEXATION OF CERTAIN REAL ESTATE IDENTIFIED AS LOT 7, LOT 8, LOT 9, LOT 10, LOT 11 & LOT 1 OF VAN METER COUNTRY ESTATES PLAT 1 AND CERTAIN REAL ESTATE OWNED BY EDITH ANN WESTFALL, INCLUDING NONCONSENTING PROPERTY IDENTIFIED HEREIN

WHEREAS, the City of Van Meter, State of Iowa is a duly organized municipal corporation, and

WHEREAS, the duly authorized representatives of the City of Van Meter and the property owners of the properties described herein executed Pre-Annexation Agreements in advance of the City's receipt of the corresponding Voluntary Annexation Applications; and

WHEREAS, there has been presented to the City Council of said City certain Voluntary Applications for Annexation, as required by Section 368.7 of the 2023 Iowa Code executed by and/or on behalf of the owners of the real estate to be annexed as shown on the proposed Map attached here to as Exhibit "A" and legally described as follows:

Lot 7, 2664 Brookview Lane

Lot 7 of Van Meter Country Estates Plat No. 1 being a part of the SE ¼ of the NE ¼ of Section 28, Township 78 North, Range 27 West of the 5th PM, Dallas County, Iowa.

Lot 8, 2668 Brookview Lane

Lot 8 of Van Meter Country Estates Plat No. 1 being a part of the SE ¼ of the NE ¼ of Section 28, Township 78 North, Range 27 West of the 5th PM, Dallas County, Iowa.

Lot 9, 2672 Brookview Lane

Lot 9 of Van Meter Country Estates Plat No. 1 being a part of the SE ¼ of the NE ¼ of Section 28, Township 78 North, Range 27 West of the 5th PM, Dallas County, Iowa.

Lot 10, 2676 Brookview Lane

Lot 10 of Van Meter Country Estates Plat No. 1 being a part of the SE ¼ of the NE ¼ of Section 28, Township 78 North, Range 27 West of the 5th PM, Dallas County, Iowa.

Lot 11, 2680 Brookview Lane

Lot 11 of Van Meter Country Estates Plat No. 1 being a part of the SE ¼ of the NE ¼ of Section 28, Township 78 North, Range 27 West of the 5th PM, Dallas County, Iowa.

Certain Real Estate Owned by Edith Ann Westfall

Tract 1 -

Commencing at the southeast corner of Tract B of the southeast quarter of the northeast quarter of Section 28, Township 78 North, Range 27 West of the Fifth Principal Meridian, Dallas County, Iowa as shown on the Plat of Survey recorded in in Book 4 Page 340 in the Office of the Dallas County Recorder; thence west along the south line of said Tract B a distance of approximately 65.5 feet to the southeast corner of Tract D in the southeast quarter of the northeast quarter of said Section 28; thence north along the east line of said Tract D a distance of 75.0 feet to the northeast corner of said Tract D; thence east a distance of approximately 65.5 feet to a point on the east line of said Tract B; thence south along the east line of said Tract B to the Point of Beginning. .12 acres

Tract 2 –

Commencing at the northwest corner of Tract D of the southeast quarter of the northeast quarter of said Section 28; thence south along the west line of said Tract D a distance of 75.0 feet to the southwest corner of said Tract D; thence S 77° 07' W along the southerly line of Tract B of the southeast quarter of the northeast quarter of said Section 28 a distance of 59.4 feet; thence S 45° 09' 05" W along the southerly line of Parcel 2 of the southeast quarter of the northeast quarter of Section 28, Township 78 North, Range 27 West of the Fifth Principal Meridian, Dallas County, Iowa, a distance of 40.0 feet; thence N 45° 11' 35" W along the southerly line of said Parcel 2 a distance of 11.3 feet; thence continuing westerly along the southerly line of said Parcel 2 on a curve with a radius of 619 .65 feet and a delta angle of 10° 44' 4" and a cord bearing of N 50° 08' 53" W a distance of approximately J 15.89 feet; thence N 55° 38' 05" W along the southerly line of said Parcel 2 a distance of 60.0 feet; thence continuing westerly along the southerly line of said Parcel 2 on a curve with a radius of 203.92 feet and a delta angle of 02° 54' 44" and a cord bearing of N 56° 34' 1 O" W a distance of 0.37 feet; thence east across said Parcel 2 and Tract B to the Point of Beginning with the said line following the southerly boundary of the Corporate Limits of the City of Van Meter. .38 acres

This annexation also includes the following non-consenting party.

LOT 12 – Brookview Lane (street lot) owned by the defunct Van Meter Country Estates Homeowners Association (HOA)

Lot 12 of Van Meter Country Estates Plat No. 1 being a part of the SE ¼ of the NE ¼ of Section 28, Township 78 North, Range 27 West of the 5th PM, Dallas County, Iowa. 1.50 acres

WHEREAS, the City of Van Meter, Iowa has been unable to determine the legal, active status of the HOA despite multiple conversations with the residents of Van Meter Country Estates Plats 1 and 2 (properties within city limits and outside of city limits)

WHEREAS, the City of Van Meter, Iowa desires to annex said territory upon the Applications hereto presented, and

WHEREAS, the City of Van Meter, Iowa has complied with Section 368.7 of the 2023 Iowa Code by publishing and sending by certified mail the required notices, and

WHEREAS, notice of proposed annexation was given to the Dallas County Board of Supervisors and Van Meter Township by certified mail dated July 17, 2024 with an invitation to a consultation meeting with City Staff held at 3:00pm on August 1, 2024 at the Van Meter City Hall to discuss the proposed annexation, and

WHEREAS, neither party sent representatives to the consultation meeting; and

WHEREAS, notice of proposed annexation was sent to the non-consenting property owner and all affected utilities by certified mail dated August 2, 2024; and

WHEREAS, due notice of public hearing was sent by certified mail on August 20, 2024 to all affected utilities, cities located within 2 miles of the property, the Dallas County Board of Supervisors, all applicants and owners of land included in and adjoining to the proposed annexation territory and the non-consenting property owner as required by Section 368.7 of the Iowa Code, and

WHEREAS, due notice of the public hearing was published in the Des Moines Register on August 30, 2024 and September 4, 2024, as well as posted electronically at www.vanmeteria.gov and physically at Van Meter City Hall, the Van Meter Post Office and the Van Meter Public Library, as provided by law, setting the time and place of hearing on the proposed annexation at 7:00pm on September 9, 2024 during the regularly scheduled business meeting of the City Council of the City of Van Meter at the Van Meter United Methodist Church located at 100 Hazel Street, Van Meter, IA 50261,

