

NOTICE OF PUBLIC MEETING
Governmental Body: Van Meter City Council
Date of Meeting: Monday, December 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. Minutes of November 11, 2024 City Council Business Meeting
 - b. Minutes of November 25, 2024 City Council Workshop
 - c. Minutes of December 2, 2024 Planning & Zoning Meeting
 - d. Minutes of November 6, 2024 Board of Adjustment Meeting
 - e. December Claims List
 - f. November Financial Statements
 - g. November Building Permit Report
 - h. IPAIT Update – November 2024
 - i. SICOG Update – November 2024
 - j. Resolution #2024-133 Appointing a Representative and Alternate Representative to the Dallas County Emergency Management Commission
 - k. Resolution #2024-134 Appointing a Representative and Alternate Representative to the Des Moines Area Metropolitan Planning Organization
 - l. Resolution #2024-135 Appointing a Representative and Alternate Representative to the Dallas County 911 Board
 - m. Resolution #2024-136 Approving a Wage Increase – Adin Delic
 - n. Resolution #2024-137 Approving CY25 Council Meeting Schedule
 - o. Resolution #2024-138 Approving CY25 Depository
 - p. Resolution #2024-139 Approving CY25 Mayor Pro Tem
 - q. Resolution #2024-140 Approving CY25 Wellmark Renewals – Employee Benefits
 - r. Resolution #2024-141 Setting Date for Public Hearing on Designation of the Expanded Van Meter Urban Renewal Area and on Urban Renewal Plan Amendment
 - s. Resolution #2024-142 Authorizing an Agreement for Professional Services – Microsoft Public Improvements F90 (360th Street) Bridge Inspections
 - t. Resolution #2024-143 Authorizing an Agreement for Professional Services – Raccoon Valley Land Surveying – 601 Main Street Project
 - u. Resolution #2024-144 Approving Members to be Appointed to the Van Meter Volunteer Fire Department – Durflinger & Noble
 - v. Liquor License Renewal – Casey's General Store
8. Discussion and Possible Action: Request for Council Consideration for an exception to Section 41.12 Throwing And Shooting of Chapter 41 Public Health and Safety of the Code of Ordinances of the City of Van Meter – Newton

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9. Discussion and Possible Action: Resolution #2024-145 Accepting the Plat of Survey for Parcels 24-108, 24-109 and 24-123 and Waving Compliance of the City's Sub-Division Ordinance
10. Public Hearings
 - a. Relating to a Voluntary, Non-Consenting Annexation of Van Meter Country Estates Plat 1 & Certain Real Estate Owned by Edith Ann Westfall
 - b. On proposed plans, specifications, form of contract and estimate of cost for the proposed Water Main Replacement Project – Phase 1
11. Discussion and Possible Action: Resolution #2024-150 Assenting to the Annexation of Certain Real Estate Identified as Lot 1, Lot 7, Lot 8, Lot 9, Lot 10 and Lot 11 of Van Meter Country Estates Plat 1 and Certain Real Estate Owned by Edith Ann Westfall including Non-Consenting Property Identified Herein
12. Discussion and Possible Action: Resolution #2024-151 Approving and Confirming Plans, Specifications, Form of Contract and Estimate of Cost for the Water Main Replacement Project – Phase 1
13. Discussion and Possible Action: Consideration of bids for the Water Main Replacement Project – Phase 1
14. Discussion and Possible Action: Resolution #2024-152 Awarding Contract for the Water Main Replacement Project – Phase 1
15. Discussion and Possible Action: Ordinance #2024-28 Amending Ordinance No. 2020-02 Providing for the Division of Taxes Levied on Taxable Property in the February, 2020 Addition to the Van Meter Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa
16. Discussion and Possible Action: Resolution #2024-153 Setting Date for Public Hearing Relating to a Proposed Amendment to the Code of Ordinances of the City of Van Meter – Section 63.04 Special Speed Zones of Chapter 63 Speed Regulations of the Code of Ordinances of the City of Van Meter – 340th Trail
17. Discussion and Possible Action: Resolution #2024-154 Setting Date for Public Hearing Relating to Proposed Amendments to the Code of Ordinances of the City of Van Meter including Repealing the following Chapters: Chapter 155 Adoption of Codes, Chapter 157 Mechanical Code, Chapter 158 Property Maintenance and Housing Code, Chapter 159 Plumbing Code and Chapter 160 Fuel Gas Code AND Repealing and Replacing Chapter 156 Building Code
18. Discussion and Possible Action: Resolution #2024-155 Setting Date for Public Hearing Relating to a Proposed Amendment to the Code of Ordinances of the City of Van Meter Addition of Chapter 151 Shipping Containers
19. Discussion and Possible Action: Resolution #2024-156 Awarding Contract for the Community Engagement Phase of the City's Municipal Building Project to Invision Architecture
20. Discussion and Possible Action: Resolution #2024-157 Approving an Agreement for Professional Services with Bolton & Menk – Street Concept
21. Discussion: Master Trails Update
22. Discussion: Municipal Software Issues & Next Steps
23. Staff Reports
24. Adjournment

Agenda Item #1

Call to Order

Mayor: *The time is 7:00pm on Monday, December 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. Staff will provide the Claims List, Building Permit Report and SICOG Update (if available) on Monday.*

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

City Council Minutes – November 11, 2024

- 1) The Van Meter City Council met for a regular council meeting on Monday, November 11, 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 Engineers Bob Veenstra & Randy Johnson, 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, Ben Clark, Cari Lavalle, Tracy Capps, Paul Scieszinski & Office Admin Kaitlyn, and members of the Van Meter American Legion Post 403.
- 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 Brott, to approve the agenda as amended. On roll call the votes were as follows: Akers – YES; Brott – YES; Grolmus-YES; Pelz – YES; Westfall - YES. **YES (5) NO (0) ABSTAIN (0) ABSENT (0)**
- 6) No public comment was received during the Citizen Hearing.
- 7) Mayor Herman asked for a motion to adopt the consent agenda which included the following:
 - a. Minutes of the October 14, 2024 City Council Regular Business Meeting
 - b. Minutes of the October 28, 2024 City Council Workshop
 - c. Minutes of the October 30, 2024 Planning & Zoning Commission Meeting
 - d. Minutes of the November 6, 2024 Board of Adjustment Meeting
 - e. November Claims List

CLAIMS REPORT

VENDOR	REFERENCE	AMOUNT
ABSOLUTE REPAIR	TRUCK #836 REPAIR & MAINTEN	5,759.43
ACCO	WEST WELL CHEMICALS	876.00
ADAM BOECK	FALL 24 SOCCER REF	485.00
AFLAC	AFLAC PRETAX	102.06
AFLAC	AFLAC PRETAX	102.06
AGSOURCE COOPERATIVE SERVICES	WW TESTING	152.50
AMERICAN UNDERGROUND SUPPLY	SEWER MANHOLE COVER	957.08
ANDREW COOPER	FTO TRANING MILEAGE	68.61
ANDREW DEA	FALL 24 SOCCER REF	205.00
ARNOLD MOTOR SUPPLY	OIL CHANGE	291.01
AT&T MOBILITY	PD/FD PHONE SERVICE	277.56
BANNER FIRE EQUIPMENT	FD LEATHER GLOVES/GAUNTLETS	361.74
BASE	DEC CAFETERIA MONTHLY	30.00
BOBCAT WILDLIFE & PEST	P&R MOLE TREATMENT FALL 24	505.00
BRALEE KUNKEL	FALL 24 SOCCER REF	80.00
BRAYDEN FENNESSEY	FALL 24 SOCCER REF	120.00
C & K ELECTRIC LLC	WATER PUMP TROUBLESHOOT	250.00
CONTINENTAL RESEARCH CORP	PW CHEMICALS & SUPPLIES	2,432.07
CULLIGAN	CH/PW WATER	94.11
DANE BERNHARDT	FALL 24 SOCCER REF	290.00
DEMCO	LIBRARY TABLE	939.36
EFTPS	FED/FICA TAX	6,867.05
EFTPS	FED/FICA TAX	6,909.42
FELD FIRE	FIRE PROTECTION BOOTS	898.00
FENIX USA LLC	MONTHLY SOFTWARE CHARGE	289.30
FORTE	CREDIT CARD PROCESSING FEES	329.28
FORTE	CREDIT CARD PROCESSING FEES	53.87
GABE SCOTT	FALL 24 SOCCER REF	330.00
GALLS LLC	FD SHIELD BADGE	146.43
GATEHOUSE MEDIA IA HOLDINGS	PH HEARING SOLAR ENERGY SYS	27.40
GATEHOUSE MEDIA IA HOLDINGS	PH HEARING SHORT TERM RENTALS	28.60
GATEHOUSE MEDIA IA HOLDINGS	PH BOA MEETING 20241106	48.40
GATEHOUSE MEDIA IA HOLDINGS	10/14 CITY COUNCIL MINUTES	263.80
GATEHOUSE MEDIA IA HOLDINGS	202410289 MINUTES	60.40
GRAYSON ELLIOT	FALL 24 SOCCER REF	20.00
GRAYSON WIGANT	FALL 24 SOCCER REF	155.00
GRIMES ASPHALT	ASPHALT - CEMETERY & PATCHES	75,300.00
HAWKEYE TRUCK EQUIPMENT	2024 FORD MAINTENANCE	15,794.78

HEARTLAND BUSINESSES SYSTEM	OCT SERVICES	6,440.14
HUDSON SODERHOLM	FALL 24 SOCCER REF	365.00
INDUSTRIAL CHEM LABS	LIFT STATION DEGREASER	889.88
IOWA PRISON INDUSTRIES	SQUARE POSTS & NO PARKING SIGN	863.08
IOWA RURAL WATER ASSOC	COMMUNITY DUES MEMBERSHIP	355.00
IPERS	PROTECT IPERS	4,519.39
JACK JACOBS	FALL 24 SOCCER REF	20.00
JACK KRIEGER	FALL 24 SOCCER REF	30.00
JESSICA DRAKE	JULY-NOV24 MILEAGE	215.76
KADENCE WIGANT	FALL 24 SOCCER REF	30.00
KAEGAN WIGANT	FALL 24 SOCCER REF	470.00
KATE OLIVER	FALL 24 SOCCER REF	90.00
KEENAN LUNDY	FALL 24 SOCCER REF	170.00
KONICA MINOLTA	7-31-24 THRU 10-30-24 QUARTER	241.52
LANDON LUNKAN	FALL 24 SOCCER REF	20.00
LAURA KUNKEL	FD CLEANING 9/29,10/13,10/27	75.00
LAYTON FANNON	FALL 24 SOCCER REF	350.00
LEVI LUKAN	FALL 24 SOCCER REF	145.00
LOUNSBURY SAND & GRAVEL	SCREENED TOPSOIL	305.91
LOWE'S	OCTOBER PURCHASES	302.81
LUKAS HETLAND	SOCCER REFEREE FALL 24	145.00
MATHESON TRI GAS INC	OXYGEN	41.78
MEMPHIS VIS	FALL 24 SOCCER REF	10.00
METROPOLITAN COMPOUNDS	ASPHALT PATCH	621.10
MIDAMERICAN ENERGY	OCT GAS/ELEC	2,562.44
MOLLY SIMECK	FALL 24 SOCCER REF	165.00
MUNICIPAL SUPPLY INC	REDI CLAMPS	478.50
NATE SCHRECK	FALL 24 SOCCER REF	75.00
NIC WIGANT	SOCCER REF FALL24	160.00
ORKIN	NOV MONTHLY CHARGE	65.00
SAFELITE FULFILLMENT INC	PD 23 CHEVY TAHOE REPAIR	96.99
SHAE BERNHARDT	SOCCER REF FALL 24	55.00
STAR EQUIPMENT LTD	PW MACHINE SERVICE	2,102.93
THORPE WATER DEV CO	JULY/AUG/SEPT/OCT OP BY AFFIDA	3,600.00
TREAS - ST OF IA SALES TX	OCTWET_0-006-982-598	1,812.49
TREAS - STATE OF IOWA W/H	STATE TAX	1,044.56
TRINDLE RIDGE LLC	FY25 TIF REBATE PER ORIG.DEV.	11,279.00
TRUSTED TREE SERVICES LLC	FALL 24 TREE REMOVAL	7,000.00
TYSON SCHOENLEBER	FALL 24 SOCCER REF	70.00
UNITED SEEDS INC.	P&R SEED ORDER	545.00
US POSTMASTER	NOVEMBER UB MAILING	264.99
UTILITY EQUIPMENT CO	1' HYDRUS METER ORDER	3,551.58
VEENSTRA & KIMM INC	WATER MAIN REPLACE - PHASE 2	36,443.20
WASTE CONNECTIONS	GARBAGE CONTRACT 11-1 TO 11-30	12,473.54
WHITFIELD & EDDY PLC	LEGAL SERVICES - SEPT	4,332.88
WILL NIXON	FALL 24 SOCCER REF	10.00
Accounts Payable Total		227,463.13
Invoices: Paid		22,331.71
Invoices: Scheduled		205,131.42
GENERAL		126,146.27
PARK OPERATIONS		8,636.28
ROAD USE TAX		20,690.63
TIF		11,279.00
LIBRARY TRUST FUND		3,383.12
WATER SUPPLY IMPROVEMENTS		20,639.95
MICROSOFT CAPITAL IMPROVE		10,491.00
WATER		16,201.79
SEWER		9,994.89
TOTAL FUNDS		227,463.13