WHEREAS, in accordance with the published and mailed notices, those interested in the annexation, both for and against, have been given opportunity to be heard with respect thereto and the opportunity to present their views to the City Council, and

WHEREAS, the territory proposed to be annexed adjoins the boundaries of the City of Van Meter, is not within the boundaries of any other city and is located within the boundaries of the urbanized areas of the City of De Soto and the City of Waukee, and

WHEREAS, the City of Van Meter, Iowa is including the non-consenting property as defined and described herein for the purpose of not creating an island of unincorporated property and to lend towards more uniform and complete corporate limits for the City of Van Meter; now

THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Van Meter, Iowa as follows:

1. No public comment (either for or against the proposed annexation) were received prior to or at the public hearing on September 9, 2024.
2. That the application for annexation of the real estate as legally described herein is hereby found to be consistent with the City's long-range plans for the area and is hereby approved.
3. The City Administrator, City Clerk, and City Attorney are hereby authorized to seek approval of this annexation in its entirety and each part thereof, by the City Development Board in accordance with the procedures established in Iowa Code Chapter 368 and related applicable provisions of the Iowa Administrative Code.

4. Upon the acknowledgement of the annexation from the Iowa Secretary of State, the City of Van Meter will adhere to the terms set forth in the executed Pre-Annexation Agreements with each property owner, their successors in interest or assignees.

Following due consideration, the Mayor put the question on the motion and the roll being called, the following named Council Members voted:

Akers _____ Brott _____ Grolmus _____ Pelz _____ Westfall _____

**PASSED BY THE CITY COUNCIL OF THE CITY OF VAN METER, IOWA, BY A VOTE OF _____
TO _____ ON THE 9TH DAY OF SEPTEMBER 2024 AND APPROVED THIS 9TH DAY OF
SEPTEMBER 2024.**

Joe Herman, Mayor

ATTEST: Jessica Drake, City Clerk

Acknowledgement of Corporation

STATE OF IOWA)
)SS
DALLAS COUNTY)

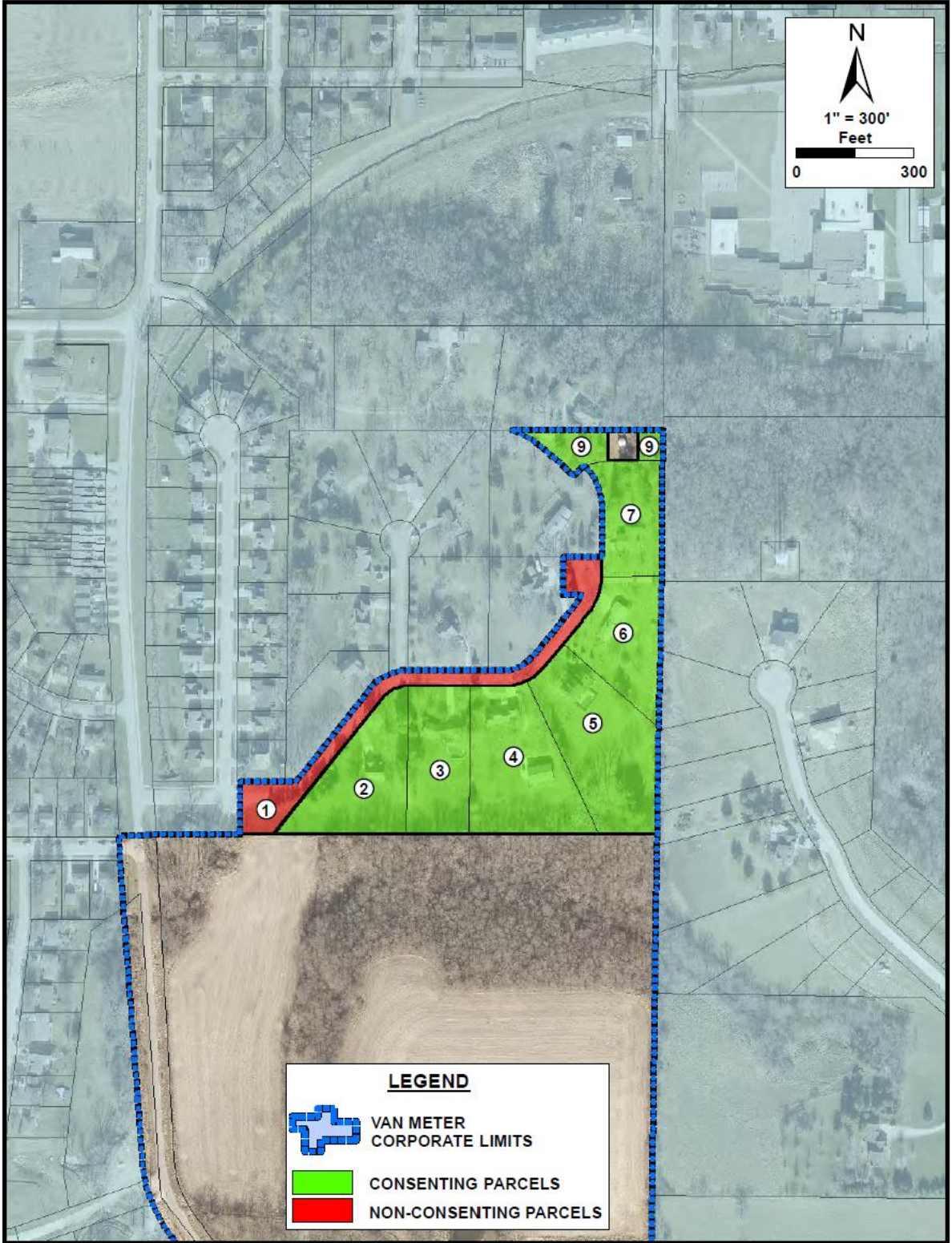
On this 9th day of September 9, 2024, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Joe Herman and Jessica Drake, to me personally known, who being by me duly sworn did say that they are respectively the Mayor and City Clerk of the City of Van Meter, Iowa; and that said instrument was signed and sealed on behalf of said corporation by authority of the City Council of the City of Van Meter, Iowa; and the said Joe Herman and Jessica Drake acknowledged the said instrument to be the voluntary act and deed of said corporation.

Notary Seal

Notary Public

My commission expires: _____

EXHIBIT "A" to Resolution #2024-102 Proposed Annexation Territory



<u>Parcel</u>	<u>Property Owner</u>	<u>Area</u>	<u>Consenting</u>	<u>Non-Consenting</u>
	Van Meter Country Estates			
1	Homeowners Association, Inc.	1.50 acres		1.50
2	Porter	1.60 acres	1.60	
3	Folkerts	1.40 acres	1.40	
4	Albertson	2.07 acres	2.07	
5	Clark	2.30 acres	2.30	
6	Hasselbeck	1.40 acres	1.40	
7	Costlow	1.00 acres	1.00	
9	Westphal	<u>0.50 acres</u>	<u>0.50</u>	
	TOTAL	11.77 acres	10.27	1.50
			87.4126	12.74%

BOUNDARIES OF THE ANNEXATION

Beginning at the southwest corner of Lot 7 Van Meter County Estates Plat 1, an Official Plat in forming a part of Dallas County, Iowa; thence east along the south line of said Lot 7 to the southeast corner of said Lot 7; thence east along the south line of Lot 8 of Van Meter County Estates Plat 1 to the southeast corner of said Lot 8; thence east along the south line of Lot 9 Van Meter Country Estates Plat 1 to the southeast corner of said Lot 9; thence east along the south line of Lot 10 Van Meter Country Estates Plat 1 to the southeast corner of said Lot 10; thence north along the east line of said Lot 10 to the southeast corner of Lot 11 Van Meter Country Estates Plat 1; thence north along the east line of said Lot 11 to the northeast corner of said Lot 11; thence north along the east line of Lot 1 Van Meter Country Estates Plat 1 to the northeast corner of said Lot 1; thence north along the east line of Tract B of the southeast quarter of the northeast $\frac{1}{4}$ of Section 28, Township 78 North, Range 27 West of the 5th Principal Meridian Dallas County Iowa as shown in the plat of survey recorded in Book 4, Page 340 in the Office of the Dallas County Recorder; a distance of approximately 75.0 feet to a point on the corporate limits of the City of Van Meter; thence west along the corporate limits of the City of Van Meter a distance of approximately 65.5 feet to the northeast corner of Tract D of the northeast quarter of Section 28, Township 78 North, Range 27 West of the 5th Principal Meridian Dallas County, Iowa; thence south along the east line of said Tract D to the southeast corner of said Tract D; thence west along the south line of Tract D to the southwest corner of Tract D, thence north along the west line of Tract D to the northwest corner of Tract D, said point being on the south corporate limits of the City of Van Meter, thence continuing west along the south corporate limits of the City of Van Meter, across Tract B and Parcel 2 of the southeast $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of Section 28, Township 78 North, Range 27 West of the 5th Principal Meridian Dallas County Iowa to the point of intersection with the north line of Lot 2 Van Meter Country Estates Plat 1; thence southeasterly along the easterly line of said Lot 2 to the southeast corner of said Lot 2; thence west along the north line of Lot 12 Van Meter Country Estates Plat 1 to the northwest corner of said Lot 12, thence southwesterly along the northwesterly line of said Lot 12 to the northeast corner of Lot A of Whispering Pines, an Official Plat in and serving part of Dallas County, Iowa; thence south along the east line of said Lot A to the southeast corner of said Lot A; thence east along the south line of Lot 12 Van Meter Country Estates Plat 1 to the point of beginning.

Agenda Item #19

Public Hearing for an Ordinance Amendment to Chapter 47 - Park Regulations

Sample Language:

Mayor: ***I would entertain a motion to open the public hearing.***

City Councilmember: _____ ***So moved.***

City Councilmember: _____ ***Second.***

Mayor: ***Roll Call Please.***

City Clerk: Akers _____ Brott _____ Grolmus _____ Pelz _____ Westfall _____

Mayor: ***The public hearing is now open at _____pm.***

Has City Staff received any comments regarding this matter? _____ Does anyone present wish to be heard regarding this matter?

Mayor: ***I would entertain a motion to close the public hearing.***

City Councilmember: _____ ***So moved.***

City Councilmember: _____ ***Second.***

Mayor: ***Roll Call Please.***

City Clerk: Akers _____ Brott _____ Grolmus _____ Pelz _____ Westfall _____

Mayor: ***The public hearing is now closed at _____pm.***



310 Mill Street
Van Meter, Iowa 50261-0160

Telephone: 515-996-2644
Fax: 515-996-2207
www.vanmeteria.gov

NOTICE OF PUBLIC HEARING

YOU ARE HEREBY NOTIFIED THAT on the 9th day of September, 2024, the Van Meter City Council at its meeting at 7PM at the Van Meter United Methodist Church, 100 Hazel Street, Van Meter Iowa, will consider the following proposed amendment to the Van Meter Code of Ordinances.

Repeal and Replace Chapter 47 - Park Regulations

You are invited to attend and comment. Written comments may be submitted to Jess Drake, PO Box 160, Van Meter, Iowa.

This notice is given by order of the Council of the City of Van Meter, Iowa.

Joe Herman, Mayor

ATTEST:
Jessica Drake, City Clerk

Agenda Item #20

Discussion and Possible Action:

Ordinance #2024-24 to Amend Chapter 47 - Park Regulations

Submitted for: **Discussion and Possible Action**

Proposed Ordinance language included and was provided to Council on 9/5/24.

- Total overhaul of the park rules as suggested by the Park Board and Parks & Rec Director

Recommendation: **Approval**

Sample Language: **Motion to adopt Ordinance #2024-24 to Amend Chapter 47 - Park Regulations**

City Councilmember: _____ ***So moved.***

City Councilmember: _____ ***Second.***

Mayor: ***Roll Call Please.***

City Clerk: Akers _____ Brott _____ Grolmus _____ Pelz _____ Westfall _____

Ordinance passes/fails.

ORDINANCE #2024-24

**“An Ordinance Repealing and Replacing Chapter 47 –
Park Regulations”**

BE IT INACTED, by the City Council of the City of Van Meter, Iowa, that:

SECTION 1. Chapter 47 is repealed of the Code of Ordinances of the City of Van Meter, Iowa and replaced with the following:

**Chapter 47
Park Regulations**

47.01	PURPOSE	47.02	AUTHORITY
47.03	PARK HOURS	47.04	USE OF MOTOR VEHICLES AND PARKING
47.05	FIRES	47.06	WASTE DISPOSAL
47.07	ANIMALS	47.08	PROHIBITED ACTIVITIES
47.09	PONDS AND DETENTION BASINS	47.10	VAN METER BOAT RAMP
47.11	EXCEPTIONS	47.12	PENALTIES

47.01 PURPOSE.

The purpose of this chapter is to facilitate the enjoyment of park facilities by the general public by establishing rules and regulations governing the use of the park facilities.

(Code of Iowa, Sec. 364.12)

47.02 AUTHORITY.

These rules and regulations apply to all City owned parks, ponds, detention basins, the Van Meter Recreation Complex, and Van Meter Boat Ramp.