- f. October Financial Statements
- g. ~~October Building Permit Report~~
- h. IPAIT Update – October 2024

- i. SICOG Update – October 2024
- j. Resolution #2024-112 Appointing Member to the Planning & Zoning Commission
- k. Resolution #2024-113 Appointing Member to the Parks & Recreation Board
- l. Resolution #2024-114 Approving the FY24 Street Finance Report
- ~~m. Resolution #2024-115 Approving the FY24 Annual Financial Report~~
- ~~n. Resolution #2024-116 Approving the FY24 Annual Urban Renewal Report~~
- o. Resolution #2024-117 Approving the 2024 Van Meter TIF Certification to Dallas County
- p. Resolution #2024-118 Approving the Van Meter Volunteer Fire Department Roster as of October 26, 2024
- q. Resolution #2024-119 Awarding Contract for Audit Services
- r. Resolution #2024-120 Approving an Agreement for Bridge Inspection Services – Calhoun Burns
- s. Resolution #2024-121 Approving an Agreement for Water Tower Inspection Services – Dixon Engineering

Councilmember Westfall asked about the timing of water tower inspections and stated that a plan is needed for water tower improvements. City Administrator Faust noted that items #7g, #7m, and #7n will be provided at the November 25, 2024 City Council Workshop. On roll call the votes were as follows: Akers – YES; Brott – YES; Grolmus – YES; Pelz – YES; Westfall – YES. **YES (5) NO (0) ABSTAIN (0) ABSENT (0)**

8) **Public Hearing #1 Short-Term Rentals**

Grolmus moved, supported by Brott, to open the public hearing. On roll call the votes were as follows: Akers – YES; Brott – YES; Grolmus – YES; Pelz – YES; Westfall – YES. **YES (5) NO (0) ABSTAIN (0) ABSENT (0)** The public hearing was open as of 7:06pm. Staff received no comments prior to the hearing. City Clerk Drake provided a summary of the proposed amendment regarding short-term vacation rentals. No public comment was received during the hearing. Grolmus moved, supported by Brott, to close the public hearing. On roll call the votes were as follows: Akers – YES; Brott – YES; Grolmus – YES; Pelz – YES; Westfall – YES. **YES (5) NO (0) ABSTAIN (0) ABSENT (0)** The public hearing was closed as of 7:07pm.

Public Hearing #2 Solar Energy Systems

Akers moved, supported by Grolmus, to open the public hearing. On roll call the votes were as follows: Akers – YES; Brott – YES; Grolmus – YES; Pelz – YES; Westfall – YES. **YES (5) NO (0) ABSTAIN (0) ABSENT (0)** The public hearing was open as of 7:07pm. Staff received no comments prior to the hearing. Post 403 Member & Non-Resident Mike Abeltrip commented that the proposed amendment is restrictive to residents and businesses. It also portrays a poor attitude towards the Legion. Post 403 Member & Non-Resident Terry VandeKamp commented that a current Legion member has told them for years that they need to look into solar to cut down on energy costs & that the City's proposal could be restrictive but he needs to read it & hear the discussion. Post 403 Member & Non-Resident Randy Hartley stated that the Legion is striving to be fiscally responsible & sustainable. They are looking at solar for the Legion and haven't decided if it would be ground or roof mounted, but that roof mounted could cause more expense especially if a portion of the roof needed repairs in the future. He asked that the City table action on the proposed amendment for up to 60 days until the Legion can provide a plan. City Clerk Drake provided a summary of the proposed amendment regarding Solar Energy Systems including that the proposed amendment stems from a recommendation from the City's building inspector and that the proposed amendment is for all zoning districts, not just one. She also stated that ground mounted solar have been problematic in other central Iowa cities and those cities have also moved to prohibiting ground mounted. Resident Ben Clark asked what types of problems occurred. City Clerk Drake responded that problems included mowing, weeds, code enforcement & neighbor disputes. Brott moved, supported by Akers, to close the public hearing. On roll call the votes were as follows: Akers – YES; Brott – YES; Grolmus – YES; Pelz – YES; Westfall – YES. **YES (5) NO (0) ABSTAIN (0) ABSENT (0)** The public hearing was closed as of 7:20pm.

- 9) Brott moved, supported by Akers, to make this reading the first and final reading of Ordinance #2024-25 An Ordinance Amending the Code of Ordinances of the City of Van Meter – Chapters 161 and 165 regarding Short Term Vacation Rentals, waiving the requirement for subsequent readings and moving to approval and adoption of said Ordinance On roll call the votes were as follows: Akers – YES; Brott – YES; Grolmus – YES; Pelz – YES; Westfall – YES. **YES (5) NO (0) ABSTAIN (0) ABSENT (0)**

- 10) Akers moved, supported by Grolmus, to make this reading the first and final reading of Ordinance #2024-26 Amending the Code of Ordinances of the City of Van Meter Chapter 165 regarding Solar Energy Systems, waiving the requirement for subsequent readings and moving to approve and adopt said Ordinance. Councilmember Westfall addressed Post 403 Member & Non-Resident Randy Hartley clarifying that the Legion is looking for Council to table the action on Solar Energy Systems, he confirmed. She posed the question to Council. Councilman Pelz stated that if action is tabled and approved in January, the Legion would be extending their timeline even further if they choose to go with ground arrays and the conditional use or variance request process. Councilman Akers stated that he was at first on the fence about Solar Energy Systems but since has decided that it is more beneficial to put the proposed changes in for all zoning codes for consistency among all zoning districts. On roll call the votes were as follows: Akers – YES; Brott – YES; Grolmus – YES; Pelz – YES; Westfall – NO. **YES (4) NO (1) ABSTAIN (0) ABSENT (0)**

- 11) Grolmus moved, supported by Brott, to adopt Resolution #2024-122 Deleting Property from the Van Meter Urban Renewal Area. On roll call, the votes were as follows: Akers – YES; Brott – YES; Grolmus – YES; Pelz – YES; Westfall – YES. **YES (5) NO (0) ABSTAIN (0) ABSENT (0)**

- 12) Brott moved, supported by Akers, to make this reading the first and final reading of Ordinance #2024-27 An Ordinance Deleting Property from the Van Meter Urban Renewal Area, waiving the requirement for subsequent readings and moving to approval and adoption of said Ordinance On roll call the votes were as follows: Akers – YES; Brott – YES; Grolmus – YES; Pelz – YES; Westfall – YES. **YES (5) NO (0) ABSTAIN (0) ABSENT (0)**

- 13) Grolmus moved, supported by Westfall, to adopt Resolution #2024-123 Adopting an Updated Public Records Policy and Repealing & Replacing the Open Records Policy as amended on April 30, 2024. On roll call, the votes were as follows: Akers – YES; Brott – YES; Grolmus – YES; Pelz – YES; Westfall – YES. **YES (5) NO (0) ABSTAIN (0) ABSENT (0)**

- 14) Brott moved, supported by Akers, to adopt Resolution #2024-124 Approving Plat of Survey & Waiving Compliance with the City of Van Meter Sub-Division Ordinance – Peterson Estates. On roll call, the votes were as follows: Akers – YES; Brott – YES; Grolmus – YES; Pelz – YES; Westfall – YES. **YES (5) NO (0) ABSTAIN (0) ABSENT (0)**

- 15) Grolmus moved, supported by Brott, to adopt Resolution #2024-125 Approving Plat of Survey & Waiving Compliance with the City of Van Meter Sub-Division Ordinance – Parcel 24-101. On roll call, the votes were as follows: Akers – YES; Brott – YES; Grolmus – YES; Pelz – YES; Westfall – YES. **YES (5) NO (0) ABSTAIN (0) ABSENT (0)**
- 16) Grolmus moved, supported by Brott, to adopt Resolution #2024-126 Approving Plat of Survey & Requiring Compliance with the City of Van Meter Sub-Division Ordinance – Valley View Acres Lot 2 subject to the requirement that the new lot has its own water & sewer services separate from the original lot. On roll call, the votes were as follows: Akers – YES; Brott – YES; Grolmus – YES; Pelz – YES; Westfall – YES. **YES (5) NO (0) ABSTAIN (0) ABSENT (0)**
- 17) Akers moved, supported by Grolmus, to consent to water service by Warren Water at 36440 Shadow Trail (located within the City Limits of Van Meter) subject to an agreement between Warren Water and the City of Van Meter to surrender the service at no cost to the City if a time comes that the City provides water service to the property at a future date. On roll call, the votes were as follows: Akers – YES; Brott – YES; Grolmus – YES; Pelz – YES; Westfall – YES. **YES (5) NO (0) ABSTAIN (0) ABSENT (0)**
- 18) Westfall moved, supported by Grolmus, to consent to water service by Warren Water at 36811 Osage Avenue (located outside of the City Limits of Van Meter). Councilmember Westfall stated that the City needs to be considering their annexation plan. On roll call, the votes were as follows: Akers – YES; Brott – YES; Grolmus – YES; Pelz – YES; Westfall – YES. **YES (5) NO (0) ABSTAIN (0) ABSENT (0)**
- 19) Brott moved, supported by Akers, to adopt Resolution #2024-127 Setting Date of Public Hearing regarding a proposed voluntary, non-consenting annexation of property located within Van Meter Country Estates for Monday, December 9, 2024 at 7:00pm at the Van Meter United Methodist Church located at 100 Hazel Street, Van Meter, IA. On roll call, the votes were as follows: Akers – YES; Brott – YES; Grolmus – YES; Pelz – YES; Westfall – ABSTAIN. **YES (4) NO (0) ABSTAIN (1) ABSENT (0)**
- 20) Grolmus moved, supported by Brott, to adopt Resolution #2024-128 to Provide for Notice of Hearing on Proposed Plans, Specifications, Form of Contract and Estimate of Cost for the Arlington Avenue Project, and taking of bids therefor. On roll call, the votes were as follows: Akers – YES; Brott – YES; Grolmus – YES; Pelz – YES; Westfall – YES. **YES (5) NO (0) ABSTAIN (0) ABSENT (0)**
- 21) City Engineer Veenstra led a discussion pertaining to the City's Water Main Replacement Project. The project will replace the current water main with a new 8in water main along part of Hazel, Arlington, Hudson and Van Buren. Construction will take 3-4 months to complete and will start in the spring. Most of the water main work will be directionally bored. There will be selected driveway and sidewalk replacements. Depending on the bids, there may be funds available to additional roads into Phase 1. Otherwise, they will be included in future phases.
- 22) Grolmus moved, supported by Brott, to adopt Resolution #2024-129 to Provide for Notice of Hearing on Proposed Plans, Specifications, Form of Contract and Estimate of Cost for the Water Main Replacement Project – Phase 1, and taking of bids therefor. On roll call, the votes were as follows: Akers – YES; Brott – YES; Grolmus – YES; Pelz – YES; Westfall – YES. **YES (5) NO (0) ABSTAIN (0) ABSENT (0)**
- 23) Akers moved, supported by Westfall, to adopt Resolution #2024-130 Approving a Contract for Design Services with Veenstra & Kimm – Microsoft Project. City Engineer Veenstra provided a description of the proposed projects relating to public infrastructure projects at & around Vision Park. This agreement only provides the notice to proceed on 2 of the 12 projects. Additional notices to proceed will be needed for the rest of the projects. On roll call, the votes were as follows: Akers – YES; Brott – YES; Grolmus – YES; Pelz – YES; Westfall – YES. **YES (5) NO (0) ABSTAIN (0) ABSENT (0)**
- 24) Council engaged in a discussion regarding Standing Council Committee meetings. Councilmen Brott, Akers, and Grolmus all suggested that the standing committees remain and meetings are held as needed as determined by Staff. Notice, agendas & minutes will be required. Meetings will remain scheduled as is and only held if needed.
- 25) Staff Reports were included in the packet. City Administrative staff continues to work on TIF, annual reports and economic development activities. Public Works completed the required lead service line inventory report for the DNR. Police reported on the status of the new Police Truck (should be a few weeks) and reported that there were 119 total calls in October with 47 being traffic stops. Fire reported that there were 32 calls in October of which 13 were in De Soto, 10 in Van Meter and 9 were not responded to. Library reported that programming participation is significantly higher this year than last year at this time. Parks & Rec reported that Youth Basketball registration is underway & end of year maintenance activities have been taking place at the soccer fields. The City Engineer & City Attorney discussed the idea of adding a Storm Water Facility Maintenance Agreement into the requirements for final plat review. City Staff will work with the attorney & engineer to bring forward a proposal.
- 26) Committee Reports summaries were included in the packet.
- 27) Brott moved, supported by Grolmus, to adjourn the meeting. On roll call, the votes were as follows: Akers – YES; Brott – YES; Grolmus – YES; Pelz – YES; Westfall – YES. **YES (5) NO (0) ABSTAIN (0) ABSENT (0)** The meeting was adjourned at 8:53pm

Signed by:

 9DE705E097D34B8...

Joe Herman, Mayor

DocuSigned by:

 0D7902E9DB814B7...

Jessica Drake, City Clerk

City of Van Meter, Iowa

City Council Workshop Minutes – November 25, 2024

1) The Van Meter City Council met for a workshop on Monday, November 25, 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, and Quin Pelz. Councilmember Penny Westfall joined virtually.