Consistent with Chapter 24 of this Code of Ordinances, the Parks and Recreation Commission shall have the power to make rules and regulations for the use of parks and other recreational facilities, subject to the approval of City Council. There may be specific rules for specific parks.

The Parks and Recreation Director and/or the Chief of Police shall ensure that the rules are posted and enforced.

47.03 PARK HOURS.

All City owned parks shall be open from sunrise to sunset each day and shall be closed from sunset to sunrise, unless an activity is a regularly scheduled activity or otherwise approved by the City in writing. No person shall remain in a City owned park or facility when closed except with the permission of the City in writing.

47.04 USE OF MOTOR VEHICLES AND PARKING.

1. Travel and Speed. No person shall ride or drive any motorized vehicle or animal of any nature upon any sidewalks, walking paths, walkways, bikeways, cement areas or grass areas within the confines of the city parks. No person shall ride or drive in any public park except upon the established roadways and shall not exceed a speed limit of 15 mph at any time (or 10 mph through play areas), as so posted.
2. Parking. Motor vehicles shall not be parked in areas of City owned parks and facilities except in designated parking lots or areas. Motor vehicles that are parked in a location other than a designated parking lot or area may be ticketed or towed and the cost of which shall be the responsibility of the motor vehicle owner prior to the release of the motor vehicle.

Motor vehicles shall not be left parked in designed areas of the park after the City owned park or facility is closed. Motor vehicles left in violation of this paragraph may be ticketed or towed and the cost of which shall be the responsibility of the motor vehicle owner prior to the release of the motor vehicle. Overnight parking at any City owned park or facility is prohibited. Motor vehicles left overnight may be ticketed or towed and the cost of which shall be the responsibility of the motor vehicle owner.

47.05 FIRES.

1. No fires shall be built, for any purpose, except in designated receptacles provided therefor by the City, and such fire shall be extinguished before leaving the area unless it is to be immediately used by some other party.
2. A fire shall be considered "extinguished" the ashes, residue, coals, and unburned substances are cold to the human touch.
3. No fire shall be left unattended.
4. The City may, by written permission only, allow a controlled burn of any forest, brushland, grassland, meadow, prairie, marsh, refuse, container, or structure by an authorized and trained individual or group.

47.06 WASTE DISPOSAL.

1. No person shall place, deposit, or throw any waste, refuse, litter or foreign substance in any area or receptacle except those provided for that purpose.
2. Littering. No person shall throw or deposit on any City owned park or facility any glass bottles, nails, tacks, wires, cans, trash, garbage, rubbish, litter, or any other debris or substance likely to injure any person, animal or vehicle.
3. Yard Waste. No person shall place or dispose of any yard waste on any City owned park or facility.
4. Animal Waste. No person having ownership, custody, possession, or control of any animal shall allow or permit such animal to defecate in or on public property included within any City owned park or facility. In the event any animal shall defecate in or on any

public property within any City owned park or facility, the person owning such animal, or the person who at the time has custody or control of such animal, shall cause the product of such defecation to be immediately and completely removed from the City park and shall thereafter cause the same to be properly disposed of outside the City park. No person having ownership, custody, possession or control of any animal shall leave such animal unattended in any City owned park or facility in any manner which would render such person's ability to comply with this section impossible or impractical. Nothing in this section is intended (and should not be construed) to alter, amend, or in any manner modify any other ordinance regulating the ownership, possession, or control of any animal.

47.07 ANIMALS.

The following regulations apply to the use of any City owned park or facility by persons with pets and other animals:

1. All pets must be on a leash while in City owned parks.
2. No person shall taunt, injure, hunt, pursue or take any wild animal, bird or game.
3. VAN METER REC COMPLEX. No pets are allowed at the Van Meter Rec Complex.

47.08 PROHIBITED ACTIVITIES.

1. Fireworks, Weapons and Explosives. No person shall use firearms, fireworks, firecrackers or explosives of any kind at a City owned park or facility, except by approval of the City Council.
2. Smoking and Vaping. Smoking and the use of any electronic smoking device or vapor product by any person in any City owned park or facility is prohibited at all times. The use of FDA approved products for the purpose of tobacco cessation are exempted from this section.
3. Alcoholic Beverages and Controlled Substances. No consumption of any alcohol or alcoholic beverages shall be allowed within the City owned parks or facilities. It is unlawful for any person to sell, possess, use, consume or otherwise in any manner have controlled substances at any City owned park or facility. No tailgating activities are allowed on City owned property.
4. Camping. Camping is prohibited at all City owned parks and facilities.
5. Commercial and Promotional Activity. It is unlawful for any person to conduct any promotional or commercial activity on any City park property without first obtaining permission from the City. It is unlawful for any person to place or cause to be placed advertising material on or in any structure, playground, pole, or other location within a City owned park or facility without the express permission of the City. Peddling, soliciting, advertising or carrying on of business within any City owned park or facility is prohibited without permission of the City.

6. Glass. Glass containers are prohibited in all City owned parks and facilities.
7. Destruction of Natural Environment and Vandalism. No person shall in any manner deface, injure or remove any tree, shrub, or plant standing or growing in a city park or parks and recreation facility or pick or destroy flowers or seeds growing therein, or remove nests or wildlife/wildfowl. No person shall damage, destroy, deface, or remove any signage, equipment, building, structure, or machines owned or under the control of the City. No person shall write, mark or draw characters on or deface, injure or destroy any building, or part thereof, or improvement, apparatus or fixture, wall or fence, drain or sewer located on or in any city park or parks and recreation facility.

47.09 PONDS AND DETENTION BASINS.

1. No person shall enter the water for any purpose, including but not limited to wading, swimming, boating, fishing, use of flotation devices, or any other activity, in any City owned pond, detention area, or other body of water.
2. No person shall enter upon the frozen surface on any City owned pond, detention area, or other body of water for skating, sledding, or the operation of any vehicles, including but not limited to cars, trucks, snowmobiles, and ATVs, except as specifically permitted by the City Council.
3. Ice fishing is prohibited on any City owned pond, detention area or other body of water.
4. Ice skating is prohibited on any City owned pond, detention area or other body of water.

47.10 VAN METER BOAT RAMP.

The following rules apply to the Van Meter Boat Ramp and boat launch:

1. No operator of any boat or other watercraft shall operate in the boat launching basin or near the boat launching ramps unless docking, launching, or loading the craft.
2. No person shall operate any vehicle in a careless manner in the proximity of docking or launching areas.
3. No person shall swim or wade in the Raccoon River adjacent to the Van Meter Boat Ramp and boat launch unless in conjunction with the launching or docking of a boat or personal watercraft.
4. Any vehicle parked at any location other than a designated parking lot or area or any vehicle left in a city park after the park closes may be ticketed or towed, and the costs of the tow and storage shall be paid by the owner. No person shall leave a vehicle or boat parked overnight at the Van Meter Boat Ramp or boat launch.
5. Parking is prohibited along the access road to the Van Meter Boat Ramp.

6. No person shall leave a vehicle or boat at the Van Meter Boat Ramp and boat launch grounds with the purpose of displaying such vehicle or boat for sale.
7. No person shall park a vehicle and/or boat trailer at any place signed "No Parking", except to launch or land boats.
8. No person shall leave a vehicle or boat parked overnight at the Van Meter Boat Ramp or boat launch.

47.11 EXCEPTIONS.

An exception to the prohibited uses set out in this chapter may be granted to certain groups or persons by the Park and Recreation Director if such use will not cause undue damage to the parks or recreation facilities; or interfere with the use of such facilities by other persons. Any request for an exception shall be made in writing and any exception granted by the Park and Recreation Director shall be granted in writing, dated and signed.

47.12 PENALTIES.

Any person violating any provision of this chapter, for which no other penalty is provided, shall be issued a citation as set by resolution and approved by City Council or be subject to the penalty as allowed under Iowa Code. Fines shall be paid in full to City Hall, Office of the City Clerk.

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

SECTION 3. Severability Clause. If any section, provision, or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 4. When Effective. This Ordinance shall in full force and effect from and after its passage and publication as provided by law for all services provided on and after September 9, 2024.

1st Reading – September 9, 2024

2nd Reading – Waived

3rd Reading - Waived

Passed by the City Council and approved the 9th day of September 2024.

Mayor, Joe Herman

Attest:

City Clerk

PROPOSED

Agenda Item #21

Discussion and Possible Action:

Fire Department Request regarding a requested Vehicle Swap with the VMPD

Submitted for: **Discussion and Possible Action**

Chief Schmitt has provided a letter of request, including in the packet.

Recommendation:

Sample Language:

City Councilmember: _____ ***So moved.***

City Councilmember: _____ ***Second.***

Mayor: ***Roll Call Please.***

City Clerk: Akers _____ Brott _____ Grolmus _____ Pelz _____ Westfall _____



505 Grant Street
P.O. Box 160
Van Meter, Iowa
Phone: 515-996-9253
Fax: 515-996-2207
Dispatch: 515-993-4567

Mark Schmitt, Fire Chief
Cell: 515-250-3561
mschmitt@vanmeteria.gov

VAN METER FIRE DEPARTMENT

“Serving the Community”

August 4, 2024

Mr. Mayor and City Council,

Last August we sold the Ambulance that was purchased from Des Moines Fire for \$10,400.00

We all agreed that having an ambulance with no personnel to operate an ambulance was not needed in Van Meter.

For the last year we have been running our EMS calls out of our brush truck, that truck has been adequate but something hauling less weight would be better.

We discussed getting the Police explorer to run EMS calls last year, but the explorer was needed as the police department added an additional officer.

Mike has a new Ford pickup truck on order to replace the explorer, the fire department would like to use that explorer as our EMS/First Responder vehicle, this would be outfitted with our EMS bags, and the Thumper which we currently have on one of our pumpers.

The trade in allowance that was given to Mike is \$11,881.92 we do or did have \$10,400.00 of that with the sale of the ambulance last August.

For the most part the vehicle is outfitted with lights and siren, we will need to remove the decals and will most likely wrap the bottom half of the vehicle red.

Asking for permission, once Mike's new truck comes in and he is able to get it outfitted and into service that the current pd explorer is turned over to the fire department to use.

Thank you for your support!

“ORDINARY PEOPLE... EXTRAORDINARY SERVICE”

Agenda Item #22

Discussion and Possible Action:

Resolution #2024-103 Approving Equipment Purchases for Public Works

Submitted for: **Discussion and Possible Action**

Included in the packet are quotes for 2 sanders and a brush mower. We are not taking action on the broom at this time as PW is looking into possible alternatives.

The Brush Mower is \$9324 + freight. The sanders are \$7425 each for a total of \$14,850.

R-1.

Recommendation: **Approval**

Sample Language: **Motion to adopt Resolution #2024-103 Approving Equipment Purchases for Public Works**

City Councilmember: _____ ***So moved.***

City Councilmember: _____ ***Second.***

Mayor: ***Roll Call Please.***

City Clerk: Akers _____ Brott _____ Grolmus _____ Pelz _____ Westfall _____

Resolution passes/fails.

Resolution # 2024-103

“A Resolution Approving Equipment Purchases for Public Works”

Whereas, the City of Van Meter Public Works Director McCombs has identified a need to purchase 2 sanders for winter road upkeep and a brush mower; and

Whereas, the Public Works Director provided quotes to review by the Public Safety Committee; and

Whereas, the City Administrator recommends purchasing the Brush Mower from Star Equipment LTD in the amount of \$9324 + freight and 2 Chain Spreaders from Hawkeye Truck Equipment in the amount of \$14,580; now

Therefore, be it resolved; the City Council of Van Meter hereby approves the purchase of the Brush Mower from Star Equipment LTD in the amount of \$9324 + freight and 2 Chain Spreaders from Hawkeye Truck Equipment in the amount of \$14,580.

Passed and approved this 9th day of September, 2024.

Mayor

ATTEST:

City Clerk Jessica Drake

Quote



EST. 1946

5800 NW 2ND Street
P.O. Box 3283
Des Moines, IA 50316-0283

Phone: (515) 289-1755
www.hawkeyetruckequipment.com

Table with 2 columns: Field (Quote ID, Quote Date, Expiration) and Value (Q10720, 9/4/2024, 10/4/2024)

Customer: CITY OF VAN METER
310 MILL STREET
P.O. BOX 160
VAN METER IA 50261-0160

Contact:
Phone: 1 (515) 996-2644
Email:

Salesperson: TIM HESSELTINE

Table with 6 columns: Vehicle Make, Vehicle Model, Vehicle Year, Single/Dual, Cab to Axle, Vin #