Staff present: Randy Johnson of Veenstra & Kimm, Library Director Jonatha Basye, Fire Chief Mark Schmitt, Police Chief Michael Brown, City Clerk Jessica Drake and City Administrator Liz Faust.

2) Grolmus moved, supported by Brott, to approve the agenda. On roll call, the votes were as follows: Akers – YES; Brott – YES; Grolmus – YES; Pelz – YES; Westfall - YES. **YES (5) NO (0) ABSTAIN (0) ABSENT (0)**

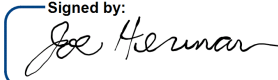
- 3) Grolmus moved, supported by Akers, to approve the consent agenda.
- a. October Building Report
 - b. Resolution #2024-115 Approving FY24 Annual Urban Renewal Report (moved from 11/11/24)
 - c. Resolution #2024-116 Approving FY24 Annual Financial Report (moved from 11/11/24)
 - d. Resolution #2024-131 Approving FY24 and FY25 Fund Transfers
 - e. 2nd November Claims Run

CLAIMS REPORT

VENDOR	REFERENCE	AMOUNT
AFLAC	AFLAC PRETAX	150.66
AGSOURCE COOPERATIVE SERVICES	WW COLIFORM	14.5
ARNOLD MOTOR SUPPLY	PD HYPER DRESSING	37.06
C & K ELECTRIC LLC	PUMP HOUSE ELECTRICAL	2,942.16
CUSTOM LAWN CARE & LANDSCAPING	SOCCER FIELD AERATION & SEED	1,985.00
DALLAS CO TREASURER	601 MAIN TAX	4,940.00
EFTPS	FED/FICA TAX	7,862.07
FENIX USA LLC	WATER METERS	29,900.00
FRANK DUNN CO	HIGH PERFORMANCE PATCH UPDATE TO ANNEXATION PH	989
GATEHOUSE MEDIA IA HOLDINGS	NOTICE	5.4
GATEHOUSE MEDIA IA HOLDINGS	TIF DELETION ORD 2024-27 PUB	60.4
GATEHOUSE MEDIA IA HOLDINGS	ORD 2020-02 PUBLICATION MAY 24 MEETING MINUTE	151.6
GATEHOUSE MEDIA IA HOLDINGS	PUBLICAT	287.4
GP CONTRACTING	AIR TANK COMPRESSOR	
HAWKEYE TRUCK EQUIPMENT	ELECTRIC	1,690.00
HEARTLAND BUSINESSES SYSTEM	SNOW BLADE CUTTING EDGES	725.42
INTERSTATE ALL BATTERY CENTER	NOVEMBER VEEAM BACKUP	1,301.21
IOWA ONE CALL	FD BATTERIES	27.1
IOWA PRISON INDUSTRIES	UTILITY LOCATES	80.3
IPERS	PD TRUCK DECALS	265.32
JMT TRUCKING	PROTECT IPERS	5,070.76
JONES CREEK APPAREL	SALT - WINTER 24 SNOW REMOVAL	2,456.69
LEXIPOL LLC	LIZ & SAM FALL ORDER	298
PROFESSIONAL DEVELP OF IA	ANNUAL LAW ENFORCEMENT POLICY	1,942.82
SHELLY JAMES	CY25 DUES	375
TREAS - STATE OF IOWA W/H	NOV CITY HALL CLEANING	90
TUCKER WILCOX	STATE TAX	1,181.45
UNDERGROUND SOLUTIONS	24 FALL SOCCER REF FEES	50
UTILITY EQUIPMENT CO	WATER MAIN BREAK - MAIN & VIRG	1,800.00
VEENSTRA & KIMM INC	WATER METER BRACKETS	975.25
WASTE SOLUTIONS OF IA	MICROSOFT - PRIORITY ROADS	49,476.57
WEX BANK	KYBOS - PARKS OCTOBER	876
WHITFIELD & EDDY PLC	PD GAS	1,725.18
Accounts Payable Total	OCTOBER LEGAL SERVICES	2,898.00
Invoices: Paid		122,630.32
Invoices: Scheduled		16,207.52
		106,422.80
GENERAL		29,531.55
PARK OPERATIONS		3,955.02
ROAD USE TAX		2,101.81
LIBRARY TRUST FUND		1,242.61
ARLINGTON ROAD RESURFACE		1,000.00
601 MUNICIPAL BUILDING		4,940.00
WATER SUPPLY IMPROVEMENTS		10,308.00
MICROSOFT CAPITAL IMPROVE		27,391.38
WATER		36,158.06
SEWER		6,001.89
TOTAL FUNDS		122,630.32

On roll call, the votes were as follows: Akers – YES; Brott – YES; Grolmus – YES; Pelz – YES; Westfall - YES. **YES (5) NO (0) ABSTAIN (0) ABSENT (0)**

- 4) Staff led a discussion regarding the funding options for the municipal building project at 601 Main Street. Options include either a reverse referendum or regular referendum as the main funding source along with any donations, fund raising efforts, and more. Mayor Herman asked which option has a more significant impact on property tax rates. The City has the ability to increase the debt service levy without impacting the property tax rate per 1000 of valuation. Either option will result in education material, community engagement & communication efforts. Chief Schmitt discussed his positive experiences with the reverse referendum option. Akers moved, supported by Pelz, to move forward with the primary funding source option of reverse referendum. On roll call, the votes were as follows: Akers – YES; Brott – YES; Grolmus – YES; Pelz – YES; Westfall - YES. **YES (5) NO (0) ABSTAIN (0) ABSENT (0)**
- 5) Staff led a discussion surrounding upcoming budget planning and need for staff to understand what the Council's overall intent is with the annual property tax rate. The rate has been between \$14.18 and \$14.37 over the last 4 years. Based on current estimates. The general intent of Council was to keep the tax rate stable. Staff will use that for budget planning. The final tax rate will be determined at a later date as the budget process continues.
- 6) Staff & Council engaged in a discussion regarding employee evaluation process & timing of merit increases. Based on current policy, all staff members are eligible for the lesser of 3% or COLA as determined by the SSA in July with the potential for a merit based increase during the first pay period following employee evaluations (which must be completed by the end of November on an annual basis). The majority of staff evaluations will be complete by 11/30/24 but there was no merit based increase budgeted for FY25. Council determined that for FY26, all staff members will be eligible for 2.5% COLA on July 1, 2025 and may be eligible for up to 5.5% of a merit based increase effective 1/1/2026 upon results of the employees annual performance review. For FY26 budget purposes, staff will use 8% for payroll budgets to allow for the maximum possible budget. Starting in FY27, all staff will be eligible for the maximum pay % increase (as determined by the Council's maximum pay increase as determined by the Council during the FY27 budget planning) which is made up of the lesser of 3% or COLA plus a merit based increase. All employees will be eligible for the lesser of 3% or COLA at a minimum. Starting in FY27, all pay increases will be effective 1/1 (for FY27, pay increases will be effective 1/1/2027). Staff will make the necessary changes to the evaluation forms including adding an additional scoring category and the employee handbook to bring forward for Council review and approval.
- 7) Chief Brown led a discussion regarding the lack of speed limit signs on 340th Trail (gravel road that was formerly a country road but a portion of it was annexed into the City in 2021). Chief Brown has received complaints about speeding on the road. Engineer Randy Johnson suggested an engineering study to determine the most appropriate speed for the portion within city limits based on current conditions. Grolmus moved, supported by Brott, to direct city staff to work with the City Engineer to bring forth a recommendation on a special speed zone on 340th Trail. On roll call the votes were as follows: Akers – YES; Brott – YES; Grolmus – YES; Pelz – YES; Westfall - YES. **YES (5) NO (0) ABSTAIN (0) ABSENT (0)**
- 7) Public Works Director McCombs requested that the City formally adopt SUDAS Standard Specifications. Veenstra & Kimm provided additional information in support of this request. Akers moved, supported by Brott, to adopt Resolution #2024-132 Adopting SUDAS Standard Specifications as presented. On roll call the votes were as follows: Akers – YES; Brott – YES; Grolmus – YES; Pelz – YES; Westfall - YES. **YES (5) NO (0) ABSTAIN (0) ABSENT (0)**
- 8) Brott moved, supported by Grolmus, to adjourn. On roll call the votes were as follows: Akers – YES; Brott – YES; Grolmus – YES; Pelz – YES; Westfall - YES. **YES (5) NO (0) ABSTAIN (0) ABSENT (0)** Mayor Herman adjourned the meeting at 7:18pm.

Signed by:

9DF705E097D34B8

Joe Herman, Mayor

DocuSigned by:

0D7992E9DD814B7...

City Clerk, Jessica Drake

City of Van Meter, Iowa

Planning & Zoning Commission Meeting, Monday, December 2, 2024

- 1) The Van Meter Planning & Zoning Commission met on Monday, December 2, 2024 for a regularly scheduled meeting. Chairperson Wahlert called the meeting to order at 5:31pm. Commissioners Wahlert, Feldman, Hulse, Cook & Coyle were present. Commissioner DeVore arrived at 5:37pm. Commissioner Miller was absent. City Clerk Drake was in attendance. The public audience included Joe Herman, Al Suckow, Cody Eveson and Katie Farrell.
- 2) Hulse moved, supported by Feldman, to approve the agenda. Motion passed unanimously.
- 3) Hulse moved, supported by Cook, to approve the minutes from the Planning & Zoning Meeting held on October 30, 2024. Motion passed unanimously.
- 4) The Commission discussed the Plat of Survey pertaining to Parcels 24-108, 24-109 and 24-123. Staff and the City Engineer reviewed the plat which creates 2 buildable parcels in addition to the parcel specific to the City's Right of Way Easement Area. Due to the nature and location of the plat, the City Engineer recommended approval of the plat and waiving the requirement to comply with the City's Sub-Division Ordinance. Cook moved, supported by Wahlert, to recommend approval the Plat of Survey relating to Parcels 24-108, 24-109 and 24-123 & waiver of compliance with the City's Sub-Division Ordinance to Council. On roll call, the votes were as follows: Wahlert – YES; Feldman – YES; Hulse – YES; DeVore – YES; Cook – YES; Coyle - YES. **YES (6) NO (0) ABSTAIN (0) ABSENT (1)**
- 5) The Commission discussed the Application for Re-Zoning Received for 325 Grand. The request was to rezone from "C-1 Downtown Commercial" to "I-1 Light Industrial" as I-1 is the only current zoning district that allows for auto sales, the proposed use of the building. Al Suckow expressed his opinion regarding the request, the state of other non-conforming uses in the C-1 district and wanted to know how tax payers can be protected as it relates to code enforcement. The Commission discussed the idea of a Planned Unit District in the C-1 district to enable certain commercial activities and a Conditional Use Permit application. City Clerk Drake explained the timelines as they relate to a rezoning to a PUD and a CUP application. Cook moved, supported by Coyle, to deny the re-zoning application to I-1 stating that a favorable option would be a PUD and/or a Conditional Use Permit Application. On roll call, the votes were as follows: Wahlert – YES; Feldman – YES; Hulse – YES; DeVore – YES; Cook – YES; Coyle - YES. **YES (6) NO (0) ABSTAIN (0) ABSENT (1)**
- 6) City Clerk Drake reviewed the proposed amendment to the City's building code as provided by the City's Building Inspectors, Veenstra & Kimm. Cook moved, supported by Feldman, to recommended the proposed amendment to adopt the 2021 International Building Code as amended and recommended by Veenstra & Kimm to Council for consideration. . On roll call, the votes were as follows: Wahlert – YES; Feldman – YES; Hulse – YES; DeVore – YES; Cook – YES; Coyle - YES. **YES (6) NO (0) ABSTAIN (0) ABSENT (1)**
- 7) Coyle moved, supported by Cook, to adjourn the meeting. Motion passed unanimously. The meeting adjourned at 6:28pm.

Board of Adjustment Minutes

November 6, 2024

Time of Meeting: 6:00pm

1. Call to Order/Roll Call

The Van Meter Board of Adjustment meeting was called to order at 6:00pm on Wednesday, November 6, 2024 by City Administrator Faust. Board Members Present: Dennis Carter, Brian Anderson, Jarin Young, and Tony Doremus. Staff Present: City Administrator Liz Faust, City Clerk Jess Drake and City Attorney John Fatino. Board Member David Lyons was absent.

2. Approval of Agenda

Carter moved, supported by Anderson to approve the agenda.

Carter – YES; Anderson – YES; Lyons - ABSENT; Young – YES; Doremus – YES.
Motion carried.

3. Closed Session Pursuant to Iowa Code Chapter 21.5(1)(c)

Anderson moved, supported by Carter to enter into closed session.

Carter – YES; Anderson – YES; Lyons - ABSENT; Young – YES; Doremus – YES.
City Clerk Drake noted that closed session began at 6:02p.m.

Young moved, supported by Doremus to exit from closed session.

Carter – YES; Anderson – YES; Lyons - ABSENT; Young – YES; Doremus – YES.
City Clerk Drake noted that closed session ended at 6:36p.m.

4. Adjournment

Carter moved, supported by Young to adjourn the meeting.

Carter – YES; Anderson – YES; Lyons - ABSENT; Young – YES; Doremus – YES.
Meeting adjourned at 6:37p.m.