WE ARE PLEASED TO QUOTE THE FOLLOWING FOR YOUR APPROVAL

ATTENTION: DREW

PHONE: 515-240-0512

- 1 - MAKE: BOSS VBX PINTLE CHAIN SPREADER (POLY HOPPER)
- MODEL: VBX6500 - EMPTY WEIGHT: 600 LBS - OVERALL LENGTH: 93-1/2"
- OVERALL WIDTH: 48-1/4" - OVERALL HEIGHT: 38-3/16" - HOPPER LENGTH: 78"
- CAPACITY: 1.5 CUBIC YARDS
- SPREADING WIDTH: 2 FEET - 40 FEET DRY FREE FLOWING MATERIAL
- SPREADING MATERIAL: FINE BULK SALT, COARSE BULK SALT
- VERY COARSE BULK SALT, SAND/SALT MIX AND SAND
- SPEED CONTROL: IN CAB DIGITAL LCD DISPLAY CONTROLLER IS BACK LIT
- DUAL VARIABLE SPEED CONTROLS FOR PINTLE CHAIN AND SPINNER.
-(1) 1/2 HORSEPOWER ALL STAINLESS STEEL ELECTRIC GEARMOTOR FOR THE PINTLE CHAIN
- SPINNER: 14.5" DIAMETER HEAVY DUTY URETHANE SPINNER WITH A SEALED MOTOR
- SPINNER ASSEMBLY: IS EASILY REMOVABLE FOR SERVICE AND EASE OF MAINTENANCE.
- PINTLE: 14" WIDE MILD STEEL PINTLE CHAIN WITH CHAIN CLEANING
- FULL LENGTH SLIDE OUT TRAY CAPTURES FALLING DEICING MATERIAL
- PINTLE CHAIN IS CASED IN A 304 STAINLESS STEEL TROUGH.
- MOUNTING: (4) RATCHET STRAPS (1) FOR EACH CORNER OF THE SANDER
- TOP SCREEN: HEAVY DUTY STEEL ROD CONSTRUCTION THAT IS HINGED IN THE CENTER
- ENTIRE TOP SCREEN IS POWDER COATED BLACK.
- COVER: 18 OUNCE VINYL COATED POLYESTER TARP WITH INTEGRAL TIE DOWNS
- THIRD BRAKE LIGHT: IS STANDARD, LOCATED ABOVE THE SPINNER CHUTE
- SPINNER WORK LIGHT: STANDARD (2) DUAL 55 WATT HALOGEN LIGHTS
- WARRANTY: 2 YEARS PARTS AND LABOR - ALL COMPLETELY INSTALLED, F.O.B. DES MOINES, IA

THANK YOU FOR THE OPPORTUNITY
TIM HESSELTINE

\$ 7,425.00 EA.
x 2 = \$14,850

Table with 2 columns: Field (Accepted by, Date, P.O. Number) and Value

* Labor and installation is included in all pricing.

* Terms are Due Upon Receipt unless prior credit arrangements are made at the time of order.

* Please note if chassis is furnished, it is as a convenience and terms are Net Due on Receipt of Chassis.

Table with 2 columns: Field (Sub Total, Sales Tax, Grand Total) and Value (\$0.00, \$0.00, \$0.00)

BID FOR NEW



STAR EQUIPMENT, LTD.

CONSTRUCTION EQUIPMENT & SUPPLIES
Sales ★ Service ★ Rentals

Drew McCombs
VAN METER, CITY OF
PO BOX 160
VAN METER, IA 50261
Ph # : 515-996-2644
Fax # :

Delivery Address:
VAN METER, CITY OF
VAN METER, IA 50261

Quote #: 70000517-4
8/22/2024 7:34:21 AM
Date Revised :8/22/2024 7:36:17 AM
E-Mail : dmccombs@vanmeteria.gov

Drew McCombs

Per your request Star is pleased to offer the following quotation for your review & approval:

QTY	MFG	ITEM NUMBER	DESCRIPTION	TYPE	PRICE	EXT. PRICE
1	VI		New - Virnig RBV72250 - 72" Brush Mower, Open Front, V50, Fixed Frame, 25GPM Max	New	9,324.00	9,324.00
1	VI		New - Virnig PUB72 - 72" Pick Up Broom	New	6,206.00	6,206.00

Ship Via : STAR SALES
Ship Wt : 0.000

Total Material: \$ 15,530.00
Trade In: \$ - 0.00
Rent Credit: \$ - 0.00
Installation: \$ 0.00
Freight: \$ 285.00

Total Sell : \$15,815.00

Terms :

- QUOTE VALID FOR 5 DAYS
- NET DUE ON DELIVERY
- SUBJECT TO PRIOR SALE AND AVAILABILITY
- FOB FACTORY
- SUBJECT TO CHANGE WITHOUT NOTICE

Quote Notes :

*** Broom in stock at factory ***
*** Lead time for mower estimated at 2 weeks ***

Sincerely,

Luke Greenslade

Phone : 515-283-2215
Email :

Accepted By : _____

Customer P.O.# : _____



STAR EQUIPMENT, LTD.
 CONSTRUCTION EQUIPMENT & SUPPLIES
 Sales ★ Service ★ Rentals

Drew McCombs
 VAN METER, CITY OF
 PO BOX 160
 VAN METER, IA 50261
 Ph # : 515-996-2644
 Fax # :

Delivery Address:
 VAN METER, CITY OF
 VAN METER, IA 50261

Quote #: 70000516-3
 8/21/2024 2:00:19 PM
 Date Revised :8/22/2024 7:33:29 AM
 E-Mail : dmccombs@vanmeteria.gov

Drew McCombs

Per your request Star is pleased to offer the following quotation for your review & approval:

QTY	MFG	ITEM NUMBER	DESCRIPTION	TYPE	PRICE	EXT. PRICE
1	VI	183889	Used - Virnig RBV72250 - 72" Brush Mower, Open Front, V50, Fixed Frame, 25GPM Max	New	7,995.00	7,995.00
1	VI	207801	Used - Virnig PUB72 - 72" Pick Up Broom	New	6,443.00	6,443.00

Ship Via : STAR SALES
 Ship Wt : 0.000

Total Material: \$ 14,438.00
 Trade In: \$ - 0.00
 Rent Credit: \$ - 0.00
 Installation: \$ 0.00
 Freight: \$ 0.00

Total Sell : \$14,438.00

Terms :

- QUOTE VALID FOR 5 DAYS
- NET DUE ON DELIVERY
- SUBJECT TO PRIOR SALE AND AVAILABILITY
- FOB STAR EQUIPMENT
- SUBJECT TO CHANGE WITHOUT NOTICE

Quote Notes :

Sincerely,

Luke Greenslade

Phone : 515-283-2215
 Email :

Accepted By : _____

Customer P.O.# : _____

Agenda Item #23

Staff Reports

- a. City Administration/City Hall***
- b. Public Works***
- c. Police***
- d. Fire***
- e. Library***
- f. Parks & Rec***
- g. City Engineer***
- h. City Attorney***