PUBLIC MEETING

Governmental Body: Van Meter Board of Adjustment

Date of Meeting: Wednesday, November 6, 2024

Time/Location of Meeting: 7:00pm – 310 Mill Street (City Hall)

1. Call to Order/Roll Call

The Van Meter Board of Adjustment Public Meeting was called to order at 7:00pm on Wednesday, November 6, 2024 by City Administrator Faust. Board Members Present: Dennis Carter, Brian Anderson, Jarin Young, and Tony Doremus. Staff Present: City Administrator Liz Faust, City Clerk Jess Drake, Chief of Police Mike Brown and City Attorney John Fatino. Board Member David Lyons was absent. Public present: Owen Stump, Kim Shiner, Meghan Newton, Bart Jones, Kate Jones, Jeri Hudnut, Autumn Grolmus, Nancy Gruss, Nick Keifer and Joe Herman.

2. Approval of Agenda

Anderson moved, supported by Doremus to approve the agenda.

Carter – YES; Anderson – YES; Lyons - ABSENT; Young – YES; Doremus – YES.
Motion carried.

3. Approval of the Minutes from January 3, 2024

Carter moved, supported by Doremus to approve the minutes from January 3, 2024 as presented.

Carter – YES; Anderson – YES; Lyons - ABSENT; Young – YES; Doremus – YES.
Motion carried.

4. Public Hearing

Chief Brown read the City's Civility Statement. City Clerk Drake read the order of events for the public hearing as posted on the agenda. Anderson moved, supported by Carter to open the public hearing.

Carter – YES; Anderson – YES; Lyons - ABSENT; Young – YES; Doremus – YES.
The public hearing was open as of 7:02pm.

A. Variance Request

A variance request has been received from Paul & Chelsi Cunningham, owners of 2522 Brookview Court, Van Meter, IA 50261.

The property owners wish to keep 2 goats, defined as livestock in Iowa Code §717.1, on their property as their pets and support animals. The property is zoned "R-1" Single Family Residence District. Zoning districts are defined in the Van Meter Code of Ordinances, Chapter 165 Zoning Regulations. The only zoning district within the city limits of the City of Van Meter that permits livestock is the "A" Agricultural District which allows farming, dairying, poultry husbandry, and other allied agricultural operations as listed in §165.07.

FOR THE RECORD

Notice of Public Hearing was published in the Des Moines Register on Tuesday, October 29, 2024. The Notice was also posted at the Van Meter City Hall, Van Meter Public Library, Van Meter Post Office and electronically at www.vanmeteria.gov.

CITY REPORT

City Administrator Faust reviewed the variance request as well as provided a summary of the code sections regarding livestock in the City's Code of Ordinances.

APPLICANT REPRESENTATIVES

Paul Cunningham provided the original copy of a statement in support of keeping their pet goats to help with depression & anxiety. He also provided a copy of an article titled "Service and Emotional Support Animals under the Fair Housing Act and the Americans with Disabilities Act" from Equal Housing Opportunities dated June 2010. He also provided a copy of a screenshot from Facebook regarding the BoA Public Hearing that he understood to have had comments in support of the goats prior to being taken down. He reiterated that they consider the goats pets not livestock. He also stated that the Jones have a salt block on their property to attract deer despite having said to have an allergy to hooved animals.

WRITTEN COMMENTS RECEIVED BY CITY PRIOR TO HEARING

The City received a written recommendation from the City's Zoning Administrator that recommended not approving the variance. The City received a petition in September against allowing the goats with 20 signatures. The City received written communication with a medical note from the Jones'. The City received no additional comments after publication and posting the hearing notice.

Board Member Anderson stated that he had received several calls regarding the issue and he believes that support from animals is real.

Board Member Doremus stated that he received 1 call prior to the hearing from a resident who lives near 2522 Brookview and has no issues with the goats.

Board Members Young and Carter stated that they had received no comments regarding the issue.

PUBLIC INPUT

In Support:

Resident Kim Shiner of 115 – 2nd Avenue, Van Meter, IA spoke in support of the goats being allowed and that there are many kinds of allergies that people have to deal with.

Resident Owen Stump of 2518 Brookview Court, Van Meter, IA stated that he believes Cunningham's did their due diligence in checking city code as it relates to pets since they (and he) wouldn't classify the goats as livestock. He lives the closest and doesn't have an issue with the variance. They don't use the goats for cheese or milk. They are quieter than barking dogs. They don't smell bad; he knows that she cleans their pen. He also asked if any of the complainants had taken the time to introduce themselves to the Cunninghams.

Non-Resident Nick Keifer of 3030 Cumming Road, Van Meter, IA stated that he is the former owner of 2522 Brookview Court. He thinks that bees would be considered livestock and lots of people are allergic to bees but no one complained when a different neighbor had bees a few years ago. He thinks they should be able to keep the goats.

In Opposition:

Resident Kate Jones of 2677 Brookview Lane, Van Meter, IA stated that she does have an allergy to horses, did not say hooved animals & they do have a salt block on the far side of their property to keep the deer down there instead of coming up to the house to destroy plants & siding. She asked the board to uphold the code. She supports livestock but not in residential zoning. Their family has livestock 6 miles from their house and they would love to have them closer but they know they can't due to the zoning. She also stated that this is not a personal issue, it's about setting a precedent and what comes next.

Resident Autumn Grolmus of 2675 Jerry Circle, Van Meter, IA stated concerns with setting a precedence by granting permission after instead of proactively addressing the issue. She also stated that she feels bad that regardless of the decision at least one party is going to leave feeling hurt when the situation could have been avoided.

Resident Bart Jones of 2677 Brookview Lane, Van Meter, IA stated that he is in attendance in support of his wife but he also has concerns about what precedence this sets and what happens when the next neighbor or new homeowner wants to have an animal that is covered under the livestock definition?

Resident Jeri Hudnut of 213 Wilson Street, Van Meter, IA commented on the duty of a real estate agent is to check rules pertaining to this prior to sale of property. In addition, the general feeling of the realtors she talked to is that non-compliance to zoning codes creates decreases in property values.

Resident Meghan Newton of 5335 Katelyn Avenue, Van Meter, IA stated that she grew up in the country and does love animals but also understands the definition of livestock under the State of Iowa Code. Many other animals are considered pets not livestock. She also stated that the Fair Housing Act relates to rentals. She also stated that she checked Earlham & De Soto and neither town would allow this.

APPLICANT CLOSING SUMMARY

Chelsi Cunningham stated that if she had a closer option or family near that could take the goats she would move them but she doesn't. She takes care of them, they are clean, they aren't loud. Paul Cunningham stated that if they aren't allowed to keep them, they would need to be allowed time to relocate them.

CITY CLOSING SUMMARY

City staff provided no additional comment.

Carter moved, supported by Anderson to close the public hearing. Carter – YES; Anderson – YES; Lyons - ABSENT; Young – YES; Doremus – YES.
The public hearing was closed as of 7:36pm.

5. Discussion & Action by Board of Adjustment regarding the Variance Request as described in Agenda Item 3A

DISCUSSION

Board Members, Applicant Representatives, and City Staff discussed the variance request. Board Member Carter asked how long they have had the goats and how long they live. The applicant responded 5 years and up to 20 years. Board Member Doremus stated that he fosters dogs and understands the mental health benefits of animals.

Carter moved, supported by Young, to deny the request for variance based on the fact that goats are considered livestock and prohibited by the City Zoning Code and there are alternative animals that are allowed & could provide support.

On roll call, the votes were as follows: Carter – YES; Anderson – NO; Lyons – ABSENT; Young – YES; Doremus – NO.

The request for variance failed due to lack of support. City Staff will provide written documentation to the applicants including a time frame for relocation.

6. Adjournment

Carter moved, supported by Young to adjourn the meeting.

Carter – YES; Anderson – YES; Lyons - ABSENT; Young – YES; Doremus – YES.
Meeting was adjourned at 7:45pm.

Jessica Drake
City Clerk, City of Van Meter



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

11/1/2024 - 11/30/2024

Class	Account	Beginning Balance	Contributions	Interest	Other Withdrawals	Month End Balance
Diversified	39010 - 106 General	\$261,974.84	\$0.00	\$966.04	\$0.00	\$262,940.88
Diversified	39010 - 107 LOST	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Diversified	39010 - 201 Bond Proceeds	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$261,974.84	\$0.00	\$966.04	\$0.00	\$262,940.88

Resolution #2024-133

Resolution to Appoint a Representative and Alternate Representative to the Dallas County Emergency Management Commission

Whereas, the county boards of supervisors, city councils, and school district boards in each county shall cooperate with the Homeland Security and Emergency Management Division of the Department of Public Defense to establish a local emergency management commission to carry out the provisions Iowa Code Chapter 29C; and

Whereas, the commission shall be composed of a member of the board of supervisors or its appointed representative, the sheriff or the sheriff's representative, and the mayor or the mayor's representative from each city within the county; and

Whereas, the commission members shall be the operations liaison officers between their jurisdiction and the commission; and

Whereas, the commission shall meet regularly to determine the mission of its agency and program and provide direction for the delivery of the emergency management services of planning, administration, coordination, training, and support for local governments and their departments; and

Whereas, the commission shall coordinate emergency services in the event of a disaster;

Now, Therefore,

Be It Resolved that **Joe Herman** be appointed as the Emergency Management Commission Representative; and

Be it Further Resolved that **Blake Grolmus** be appointed as the Alternate Representative; and

Be It Further Resolved that the Representative or Alternate Representative attend the Commission meetings on behalf of **City of Van Meter**.

Mayor

Attest – City Clerk

Date

Date



420 Watson Powell Jr. Parkway, Suite 200
Des Moines, Iowa 50309
Phone: 515.334.0075
Email: info@dmampo.org
www.dmampo.org

November 20, 2024

Mayor Joe Herman
City of Van Meter
310 Mill Street
PO Box 160
Van Meter, IA 50261

Subject Line: MPO Representatives for 2025

Greetings,

The Des Moines Area MPO is requesting its member governments to appoint primary and alternate representatives to serve on its Policy Committee and Technical Committee for terms that will run from January 1, 2025, through December 31, 2025.

Per the Des Moines Area MPO's [28E Agreement](#), the City of Van Meter is entitled to one non-voting representative on the Policy Committee and one non-voting representative on the Technical Committee. In addition to designating your primary representatives, we also ask that you designate alternative representatives to attend meetings in the event of a primary representative's absence.

A sample resolution is attached to aid in this process. Please provide your signed resolution to tdeckard@dmampo.org by December 31, 2024. Also attached is a representative form to complete with contact information for your representatives, a document containing the 2025 meeting dates, and a list of factors to consider as it makes its 2025 Des Moines Area MPO's committee appointments. Please contact MPO staff should you have any questions.

Regards,

Dylan Mullenix
Executive Director

Cc: City Clerk



420 Watson Powell Jr. Parkway, Suite 200
Des Moines, Iowa 50309
Phone: 515.334.0075
Email: info@dmampo.org
www.dmampo.org

2025 Representative Information for _____

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

Committee	Representative Contact Information	
Policy Committee Primary	Name:	
	Title:	
	Email:	
Policy Committee Alternate	Name:	
	Title:	
	Email:	
Technical Committee Primary	Name:	
	Title:	
	Email:	
Technical Committee Alternate	Name:	
	Title:	
	Email:	

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

Name: _____

Title: _____

E-Mail: _____

Return with a resolution affirming your representatives by December 31, 2024 to:

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

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

RESOLUTION _____

A RESOLUTION APPOINTING THE CITY OF VAN METER REPRESENTATION TO THE DES MOINES AREA METROPOLITAN PLANNING ORGANIZATION (MPO)

WHEREAS the City of Van Meter is a member of the Des Moines Area MPO; and

WHEREAS the Des Moines Area MPO has requested its member governments to appoint primary and alternate representatives to serve on its Policy Committee and Technical Committee for terms that will run from January 1, 2025, through December 31, 2025; and

NOW THEREFORE be it resolved by the City of Van Meter to appoint the following representatives to the Des Moines Area MPO:

Policy Committee Primary Representative: _____
Policy Committee Alternate Representative: _____
Technical Committee Primary Representative: _____
Technical Committee Alternate Representative: _____

PASSED AND APPROVED on this _____ day of _____, 202__.

Mayor

ATTEST:

City Clerk



420 Watson Powell Jr. Parkway, Suite 200
Des Moines, Iowa 50309
Phone: 515.334.0075
Email: info@dmampo.org
www.dmampo.org

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

- The Des Moines Area MPO's 28E Agreement states *"...the representative or representatives who shall serve on the Des Moines Area MPO shall be a member or members of its governing body or other person or persons appointed in the manner approved by such governing body. Alternative representatives may be similarly appointed, on a temporary or permanent basis, as a member government shall determine."* In addition to the forms provided, please provide a copy of the resolution appointing your representatives.
- The Des Moines Area MPO's 28E Agreement states no person appointed as a representative to one committee may serve as a primary representative or as an alternate representative on the other committee.
- The Des Moines Area MPO encourages a strong link between the appointing member's governing body its designated Des Moines Area MPO representatives, with this link enhancing the ability of the appointed representatives to carry forward that member's views when communicating with other member governments and agencies through the Des Moines Area MPO process.
- The Des Moines Area MPO urges that a member, when making its appointments, select individuals who are committed to and willing to attend and participate in the Des Moines Area MPO's meetings and activities on a regular basis. A 2024 meeting calendar has been included for your reference. Per the Des Moines Area MPO's Bylaws, if a representative, or their alternate, fails to attend three consecutive meetings, the Des Moines Area MPO Executive Director shall notify the member government to request consideration of a new appointment.
- The Des Moines Area MPO is committed to developing policies and programs that do not discriminate on the basis of race, color, income, national origin, disability, sexual orientation, gender, or similar factors. As such, we urge member governments to consider diversity when making these appointments to ensure its decision makers reflect the diversity of the region.



2025 MPO COMMITTEE MEETING DATES

1 st Thursday unless otherwise noted		3 rd Thursday unless otherwise noted
Technical 9:00 am	Executive 11:30 am	Policy 4:00 pm
January 9*		January 23*
February 6		February 20
March 6		No meeting
April 3		April 17
May 1		May 22**
June 5		June 26[†]
July 10[◆]		No meeting
August 7		August 21
September 4		September 18
October 2		October 16
November 6		November 20
December 4		No meeting

* Moved back a week due to New Years Holiday

** Moved back a week due to DMDC Trip

[†] Moved back a week due to Juneteenth Holiday

[◆] Moved back a week due to 4th of July Holiday



420 Watson Powell Jr. Parkway, Suite 200
Des Moines, Iowa 50309
Phone: 515.334.0075
Email: info@dmampo.org
www.dmampo.org

November 20, 2024

Mayor Joe Herman
City of Van Meter
310 Mill Street
PO Box 160
Van Meter, IA 50261

Subject Line: MPO Representatives for 2025

Greetings,

The Des Moines Area MPO is requesting its member governments to appoint primary and alternate representatives to serve on its Policy Committee and Technical Committee for terms that will run from January 1, 2025, through December 31, 2025.

Per the Des Moines Area MPO's [28E Agreement](#), the City of Van Meter is entitled to one non-voting representative on the Policy Committee and one non-voting representative on the Technical Committee. In addition to designating your primary representatives, we also ask that you designate alternative representatives to attend meetings in the event of a primary representative's absence.

A sample resolution is attached to aid in this process. Please provide your signed resolution to tdeckard@dmampo.org by December 31, 2024. Also attached is a representative form to complete with contact information for your representatives, a document containing the 2025 meeting dates, and a list of factors to consider as it makes its 2025 Des Moines Area MPO's committee appointments. Please contact MPO staff should you have any questions.

Regards,

Dylan Mullenix
Executive Director

Cc: City Clerk

2025 MPO COMMITTEE MEETING DATES

1 st Thursday unless otherwise noted		3 rd Thursday unless otherwise noted
Technical 9:00 am	Executive 11:30 am	Policy 4:00 pm
January 9*		January 23*
February 6		February 20
March 6		No meeting
April 3		April 17
May 1		May 22**
June 5		June 26[†]
July 10[◆]		No meeting
August 7		August 21
September 4		September 18
October 2		October 16
November 6		November 20
December 4		No meeting

***Moved back a week due to New Years Holiday**

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

- The Des Moines Area MPO's 28E Agreement states *"...the representative or representatives who shall serve on the Des Moines Area MPO shall be a member or members of its governing body or other person or persons appointed in the manner approved by such governing body. Alternative representatives may be similarly appointed, on a temporary or permanent basis, as a member government shall determine."* In addition to the forms provided, please provide a copy of the resolution appointing your representatives.
- The Des Moines Area MPO's 28E Agreement states no person appointed as a representative to one committee may serve as a primary representative or as an alternate representative on the other committee.
- The Des Moines Area MPO encourages a strong link between the appointing member's governing body its designated Des Moines Area MPO representatives, with this link enhancing the ability of the appointed representatives to carry forward that member's views when communicating with other member governments and agencies through the Des Moines Area MPO process.
- The Des Moines Area MPO urges that a member, when making its appointments, select individuals who are committed to and willing to attend and participate in the Des Moines Area MPO's meetings and activities on a regular basis. A 2024 meeting calendar has been included for your reference. Per the Des Moines Area MPO's Bylaws, if a representative, or their alternate, fails to attend three consecutive meetings, the Des Moines Area MPO Executive Director shall notify the member government to request consideration of a new appointment.
- The Des Moines Area MPO is committed to developing policies and programs that do not discriminate on the basis of race, color, income, national origin, disability, sexual orientation, gender, or similar factors. As such, we urge member governments to consider diversity when making these appointments to ensure its decision makers reflect the diversity of the region.



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2025 Representative Information for City of Van Meter

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

Committee	Representative Contact Information	
Policy Committee Primary	Name:	Joel Akers
	Title:	City Council
	Email:	jakers@vanmeteria.gov
Policy Committee Alternate	Name:	Travis Brott
	Title:	Mayor Pro Tem
	Email:	tbrott@vanmeteria.gov
Technical Committee Primary	Name:	Travis Brott
	Title:	Mayor Pro Tem
	Email:	tbrott@vanmeteria.gov
Technical Committee Alternate	Name:	Joel Akers
	Title:	City Council
	Email:	jakers@vanmeteria.gov

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

Name: [Jessica Drake](#)
 Title: [City Clerk](#)
 E-Mail: jdrake@vanmeteria.gov

Return with a resolution affirming your representatives by December 31, 2024 to:

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

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

RESOLUTION 2024-134

A RESOLUTION APPOINTING THE CITY OF VAN METER REPRESENTATION TO THE DES MOINES AREA METROPOLITAN PLANNING ORGANIZATION (MPO)

WHEREAS the City of Van Meter is a member of the Des Moines Area MPO; and

WHEREAS the Des Moines Area MPO has requested its member governments to appoint primary and alternate representatives to serve on its Policy Committee and Technical Committee for terms that will run from January 1, 2025, through December 31, 2025; and

NOW THEREFORE be it resolved by the City of Van Meter to appoint the following representatives to the Des Moines Area MPO:

Policy Committee Primary Representative: Joel Akers
Policy Committee Alternate Representative: Travis Brott
Technical Committee Primary Representative: Joel Akers
Technical Committee Alternate Representative: Travis Brott

PASSED AND APPROVED on this 9th day of December, 2024.

Mayor

ATTEST:

City Clerk

Resolution #2024-135

Resolution to Appoint a Representative and Alternate Representative to the Dallas County 911 Board

Whereas, the Mayor recommends, and the City Council is asked to approve, the appointment of **JOE HERMAN** to serve as the Primary Representative, and **BLAKE GROLMUS** to serve as the Alternate Representative to represent the City of Van Meter, Iowa, a participating community of the Dallas County E911 Board; and

Now, Therefore,

Be It Resolved that **Joe Herman** be appointed as the E911 Board Representative; and

Be it Further Resolved that **Blake Grolmus** be appointed as the Alternate Representative; and

Be It Further Resolved that the Representative or Alternate Representative attend the Board meetings on behalf of **City of Van Meter**.

Mayor

Date

Attest – City Clerk

Date

Resolution # 2024-136

"A Resolution Approving a Wage Increase"

Whereas, the Chief of Police attests that Officer Adin Delic has completed his Field Officer Training, and

Whereas, pursuant to Officer Delic's employment offer his pay will increase by \$2.00 per hour upon completion of the training, and

Whereas, the City Administrator recommends approving the payroll changes, now

Therefore, be it resolved; that the City Council of the City of Van Meter hereby approves the wage increase to \$30.00 effective November ____, 2024.

Passed and approved this 9th day of December, 2024

ATTEST:

Mayor

City Clerk
Jessica Drake

Resolution #2024-137

“A Resolution Approving Calendar Year 2025 Council Meeting Schedule”

Whereas, the City Administrator and Council have reviewed the proposed Council meeting schedule outlined below and recommend adoption as presented; now

Therefore, be it resolved by the Van Meter City Council approved the Calendar Year 2025 regular Council business meeting schedule as follows:

Regular Council Meetings (7:00pm)

Monday, January 13, 2025
Monday, February 10, 2025
Monday, March 10, 2025
Monday, April 14, 2025
Monday, May 12, 2025
Monday, June 9, 2025
Monday, July 14, 2025
Monday, August 11, 2025
Monday, September 8, 2025
Monday, October 13, 2025
Monday, November 24, 2025
Monday, December 8, 2025

Special Meetings & Workshops (6:00pm)

Monday, January 27, 2025
Monday, February 24, 2025
Monday, March 24, 2025
Monday, March 31, 2025 (Property Tax Levy Hearing)
Monday, April 28, 2025

Monday, June 23, 2025
Monday, July 28, 2025
Monday, August 25, 2025
Monday, September 22, 2025
Monday, October 27, 2025
Monday, November 24, 2025

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

Mayor

ATTEST:

City Clerk

1/13/25 - Council

1/27/25 – Workshop - Budget

2/10/25 – Council – Set Date for PH Property Tax Levy – March 31, 2025

2/24/25 - Workshop

3/10/25 – Council – Set Date for PH Full Budget Adoption – April 14, 2025

3/24/25 – Workshop

3/31/25 – Special Meeting – Hold PH Hearing - Property Tax Levy Hearing

4/14/25 – Council – Hold PH Hearing – Full Budget Adoption

4/28/25 – Workshop

5/12/25 – Council

5/26/25 – Memorial Day – NO WORKSHOP

6/9/25 - Council

6/23/25 - Workshop

7/14/25 – Council

7/28/25 – Workshop

8/11/25 – Council

8/25/25 - Workshop

9/8/25 - Council

9/22/25 - Workshop

10/13/25 – Council

10/27/25 – Workshop

11/10/25 - Council

11/24/25 - Workshop

12/8/25 – Council

Resolution 2024-138

“A Resolution Authorizing Depository for Calendar Year 25”

WHEREAS, Chapter 12C.2 of the Iowa Code requires, “The approval of a financial institution as a depository of public funds for a public body shall be by written resolution or order that shall be entered of record in the minutes of the approving board, and that shall distinctly name each depository approved, and specify the maximum amount that may be kept on deposit in each depository.” Now;

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

Section 1. This written resolution shall be entered into the record of City Council meeting minutes.

Section 2. The Earlham Savings Bank is hereby distinctly named and approved as the official depository for the City of Van Meter’s operating and investment funds.

Section 3. The maximum amount that may be kept on deposit at the Earlham Savings Bank shall be ten million dollars (\$10,000,000.00).

Section 4. Iowa Public Agency Investment Trust (IPAIT) is hereby distinctly named and approved as a secondary depository for the City of Van Meter’s investment funds.

Section 5. The maximum amount that may be kept on deposit at IPAIT shall be one million dollars (\$1,000,000.00)

Passed and adopted this 9th day of December, 2024.

Joe Herman, Mayor

ATTEST:

Jessica Drake, City Clerk

Resolution #2024-139
“A Resolution to Appoint Mayor Pro Tem”

Whereas, Pursuant to Iowa Code Section 372.14, The mayor is the chief executive officer of the city and presiding officer of the council. Except for the supervisory duties which have been delegated by law to a city manager, the mayor shall supervise all city officers and departments; and

Whereas, The mayor may take command of the police and govern the city by proclamation, upon making a determination that a time of emergency or public danger exists. Within the city limits, the mayor has all the powers conferred upon the sheriff to suppress disorders; and

Whereas, The mayor pro tem is vice president of the council. When the mayor is absent or unable to act, the mayor pro tem shall perform the mayor’s duties, except that the mayor pro tem may not appoint, employ, or discharge officers or employees without the approval of the council. Official actions of the mayor pro tem when the mayor is absent or unable to act are legal and binding to the same extent as if done by the mayor. The mayor pro tem retains all of the powers of a council member; and

Whereas, The mayor appoints Travis Brott as Mayor Pro Tem effective January 1, 2025.

Therefore, be it resolved by the Van Meter City Council that the following appointment is made and confirmed, effective January 1, 2025:

- I) Travis Brott - Mayor Pro Tem for a term expiring December 31, 2025

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

ATTEST:

Mayor

City Clerk

Resolution #2024-140

"A Resolution to Approve Calendar Year 2025 Wellmark Renewals and Taking Additional Actions"

Whereas, Holmes Murphy has provided renewal documentation to the City Administrator for review, and

Whereas, the City currently offers the Enhanced Blue 1500 HMO Plan and Enhanced Blue 1500 POS Plan, and

Whereas, no employees have elected the Enhanced Blue 1500 POS Plan during the last 2 calendar years, and

Whereas, the City Clerk recommends eliminating the Enhanced Blue 1500 POS Plan due to lack of participation, and

Therefore, be it resolved by the Van Meter City Council, the 2025 Wellmark plan renewals are hereby approved.

Be it further resolved, that City Staff is authorized to execute renewal documentation on behalf of the City of Van Meter.

Passed and approved this 9th Day of December 2024.

Mayor

ATTEST

City Clerk

Employer Plan Elections

CITY OF VAN METER (00619839) | Effective: January 1, 2025



Health Plan Elections

Check up to two (2) health plans to offer your employees and return this form to your Wellmark Authorized Representative. The following premiums show the maximum amount you would pay if all members enroll a single plan and do not reflect future billed amounts.