1. Liz & Jess continue to work with PFM & Dorsey on strategies regarding TIF and infrastructure financing as staff continues to evaluate scope of projects impacted by the Microsoft projects. And to finance Joe's projects :)
2. HBS has completed about 95% of the conversion to from physical servers to the cloud. Certain software has to remain on physical servers for the time being until gWorks has been upgraded to the cloud solution – the cemetery software and gWorks. Certain police information will need to remain on a permanent, physical server.
3. HBS performed a system assessment over all of the City's hardware and network infrastructure. Overall, City Hall scored pretty well. There are some pretty significant issues at 505 Grant, specifically with the networking equipment and security. You will see recommendations coming forward around budget planning.
4. Brookview Annexation activities are still happening. Assuming that the resolution is adopted approving the annexation, staff will notify the City Development Board on September 10. It will likely be considered at the October meeting with a public hearing set for November. If approved at the November City Development Board meeting, they will notify the City and 30 days after approval, the Board will file & record necessary documents to complete the annexation if no appeal is received. The annexation is NOT considered complete until the Secretary of State acknowledges receipt from the City Development Board. Upon completion of the annexation, the City will need to follow the necessary steps to rezone to R-1, the tax abatement and street realignment.
5. Jess continues to work with gWorks on the cloud implementation. It's taking longer than expected due to technology issues related to the conversion to SetFlow meters and some HR issues. We do have a tentative go-live date of 9/24/24.
6. Staff has been handling code enforcement. It's going well and 2nd notices will be sent on 9/9 and a new wave of 1st notices as well.
7. We have received several rental registration forms back and inspections have been scheduled. Follow up efforts will take place the week of 9/9 for the missing registration forms. We haven't received much negative feedback.
8. Jess & Larain sent out 4 Vacant Building Registration kits for 5 locations. Property owners are required to register the property. If the property is still vacant in 6 months, V&K will inspect & take necessary steps based on the inspection. This includes Fat Randi's. We have not received a single vacant registration form. We will be doing follow up activities on 3 of the 4 buildings the week of 9/9. 410 Wilson is no longer in this category as we were informed that it will be demolished in conjunction with 412 Wilson.
9. V&K condemned the property at 412 Wilson Street due to structural damage & no roof. The property owner has indicated a plan to demolish and was provided a demo permit. V&K will be following up if we don't have a completed, approved demo permit in hand by 9/16.
10. 204 – 2nd Ave. We did receive a request from a family member regarding necessary steps to take corrective action and reverse the condemnation. We offered a meeting with V&K to review but have heard nothing more. We have brought the situation to the

attention of the attorney and are discussing the statute and process (Iowa Code Section 657A)

11. Staff continues to work with Microsoft regarding development agreement. Liz & Jess are working with Dorsey on the necessary steps to amend the Urban Renewal Area & Plan to include Vision Park, to add the Microsoft project and to address what is hopefully the last set of TIF corrections as directed by the County.
12. Staff continues to meet with prospects interested in property located within city limits.
13. Parking Lot Specialties completed the street painting during the week of 8/26 and is scheduled to work on the City Hall parking lot on 9/6.
14. Jess is working with PFM to start the annual TIF certification process.
15. Jess has started a proposed budget amendment. We will need to set a PH at the October meeting.
16. Jess & Larain are registered for the Fall IMFOA Conference and Jess is registered for 2 add on sessions – a gWorks training and HR Best Practices.

Public Works Report

September 2024

- 1: Did some grading and extended a pipe at the cemetery for better drainage and to minimize the scouring of the rock road
- 2: Started grading shoulders along Richland Road
- 3: Sewer lift station pump install is complete
- 4: Working with the DNR to involve Van Meter water supply in the study and mitigation of manganese program. More details to follow
- 5: I have taken and passed grade 1 distribution and treatment exams. Grade 2's will hopefully be taken shortly. I have to apply and be approved through the DNR.
- 6: We have been installing new meters and endpoints all over town. Existing and new construction.
- 7: Sewer cleaning and jetting is being performed on the south end of town.
- 8: New dump trailer has been acquired
- 9: New snow plow for new truck has been installed
- 10: Went to classes for water treatment in august
- 11: Graded and used a Harley rake on rock parking on Dahl building
- 12: Met with Grimes Asphalt to get a quote to asphalt the cemetery
- 13: Had Parking Lot Specialties paint some traffic markings, crosswalks, and stop bars at some locations throughout the city.
- 14: Mowers have been running, lots of mowing.
- 15: Working with MidAm subcontractor Communication Data Link to locate water mains feeding above ground storage and the water tower. They are boring new electric conduit and crossing old mains multiple times. There is no tracer wire with the mains and has been a guessing game in a few spots but through mutual understanding of how important it is to not hit these mains extra work has been done by me and the contractor and together we have been able to locate almost every main at crossings.
- 16: Still have a large amount of of locates coming in daily and weekly. Requires a good amount of time to fulfil our obligations to locate city utilities
- 17: Bckfilled the concrete slab at the entrance of the RecPlex. I talked with Sam about putting some sun sail shades and picnic tables up in the future. Maybe spring would be best to wait for.
- 18: Have had some generator issues at the pump houses. Ziegler Caterpillar is diagnosing the malfunctions.

19: I have been working with and inspecting the underground utility contractor on Hudson Heights 2.

20: Replaced many worn flags on utility poles through town

21: We have received an new water operating permit from the DNR.

22: New speed limit signs have been installed on F90

23: Received quotes for 2 sand salt spreaders, a brush hog, and box broom for the skid loader.

24: Patched in the dry wall at the fire station where bulk water operating panel was installed.

25: Helped set up for Fan Fest in the downtown area

26: Set up and took down barricades for condemned building downtown.

27: checking on progress of berm removal in Grand Ridge.

28: Have had to help with a few water customers with low water pressure. The copper service has sealed shut on one of them. The other was a completely filled inline water filter.

Year to Date Statistics

01/01/2024

	<u>Total Calls:</u>	<u>Traffic Stops:</u>
<u>Y2D:</u>	956	484

August Statistics

	<u>Total Calls:</u>	<u>Traffic Stops:</u>
Month:	164	90

Training/ Updates

National Night Out was a great success expectations were roughly 50-100 people. We ended up roughly 200 people for the event throughout the event. The community support was amazing to see for a first-time event.

Please feel free to reach out to any of us if there is anything you have questions or concerns about thank you all.