Indicates renewing plan

Plan Name	Network & Total Monthly Premium		
	Wellmark Blue HMO Network provides statewide provider access.	Wellmark Blue POS Network combines the state-based HMO with access to out-of-network coverage.	Wellmark Blue PPO Network Offers national care through BlueCard
SimplyBlue 6000	<input type="checkbox"/> \$8,950.34	<input type="checkbox"/> \$9,329.83	<input type="checkbox"/> \$10,532.39
CompleteBlue 5000	<input type="checkbox"/> \$10,300.41	<input type="checkbox"/> \$10,765.96	<input type="checkbox"/> \$12,123.88
CompleteBlue 4000	<input type="checkbox"/> \$10,547.19	<input type="checkbox"/> \$11,042.08	<input type="checkbox"/> \$12,427.43
EnhancedBlue 3000	<input type="checkbox"/> \$12,031.57	<input type="checkbox"/> \$12,656.90	<input type="checkbox"/> \$14,227.33
EnhancedBlue 1500	<input checked="" type="checkbox"/> \$12,438.21	<input type="checkbox"/> \$13,069.59	<input type="checkbox"/> \$14,700.45
myBlue HDHP Bronze	<input type="checkbox"/> \$8,638.01	<input type="checkbox"/> \$9,046.19	<input type="checkbox"/> \$10,184.12
myBlue HDHP Silver	<input type="checkbox"/> \$9,676.63	<input type="checkbox"/> \$10,164.22	<input type="checkbox"/> \$11,423.86
SimplyBlue Primary	<input type="checkbox"/> \$9,316.31	<input type="checkbox"/> \$9,763.58	<input type="checkbox"/> \$10,968.05
CompleteBlue Primary	<input type="checkbox"/> \$10,080.39	<input type="checkbox"/> \$10,486.71	<input type="checkbox"/> \$11,887.51
EnhancedBlue Primary	<input type="checkbox"/> \$11,940.46	<input type="checkbox"/> \$12,487.40	<input type="checkbox"/> \$14,123.31
SimplyBlue 6000 UnityPoint Health	<input type="checkbox"/> -	<input type="checkbox"/> \$8,683.99	<input type="checkbox"/> -
SimplyBlue Primary UnityPoint Health	<input type="checkbox"/> -	<input type="checkbox"/> \$9,020.97	<input type="checkbox"/> -
CompleteBlue 4000 UnityPoint Health	<input type="checkbox"/> -	<input type="checkbox"/> \$10,282.13	<input type="checkbox"/> -
CompleteBlue Primary UnityPoint Health	<input type="checkbox"/> -	<input type="checkbox"/> \$9,774.35	<input type="checkbox"/> -
EnhancedBlue 3000 UnityPoint Health	<input type="checkbox"/> -	<input type="checkbox"/> \$11,802.71	<input type="checkbox"/> -
EnhancedBlue Primary UnityPoint Health	<input type="checkbox"/> -	<input type="checkbox"/> \$11,647.61	<input type="checkbox"/> -

Medicare Secondary Payer (MSP)

CITY OF VAN METER (00619839) | Effective: January 1, 2025



Wellmark is a Responsible Reporting Entity (RRE) under federal law, and must report employer and employee information to the Centers for Medicare and Medicaid Services (CMS). The purpose of this reporting is to identify when CMS should pay secondary to an employer group health plan instead of primary. Failure to provide the information requested on this page can result in penalties being assessed to the group including but not limited to \$1,000 per day per member for not accurately reporting to CMS and/or an excise tax equivalent to 25% of the employers group health plan expenses for the relevant year. Tax ID: 426037786

Medicare Secondary Payer Contact Information

First Name: _____	Email: _____
Last Name: _____	Phone Number: _____

Medicare Secondary Payer Questions

<p>1. Did your organization make contributions on behalf of an employee who was covered under a collectively bargained Health and Welfare Fund(i.e., union plan) during the previous calendar year?</p>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<p>2. Did you employ 20 or more employees for 20 or more calendar weeks during the previous or current calendar year? If no, in the event you experience a change, you must notify Wellmark when the change occurs.</p> <p><i>Note: An employer is considered to employ 20 or more employees for a particular week if the employer has at least 20 full-time or part-time employees on its employment rolls each working day of that week. This condition is met as long as the total number of individuals on the employer's rolls add up to at least 20, regardless of the number of employees who work or who are expected to report for work on a particular day.</i></p>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<p>3. Did you employ 100 or more employees during 50% of your business days during the previous calendar year?</p> <p><i>Note: An employer will be considered to employ 100 or more employees on a particular day if the employer has at least 100 full-time or part-time employees on their employment rolls on that day. This condition is met as long as the total number of individuals on the employer's rolls add up to at least 100, regardless of the number of employees who work or who are expected to report for work on that day.</i></p>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<p>4. Did your organization participate in a multi or multiple employer group health plan (more than one employer in a group i.e. Multiple Employer Welfare Association) during the previous calendar year? If yes, what is the name and address of the multi or multiple employer plan?</p> <p>Name: _____</p> <p>Address: _____ City: _____ State: ___ ZIP: _____</p>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<p>5. Was your organization part of a commonly owned or commonly controlled group of organizations during the previous calendar year? If yes, what is the name and address of the commonly owned/controlled entity?</p> <p>Name: _____</p> <p>Address: _____ City: _____ State: ___ ZIP: _____</p>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<p>6. Does the employer have any additional tax ID number used to report employee earnings to the IRS?</p> <p>TIN: _____ Name: _____</p> <p>_____</p> <p>DBA Name: _____ Address: _____</p> <p>Address 2: _____ City: _____ State: ___ ZIP: _____</p> <p>Phone: _____ Extension: _____</p>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

Signature & Attestations

CITY OF VAN METER (00619839) | Effective: January 1, 2025



By signing below, and/or by payment of the required premiums for the plans selected herein, Employer agrees and certifies:

1. Employer has read and understands the information contained in this document, including the plan summaries, the premium rates shown, the differences in issuers, networks, premium rates and employee cost share between plans shown.
2. Employer has been provided with access to (a) the Summary Of Benefits and Coverage for each selected plan, (b) the provider network directory applicable to each selected plan, (c) the drug list or formulary applicable to each selected plan, and can access this information on Wellmark.com or by contacting an authorized Wellmark representative.
3. Employer agrees to pay the required premiums shown for the plans selected.
4. Employer will comply with all terms and provisions of the Group Insurance Policy issued, the benefit documents or coverage manuals provided to each enrollee, the COBRA administrative agreement, if applicable.
5. Employer will make coverage available to all eligible employees and their eligible dependents and will distribute information and documents to enrolled employees as needed.
6. Employer will maintain records and furnish to Wellmark any information required in connection with administration of the coverage.
7. Employer will pay Wellmark by the premium due date, the premiums on behalf of each member covered under the contract unless otherwise stated in any other financial agreement between the parties; submit applications of employees prior to their date of eligibility; keep all necessary records regarding membership; and assume responsibility for handling the COBRA and state mandated continuation process, if applicable.
8. Claims filed by or on behalf of members may at Wellmark's option be suspended if premiums are not timely received.
9. Employer may receive on behalf of members, certain notices delivered by Wellmark, and will immediately forward such notices to members at their last known address.
10. That in order for Wellmark to accept or decline this application for new or renewing group coverage, all the information requested must be completed. In the event the application or renewal package is not complete, Wellmark or its Agent is authorized to obtain the necessary information and to complete that information on this application or renewal package. The employer understands that the coverage issued by Wellmark may be different than the coverage selected herein. In that event Wellmark shall notify the employer of such differences and by payment of the appropriate premiums, the employer will accept the coverage as issued.
11. The premium rates calculated for the employer are contingent, based on the accuracy of the eligibility data submitted on the employees and covered dependents to Wellmark by the employer. Wellmark reserves the right to review such rates upon receipt of all individual applications for employer's employees and to modify the rates, if the enrollment information so warrants. Any misstatements on employees application may result in a material change to the group's coverage or premium rates as of the effective date of coverage.
12. Employer is responsible to ensure that employer's premium contribution strategy complies with all applicable laws and regulations relating to non-discrimination in employee benefits, including but not limited to the Age Discrimination in Employment Act, the Americans with Disabilities Act, Health Insurance Portability and Accountability Act, and Internal Revenue Code Section 105(h). Wellmark will not be held liable for any penalties or losses resulting from employer's violation of these laws and regulations.
13. All employees applying for coverage or renewing coverage are employees of the employer and receive salary or wages documented on state and/or federal payroll reports, or self-employment wages documented on appropriate tax reporting forms. Each enrolled employee must be actively at work and satisfy any applicable eligibility waiting period.
14. The requested coverage is not in effect unless and until this application is approved by Wellmark, that approval of coverage is evidenced by issuing a Group Insurance Policy to the employer and an employee's coverage is not in effect until the employee applies and is approved for coverage by Wellmark.
15. This small group off-exchange product is not eligible for a premium tax credit.
16. Any Health Savings Account associated with a group sponsored health plan is a separate arrangement between the individual and a bank or other qualified institution. Applicant must be an eligible individual under IRS regulations to receive the HSA tax benefits.
17. The information contained in the Medicare Secondary Payer section is complete and accurate as of the date of the employer's signature below.
18. The employer has reviewed entire application or renewal package for group coverage and all information contained herein is true and complete to the best of the employer or authorized employer representative's knowledge and belief.
19. The employer authorizes the Wellmark independent Agent or producer identified in this application or renewal package to make enrollment or eligibility changes on behalf of the employer's group health plan, and employer will notify Wellmark if this authorization is revoked.

Employer Representative Signature: _____

JESSICA DRAKE

Date: November 11, 2024

RESOLUTION NO. 2024-141

Resolution Setting Date for Public Hearing on Designation of the Expanded Van Meter Urban Renewal Area and on Urban Renewal Plan Amendment

WHEREAS, this City Council of the City of Van Meter, Iowa (the “City”) by resolution previously established the Van Meter Urban Renewal Area (the “Urban Renewal Area”) and adopted an urban renewal plan (the “Plan”) for the governance of projects and initiatives therein; and

WHEREAS, a proposal has been made which shows the desirability of expanding the Urban Renewal Area to add and include all the property (the “Property”) lying within the legal description set out in Exhibit A; and

WHEREAS, this City Council is desirous of obtaining as much information as possible from the residents of the City before making this decision; and

WHEREAS, an amendment (the “Amendment”) to the Plan has been prepared which (1) covers the addition of the Property to the Urban Renewal Area; and (2) authorizes the undertaking of new urban renewal projects in the Urban Renewal Area consisting of (a) providing tax increment financing support to Microsoft Corporation (the “Company”) in connection with the construction by the Company of a new regional data center campus; and (b) using tax increment financing to pay the costs of the redevelopment of an existing building for use as a new municipal building including a fire station, police station and library; and

WHEREAS, it is now necessary that a date be set for a public hearing on the designation of the expansion of the Urban Renewal Area and on the Amendment;

NOW, THEREFORE, Be It Resolved by the City Council of the City of Van Meter, Iowa, as follows:

Section 1. This City Council will meet at the Van Meter United Methodist Church located at 100 Hazel Street, Van Meter, Iowa, on January 13, 2025, at 7:00 p.m., at which time and place it will hold a public hearing on the designation of the expanded Urban Renewal Area described in the preamble hereof and on the Amendment.

Section 2. The City Clerk shall publish notice of said hearing, the same being in the applicable form attached hereto, which publication shall be made in a legal newspaper of general circulation in Van Meter, which publication shall be not less than four (4) and not more than twenty (20) days before the date set for hearing.

Section 3. Pursuant to Section 403.5 of the Code of Iowa, the City Administrator and the City Clerk are hereby designated as the City’s representatives in connection with the consultation process which is required under that section of the urban renewal law. It is hereby directed that representatives of Dallas County and the Van Meter Community School District be invited to participate in the consultation.

Section 4. The proposed Amendment is hereby submitted to the City’s Planning and Zoning Commission for review and recommendations, as required by Section 403.5, Code of Iowa.

Passed and approved December 9, 2024.

Mayor

Attest:

City Clerk

**AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE VAN METER URBAN RENEWAL AREA**

WHEREAS, the City Council of the City of Van Meter, Iowa (the “City”) has proposed to adopt an amendment to the Urban Renewal Plan for the Van Meter Urban Renewal Area (the “Urban Renewal Area”), pursuant to Chapter 403 of the Code of Iowa in order to undertake activities authorized by that Chapter, including but not limited to the use of tax increment financing as provided in Section 403.19 of the Code of Iowa; and

WHEREAS, it has been proposed that the Urban Renewal Area include certain real property which is described on Exhibit A (the “Property”) to the Urban Renewal Area; and

WHEREAS, the Property is owned by Microsoft Corporation (the “Undersigned”); and

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

WHEREAS, it has been determined that the Property meets the definition of “agricultural land” in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Undersigned as follows:

1. On behalf of the Undersigned, I do hereby certify that the Undersigned is the owner of the Property described on Exhibit A hereto.

2. On behalf of the Undersigned, I do hereby agree that the City may include all of the Property owned by the Undersigned in the Urban Renewal Area.

DATED this ____ day of _____, 20__.