EST. 1868

Van Meter Fire Department

Fire Chief Mark Schmitt



Monthly Report to Council

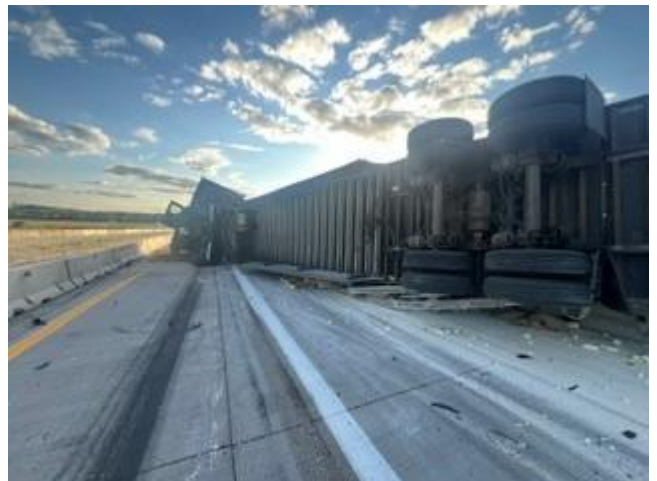
August 2024

Training

August training was ground ladders, Emergency Vehicle Operations (driving) and continued to sign off members on pump operations.

Significant Calls

Call volume was less in August than in July, we did have a semi accident that closed I-80 Westbound for a few hours on Aug 9th.



Projects, Activities, & Special Events

The fire department took part in National Night Out on August 6th, the first time having the event in VanMeter and turn out was very good. Thanks to Van Meter Police for organizing the event.



The Fire Department helped set up Fan Fest held on August 23rd.



Boards, Groups, and Associations

Nothing to share this month

For the good of the Department

Assistant Chief Fyfe and Captain Davis attended an ICS 400 class

Captain Davis took a Union Pacific Rail car safety and hazmat mitigation class

Captain Davis attended a emergency medical skills lab at University of St Louis

Firefighters Johnson, Wicks, and Young worked at the Hall of Flame booth at the Iowa State Fair.



Monthly Call Report

<i>August 2024</i>	<i>Total</i>	<i>Responded</i>	<i>No Response</i>	<i>Fire</i>	<i>EMS</i>
<i>De Soto</i>	13	5	8	5	8
<i>Van Meter</i>	11	9	2	6	5
<i>Mutual aid to Waukee</i>					
<i>Total</i>	24	14	10	11	13

Of the 10 no response calls, 8 were EMS calls to DeSoto, and 2 were EMS calls in Van Meter.



Director's Report
 Submitted by Jonatha Basye, September 3rd, 2024

Statistics for August 2024

	This Month	Year to Date	Last Year to Date
VISITORS	549	1267	935
CIRCULATION			
Books- Adult	219	483	228
Books- Teen	20	50	57
Books- Juvenile	758	1815	1295
Misc	33	110	43
DVD	63	159	153
E-Books & Audio Books	343	789	632
Total Circulation	1436	3406	2408
PROGRAMMING			
Juvenile Programs Offered	0	18	6
Juvenile Program Attendance	0	266	224
Adult Programs Offered	0	2	0
Adult Program Attendance	0	16	0
Total Attendance	0	282	224
OTHER SERVICES			
Reference Questions	77	168	107
Wireless Usage	98	140	125
Computer Usage	11	17	31
MATERIALS			
Items Added	87	220	42
Items Deleted	92	132	17



Work reflected took place between August 6th to September 3rd

- August 6th--National Night Out
- August 7th--Friending the Public Library Webinar through the State Library of Iowa
- August 8th--Intro to Public Library Compensation Toolkit Webinar through the State Library of Iowa
- August 12th--City Council Meeting
- August 13th--Chick-Fil-A Food Truck @ Library
- August 14th--Mackids Webinar through Macmillan Publishers; Library Board Meeting
- August 21st--Storytime Webinar through the State Library of Iowa
- August 23rd--Closed at 1:00pm due to FanFest
- August 26th--City Council Workshop
- August 27th--August Check It Out! Webinar through the State Library of Iowa
- August 28th--Reliable Records Retention Webinar through the State Library of Iowa
- September 2nd--Closed for Labor Day

We took a much needed break from programming after Summer Reading ended. I worked on Fall programming and getting calendars ready for September through December. We received some of the furniture purchased with grant monies in August. Chief Brown and Officer Cooper was gracious enough to help us assemble tables and cushion holders. The rest of the furniture will be delivered this month. We are attempting to sell the outdated pieces we have, but there is not much interest.

We continue to add new materials to the library. E-material checkouts are still very high. We also continue to issue new library cards every month.

Our patrons are very excited about the move to the Dahl building, and continually ask when the move will happen. They are happy to know that the city is invested in having a new space for the library, police, and fire department.

August 2024

Monthly Council Report

Sport	Registration # to Date
Youth Basketball	
Youth Football	106
Youth Flag Football	76
Youth Soccer – Spring	
Youth Soccer – Fall	388
Little League – Boys	
Rec Softball - Girls	

1. Final numbers for fall youth sports
2. Soccer games start September 7th
3. Flag Football has begun practicing. 2nd graders will start playing games September 16th in the Adel Youth Football league
4. We had a successful workday down at the Recreation complex. Thanks to all the volunteers who came out to work.
 - a. I had a couple truck loads of dirt of dirt delivered to level out some low spots on our infields.
5. I have continued to talk with the National Fitness Campaign about potentially implementing an outdoor fitness court for the new Grand Estates Park. I was sent the grant application and will be working on getting that completed in the next couple weeks
6. We got another grant application turned in for the Bock Family Foundation. We are looking to get a stair at Johnson Park to make the upper level of the park more accessible
7. The new park rules of the park and rec committee, and I created have been finalized.
 - a. I will begin looking to order signs to post at the parks
8. I have scheduled for Custom Lawn Care to come spray, seed, and aerate our soccer fields once the season is over tentatively late October/Early November
9. I am having surgery done September 9th so I will be on crutches for a couple weeks. Will most likely have to work from home a week.

Agenda Item #24

Committee Reports

- a. Finance**
- b. Public Safety**
- c. Public Works**
- d. Economic Development**
- e. Policy**
- f. Library Liaison**
- g. Parks & Rec**
- h. Personnel**

Agenda Item #25

Recognition of Service

Mayor Herman will lead the recognition of service for Liz - 20 years.

Agenda Item #26

Adjournment

Submitted for: **ACTION**

Recommendation: **APPROVAL**

Sample Language:

Mayor: ***With no further business, do I hear a motion to adjourn?***

City Councilmember: _____ ***So moved.***

City Councilmember: _____ ***Second.***

Mayor: ***Roll Call Please.***

City Clerk: Akers _____ Brott _____ Grolmus _____ Pelz _____ Westfall _____

Mayor: ***This meeting is adjourned at _____pm. Thank you.***