MICROSOFT CORPORATION

By: _____

Title: _____

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

Commencing at the north quarter corner of Section 34, Township 78 North, Range 27 West of the 5th Principal Meridian; thence East along the north line of the northeast quarter of said Section 34 to the northeast corner of said Section 34; thence East along the north line of the west one-half of the northwest quarter of Section 35, Township 78 North, Range 27 West of the 5th Principal Meridian to the northeast corner of the west one-half of the northwest quarter of said Section 35; thence South along the east line of the west one-half of the northwest quarter of said Section 35 to the southeast corner of the west one-half of the Northwest of said Section 35; thence East along the north line of the northeast quarter of the southwest quarter of said Section 35 to the northeast corner of the northeast quarter of the southwest quarter of said Section 35; thence South along the east line of the northeast quarter of the southwest quarter of said Section 35 to the southeast corner of the northeast quarter of the southwest quarter of said Section 35; thence West along the south line of the northeast quarter of the southwest quarter of said Section 35 to the southwest corner of the northeast quarter of the southwest quarter of said Section 35; thence South along the east line of the southwest quarter of the southwest quarter of said Section 35 to the southeast corner of the southwest quarter of the southwest quarter of said Section 35; thence West along the south line of the southwest quarter of the southwest quarter of said Section 35 to the southwest corner of said Section 35; thence West along the south line of the southeast quarter of the southeast quarter of Section 34, Township 78 North, Range 27 West of the 5th Principal Meridian to the southwest corner of the southeast quarter of the southeast quarter of said Section 34; thence North along the west line of the southeast quarter of the southeast quarter of said Section 35 to the northwest corner of the southeast quarter of the southeast quarter of said Section 34; thence North along the west line of the northwest quarter of the southeast quarter of said Section 34 to a point located 340 feet south of the northwest corner of the northeast quarter of the southeast quarter of said Section 34; thence East a distance of 100 feet; thence North a distance of 300 feet; thence west a distance of 100 feet to a point on the west line of the northeast quarter of the southeast quarter of said Section 34; thence North along the west line of the northeast quarter of the southeast quarter of said Section 34 a distance of 40 feet to the northwest corner of the northeast quarter of the southeast quarter of said Section 34; thence West along the south line of the northeast quarter of said Section 34 to the Center of said Section 34; thence North along the west line of the northeast quarter of said Section 34 to the Point of Beginning.

CITY OF VAN METER, IOWA

URBAN RENEWAL PLAN AMENDMENT
VAN METER URBAN RENEWAL AREA

January, 2025

The Urban Renewal Plan (the “Plan”) for the Van Meter Urban Renewal Area (the “Urban Renewal Area”) is being amended for the purposes of adding new property to the Urban Renewal Area and identifying new urban renewal projects to be undertaken within the Urban Renewal Area.

1) Addition of Property. The real property (the "Property") legally described on Exhibit A hereto is, by virtue of this Amendment, being added as the January, 2025 Addition to the Urban Renewal Area. With the adoption of this Amendment, the City will designate the Property as an economic development area. The Property will become subject to the provisions of the Plan for the Urban Renewal Area. The City will adopt an ordinance providing for the division of property tax revenues, as set forth in Section 403.19 of the Code of Iowa, with respect to the Property.

2) Identification of Projects. By virtue of this amendment, the list of authorized urban renewal projects in the Plan is hereby amended to include the following project descriptions:

A.

Name of Project: Regional Data Center Campus Development Project

Date of Council Approval of Project: January 13, 2025

Description of Project and Project Site: Microsoft Corporation (“Microsoft”) is undertaking the construction of a new regional data center campus (the “Microsoft Project”) on the Property (as defined in Section 1 of this Amendment).

It has been requested that the City provide tax increment financing assistance to Microsoft in support of the efforts to complete the Microsoft Project.

The costs incurred by the City in providing tax increment financing assistance to Microsoft will include legal and administrative fees (the “Admin Fees”) in an amount not to exceed \$100,000.

Description of Use of TIF for the Project: The City intends to enter into a Development Agreement with Microsoft with respect to the construction and use of the completed Microsoft Project and to provide annual appropriation economic development payments (the “Payments”) to Microsoft thereunder. The Payments will be funded with incremental property tax revenues to be derived from the Microsoft Property. It is anticipated that the City’s total commitment of incremental property tax revenues with

respect to the Microsoft Project, including the Payments and the Admin Fees, will not exceed \$65,000,000.

B.

Name of Project: Van Meter Municipal Building Project

Date of Council Approval of the Project: January 13, 2025

Description of Project and Project Site: The Van Meter Municipal Building Project will consist of the construction of an addition to and the renovation of an existing building situated at 601 Main Street (the “Municipal Building Property”) in the Urban Renewal Area for use by the City as a fire station, police station and library.

The completed Van Meter Municipal Building Project will have a direct, positive impact on increased and improved commerce and development in the Urban Renewal Area through the provision of enhanced municipal and recreational facilities.

Description of Use of TIF for the Project: It is anticipated that the City will pay for the Van Meter Municipal Building Project with borrowed funds and/or the proceeds of an internal advance of City funds on-hand. In any case, the City’s obligations (the “Obligations”) may be repaid with incremental property tax revenues derived from the Urban Renewal Area. It is anticipated that the City’s use of incremental property tax revenues for the Van Meter Municipal Building Project will not exceed \$6,000,000, plus any interest expense incurred by the City on the Obligations.

Analysis of Use of TIF: In accordance with the requirement of Section 403.5(2)(b)(1) of the Code of Iowa, the City has analyzed its proposed use of incremental property tax revenues for the funding of the Van Meter Municipal Building Project and alternative development and funding options for the Van Meter Municipal Building Project. The results of that analysis are summarized as follows:

1) Alternate Development Options: The City Council has determined that a need exists for expanded library facilities in the Urban Renewal Area. Further, the City Council has determined that the provision of new and improved fire and police facilities in the Urban Renewal Area are essential to the economic development of the City. The City’s ability to fulfill its duty of fire protection and police protection services in the Urban Renewal Area is diminished by inadequate, outdated and undersized administrative facilities.

The use of the existing Municipal Building Property as the site for the Van Meter Municipal Building Project will serve to repurpose the existing building thereon and is the optimal use for such building. Promoting other types of development on the Municipal Building Property to the exclusion of the Van Meter Municipal Building Project will not meet the public need being addressed by the Van Meter Municipal Building Project.

2) Alternate Financing Options:

* Local Option Sales and Services Tax Revenues: To the extent that they are not dedicated to other financing needs of the City, the City may use a portion of its Local Option Sales and Services Tax revenues to pay costs associated with the Van Meter Municipal Building Project.

* General Fund: The City's General Fund reserves are fully committed to maintain the operational integrity of the City. The City cannot access its General Fund reserves to aid in paying the costs of the Van Meter Municipal Building Project without risking unsound fiscal practice.

* Capital Improvements Levy: The City does not have a Capital Improvements Levy available for the Van Meter Municipal Building Project, and the imposition of such additional levy would require a successful referendum, which is not feasible at this time.

* Debt Service Levy: The City intends to issue general obligation bonds or notes (the "Bonds") to pay the costs of the Van Meter Municipal Building Project. The City may use incremental property tax revenues derived from the Urban Renewal Area to pay a portion of the principal of and interest on the Bonds. The use of incremental property tax revenues will lessen the burden on individual taxpayers that will result from a spike in the debt service levy rate and will shift some of that burden onto valuation increases resulting from the City's successful economic development initiatives which are improved by the provision of enhanced municipal and recreational facilities.

* Fundraising/Private Donations: The City will undertake fundraising initiatives to pay for a portion of the Van Meter Municipal Building Project.

* Grants: The City will apply for certain grants to pay for a portion of the costs of construction the Van Meter Municipal Building Project.

3) Required Financial Information. The following information is provided in accordance with the requirements of Section 403.17 of the Code of Iowa:

Constitutional debt limit of the City:	<u>\$ 8,649,372</u>
Outstanding general obligation debt of the City:	<u>\$</u>
Proposed maximum indebtedness to be incurred in connection with this January, 2025 Amendment*:	<u>\$71,100,000</u>

*It is anticipated that some or all of the debt incurred hereunder will be subject to annual appropriation by the City Council.

EXHIBIT A
Legal Description
January, 2025 Addition

Commencing at the north quarter corner of Section 34, Township 78 North, Range 27 West of the 5th Principal Meridian; thence East along the north line of the northeast quarter of said Section 34 to the northeast corner of said Section 34; thence East along the north line of the west one-half of the northwest quarter of Section 35, Township 78 North, Range 27 West of the 5th Principal Meridian to the northeast corner of the west one-half of the northwest quarter of said Section 35; thence South along the east line of the west one-half of the northwest quarter of said Section 35 to the southeast corner of the west one-half of the Northwest of said Section 35; thence East along the north line of the northeast quarter of the southwest quarter of said Section 35 to the northeast corner of the northeast quarter of the southwest quarter of said Section 35; thence South along the east line of the northeast quarter of the southwest quarter of said Section 35 to the southeast corner of the northeast quarter of the southwest quarter of said Section 35; thence West along the south line of the northeast quarter of the southwest quarter of said Section 35 to the southwest corner of the northeast quarter of the southwest quarter of said Section 35; thence South along the east line of the southwest quarter of the southwest quarter of said Section 35 to the southeast corner of the southwest quarter of the southwest quarter of said Section 35; thence West along the south line of the southwest quarter of the southwest quarter of said Section 35 to the southwest corner of said Section 35; thence West along the south line of the southeast quarter of the southeast quarter of Section 34, Township 78 North, Range 27 West of the 5th Principal Meridian to the southwest corner of the southeast quarter of the southeast quarter of said Section 34; thence North along the west line of the southeast quarter of the southeast quarter of said Section 35 to the northwest corner of the southeast quarter of the southeast quarter of said Section 34; thence North along the west line of the northwest quarter of the southeast quarter of said Section 34 to a point located 340 feet south of the northwest corner of the northeast quarter of the southeast quarter of said Section 34; thence East a distance of 100 feet; thence North a distance of 300 feet; thence west a distance of 100 feet to a point on the west line of the northeast quarter of the southeast quarter of said Section 34; thence North along the west line of the northeast quarter of the southeast quarter of said Section 34 a distance of 40 feet to the northwest corner of the northeast quarter of the southeast quarter of said Section 34; thence West along the south line of the northeast quarter of said Section 34 to the Center of said Section 34; thence North along the west line of the northeast quarter of said Section 34 to the Point of Beginning.

Resolution #2024-142

"A Resolution to Authorize an Agreement for Professional Services with Veenstra & Kimm - Microsoft Public Improvements - F90 Bridge Inspections"

Whereas, the City of Van Meter is currently in negotiations with Microsoft Corporation on a Development Agreement that will include several infrastructure projects; and

Whereas, it is the desire of both parties to start design on the infrastructure projects; and

Whereas, the City of Van Meter has previously engaged Veenstra & Kimm in a limited agreement for professional services for design services relating to these projects; and

Whereas, the City Engineer has identified that certain road projects will begin during the first phase of the project and to facilitate the planning, certain bridge inspections are required; now

Therefore, be it resolved that the Van Meter City Council approves the Agreement for Professional Services with Veenstra & Kimm for bridge inspections on F90 relating to the Microsoft projects.

Be it further resolved; the Van Meter City Council authorizes the Mayor, the City Administrator and staff to perform the necessary steps in executing the agreement.

Passed this 9th day of December, 2024

Mayor

City Clerk



VEENSTRA & KIMM INC.

3000 Westown Parkway
West Des Moines, Iowa 50266

515.225.8000 // 800.241.8000
www.v-k.net

November 25, 2024

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

WASTEWATER RECLAMATION AUTHORITY
F90 BRIDGE INSPECTIONS
AGREEMENT FOR PROFESSIONAL SERVICES

In October 2024 the City Van Meter indicated Veenstra & Kimm, Inc. could move forward with the inspection of the F90 bridge over the Raccoon River and the F90 bridge over the Raccoon River overflow channel. The inspection work was completed and the repair cost estimates have been factored in to the updated cost for the public improvements.

Although Veenstra & Kimm, Inc. has completed the work there was never a formal agreement between the City and Veenstra & Kimm, Inc. for the inspection work. To ensure the work is documented the writer has prepared the enclosed agreement for the bridge inspections. The maximum cost under the agreement is the previously agreed to maximum fee of \$43,500.

The cost for the bridge inspection of \$43,500 is included in the overall cost of the public improvements within the maximum cap.

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

VEENSTRA & KIMM, INC.

H. R. Veenstra Jr.

HRVJr:crt
40097

Cc: Jessica Drake

AGREEMENT FOR PROFESSIONAL SERVICES

**CITY OF VAN METER, IOWA
MICROSOFT PUBLIC IMPROVEMENTS F90 (360TH STREET)
BRIDGE INSPECTIONS**

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, and

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

WHEREAS, one of the public improvements involves the reconstruction F90 (360th Street) from Ute Avenue to Tabor Road, and

WHEREAS, the reach of F90 (360th Street) from Ute Avenue to Tabor Road includes the bridge over the Raccoon River and the bridge over the Raccoon River overflow channel, and

WHEREAS, Dallas County previously determined that both bridges were in need of remedial work, and

WHEREAS, the scope and extent of the remedial work of the bridges had not been determined, and

WHEREAS, Dallas County requested the City of Van Meter to inspect the F90 bridges over the Raccoon River and the Raccoon River overflow channel to determine the scope and extent of the remedial improvements that would be required for each bridge, and

WHEREAS, the City desires to retain the services of the Engineers for the inspection and development of the appropriate analysis and report of both bridges.

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. **BRIDGE INSPECTIONS.** The Engineers shall complete the physical inspection of the following bridges:
 - F90 (360th Street) bridge over the Raccoon River
 - F90 (360th Street) bridge over the Raccoon River overflow channel
2. **ANALYSIS AND RECOMMENDATION.** The Engineer shall evaluate the findings of the two bridge inspections and set forth recommendations for the improvements to each bridge in order to allow the improvements to each bridge to be designed and constructed as part of the public improvements associated with the Microsoft project.
3. **PRELIMINARY COST ESTIMATES.** Based on the results of the inspection the Engineer shall prepare a conceptual estimate of cost for the required improvements to each bridge.
4. **COMPENSATION.** Compensation for services under this Agreement shall be as follows:
 - a. The fee for services for the bridge inspection, analysis and development of the conceptual cost estimate 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-three Thousand Five Hundred and 00/100 Dollars (\$43,500.00).
5. **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.
6. **SERVICES NOT INCLUDED.** Services not included in this Agreement include the following:
 - a. Property acquisition.
 - b. Services associated with any arbitration or litigation that may arise in conjunction with the construction of the Project for which the City may be named a party.

- 7. **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.
- 8. **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.
- 9. **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.

- 10. **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.
- 11. **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

12. **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.
13. **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.
14. **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.
15. **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.
16. **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

Resolution #2024-143

"A Resolution to Authorize an Agreement for Professional Services with Raccoon Valley Land Surveying - Van Meter Municipal Building Project"

Whereas, the City of Van Meter is currently in the initial planning & design phase of a municipal building project to renovate & remodel the property located at 601 Main Street & adjoining parcels for a Fire Station, Police Station and Library; and

Whereas, the City selected Invision Architecture to perform the planning & design; and

Whereas, Invision Architecture has identified the need for certain information available as a result of a survey; and

Whereas, the City has received a proposal from Raccoon Valley Land Surveying and the City Administrator recommends approval of the Agreement for Professional Services; now

Therefore, be it resolved that the Van Meter City Council approves the Agreement for Professional Services with Raccoon Valley Land Surveying for professional services relating to the Municipal Building Project.

Be it further resolved; the Van Meter City Council authorizes the Mayor, the City Administrator and staff to perform the necessary steps in executing the agreement.

Passed this 9th day of December, 2024

Mayor

City Clerk



November 18, 2024

Ms. Jess Drake
City Clerk
City of Van Meter
Van Meter, Iowa 50261

Re: Land Surveying

Dear Ms. Drake,

I am pleased to respond to your request for Professional Land Surveying services in reference with property now locally known as 601 Main Street, Van Meter, Iowa and legally known as Lots 2 and 3, Block 2 in the Town of Van Meter, Dallas County, Iowa.

SCOPE OF SERVICES

I will perform a complete boundary survey for the property and either find or place monuments at the corners of the property.

Once the field locations are completed, I will develop a "Retracement Plat of Survey" in accordance with the Iowa Code. Monuments placed will be a two-foot long, three-quarter inch iron pipe with an orange plastic identification cap and four feet long wood lath.

PROJECT SCHEDULE

The field work can be performed within Fifteen working days of the notice to proceed, weather permitting. When I have completed the survey plat, I will submit to the County for recordation. If this schedule does not work with your needs, please notify me and I can make other arrangements.

This proposal does not include any locations on the property with the exception of any serious encroachments.

If locations are required, please let me know and I will revise my proposal accordingly.

Page Two

November 18, 2024

Re: Land Surveying
Van Meter Iowa

This proposal also does not include materials such as iron pipe and wood lath, meetings, copies of the plats, filing fees or delivery/mailing of the plat to the appropriate parties.

FEE
Boundary Retracement Survey and Plat of Survey \$800.00

If you have any questions or require any additional information, please do not hesitate to contact me.

Respectfully,

Joel R. Romey, PLS

For:

Ms. Jess Drake
City Clerk
City of Van Meter
Van Meter, Iowa 50261

ACCEPTANCE

This agreement Between City of Van Meter (OWNER) and
Raccoon Valley Land Surveying, LLC (RVLS) authorizes to proceed with the scope of
services described in this proposal, and we accept the conditions listed herein.

Accepted:

Signature: JESSICA DRAKE Date: November 20, 2024

Resolution 2024-144

"A Resolution Appointing Members to the Van Meter Volunteer Fire Department"

Whereas, the Code of the City of Van Meter, Iowa Chapter 35 requires that all members of the Van Meter Volunteer Fire Department be appointed by the Council, and

Whereas, the Fire Chief desires to appoint members to the Van Meter Fire Department per Van Meter Municipal Code Chapter 35, now

Therefore, be it resolved by the Van Meter City Council that the following members be appointed member of the Van Meter Fire Department:

Jacob Durlinger
Judah Noble

Passed and approved this 9th day of December, 2024

Mayor

ATTEST:

City Clerk

From: [Mark Schmitt](#)
To: [Jess Drake](#)
Subject: RE: New FF council approval needed
Date: Thursday, December 5, 2024 1:39:06 PM

Thanks

Mark Schmitt

Fire Chief
City of Van Meter
505 Grant Street
(P O Box 160)
Van Meter, IA 50261
Cellular (515) 250-3561

From: Jess Drake <jdrake@vanmeteria.gov>
Sent: Thursday, December 5, 2024 1:36 PM
To: Mark Schmitt <mschmitt@vanmeteria.gov>
Subject: RE: New FF council approval needed

I can but the deadline for submission is the Monday prior to the council meeting. It just happens to be that there was a system issue yesterday that prevented the completion of the agenda.

Jess Drake

City of Van Meter | City Clerk
515-996-2644 (o) | 515-478-5047 (c)
jdrake@vanmeteria.gov

From: Mark Schmitt <mschmitt@vanmeteria.gov>
Sent: Thursday, December 5, 2024 1:32 PM
To: Jess Drake <jdrake@vanmeteria.gov>
Subject: New FF council approval needed

Jess,

Sorry for the late notice, hoping I can still get this onto the consent agenda for Monday nights council meeting, I need the following 2 people approved to become members of the fire department.

Jacob Durflinger
Judah Noble

Thanks

Mark Schmitt

Fire Chief

City of Van Meter

505 Grant Street

(P O Box 160)

Van Meter, IA 50261

Cellular (515) 250-3561



State of Iowa

Alcoholic Beverages Division

Applicant

NAME OF LEGAL ENTITY	NAME OF BUSINESS(DBA)	BUSINESS		
Casey's Marketing Company	Casey's General Store #1493	(515) 207-6294		
ADDRESS OF PREMISES	PREMISES SUITE/APT NUMBER	CITY	COUNTY	ZIP
700 Debra Drive		Van Meter	Dallas	50261
MAILING ADDRESS	CITY	STATE	ZIP	
1 SE CONVENIENCE BLVD	Ankeny	Iowa	50021	

Contact Person

NAME	PHONE	EMAIL
Licensing Department	515-381-4090	licensingteam@caseys.com

License Information

LICENSE NUMBER	LICENSE/PERMIT TYPE	TERM	STATUS
LE0002070	Class E Retail Alcohol License	12 Month	Active

TENTATIVE EFFECTIVE DATE	TENTATIVE EXPIRATION DATE	LAST DAY OF BUSINESS
Jan 10, 2024	Jan 9, 2025	

SUB-PERMITS

Class E Retail Alcohol License

PRIVILEGES



Status of Business

BUSINESS TYPE

Corporation

Ownership

• Individual Owners

NAME	CITY	STATE	ZIP	POSITION	% OF OWNERSHIP	U.S. CITIZEN
ERIC LARSEN	Ankeny	Iowa	50023	TREASURER	0.00	Yes
SCOTT FABER	Johnston	Iowa	50131	SECRETARY	0.00	Yes
BRIAN JOHNSON	JOHNSTON	Iowa	50131	VICE PRESIDENT	0.00	Yes
DOUGLAS BEECH	ANKENY	Iowa	50021	ASSISTANT SECRETARY	0.00	Yes
42-0935283 Casey's General Stores, Inc.	Ankeny	Iowa	50021--804	Owner	100.00	Yes
CASEY'S GENERAL STORES	Urbandale	Iowa	50322			
SAMUEL JAMES	Ankeny	Iowa	50021	PRESIDENT	0.00	Yes

Insurance Company Information

INSURANCE COMPANY

POLICY EFFECTIVE DATE

POLICY EXPIRATION DATE



State of Iowa

Alcoholic Beverages Division

DRAM CANCEL DATE

OUTDOOR SERVICE EFFECTIVE
DATE

OUTDOOR SERVICE EXPIRATION
DATE

BOND EFFECTIVE DATE

TEMP TRANSFER EFFECTIVE
DATE

TEMP TRANSFER EXPIRATION
DATE

From: noreply@salesforce.com on behalf of [IOWA ABD Licensing Support](#)
To: [info](#)
Subject: Iowa ABD | LE0002070 Upcoming Auto-Renewal
Date: Thursday, October 31, 2024 9:00:21 PM

Hi City of Van Meter,

The following license is in the Automatic Renewal Program and is scheduled to automatically renew. You have until 51 days prior to the expiration date of the license to unenroll the licensee from the program and stop the automatic renewal of the license. Unenrollment of the license is done via the eLAPS system.

License Number: LE0002070
Corp Name: Casey's Marketing Company
DBA: Casey's General Store #1493
Application Number: App-191707
Expiration Date: 1/9/2025

If you need any assistance, please visit <https://iowaabd.my.site.com/s>

Agenda Item #8

Discussion and Possible Action:

Request for an exception to Section 41.12
of Public Health & Safety Chapter 41 -
Newton

Submitted for: **Discussion and Possible Action**

Please see the attached request regarding bow hunting on private property in Hickory Lodge Plat 5. Plat 5 was annexed into City limits. The HOA Covenants state no hunting effective 2018, but the HOA held a meeting in 2021 allowing bow hunting for deer in season in Hickory Lodge (noting that the allowance may not pertain to lots within City Limits). Additional information is included in the packet including the Code.

Recommendation:

Sample Language:

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

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

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

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

From: [Brooks Newton](#)
To: [Jess Drake](#)
Subject: Re: Parks & Rec Board Vacancy
Date: Thursday, November 28, 2024 6:23:22 AM

Let's go ahead and make the request.

And thank you for all the help. Let me know if there's anything additional if need.

Happy thanksgiving!

- Brooks Newton DC, CICE

On Nov 27, 2024, at 1:50 PM, Jess Drake <jdrake@vanmeteria.gov> wrote:

There is no record of any agreements pertaining to the annexation that would allow an exception to the City Code. I'm not also sure that the minutes provided supersede the recorded covenants.

With that being said, the City doesn't enforce covenants or HOA rules. It would appear that a request of this nature would have to go to Council for approval pursuant to [City of Van Meter Code Section 41.12](#).

If you wish to submit a request to Council, we can use this email as the request if you reply so accordingly.

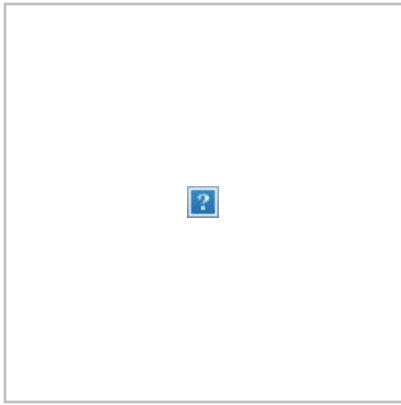
Otherwise, you can submit a request with any supporting documentation to info@vanmeteria.gov. It would have to be a stated agenda item in order for Council to take action. If you were to address Council during public comment, they could only listen not act on your comments.

Jess Drake
City of Van Meter | City Clerk
515-996-2644 (o) | 515-478-5047 (c)
jdrake@vanmeteria.gov

From: Brooks Newton <drbrooks@dsmspinesport.com>
Sent: Wednesday, November 27, 2024 11:19 AM
To: Jess Drake <jdrake@vanmeteria.gov>
Subject: Re: Parks & Rec Board Vacancy

This is what I was able to get my hands on via our HOA president. Looks the HOA would allow per the city's discretion.

Brooks Newton DC, CICE



Phone | 515.276.4344

Text | 515.505.1771

Fax | 515.276.4744

DSM Spine+Sport

[4456 NW 128th St](#)

[Urbandale, IA 50323](#)

On Tue, Nov 26, 2024 at 2:58 PM Jess Drake <jdrake@vanmeteria.gov> wrote:

Hello!

The covenants for plat 5 that we have on file prohibit hunting, firearm or bow. If you have a different set of covenants or the HOA agreement, I can take a look and see how that fits in with city code.

Jess

<image001.png>

Jess Drake

City of Van Meter | City Clerk

515-996-2644 (o) | 515-478-5047 (c)

jdrake@vanmeteria.gov

From: Brooks Newton <drbrooks@dsmspinesport.com>

Sent: Tuesday, November 26, 2024 12:29 PM

To: Jess Drake <jdrake@vanmeteria.gov>

Subject: Re: Parks & Rec Board Vacancy

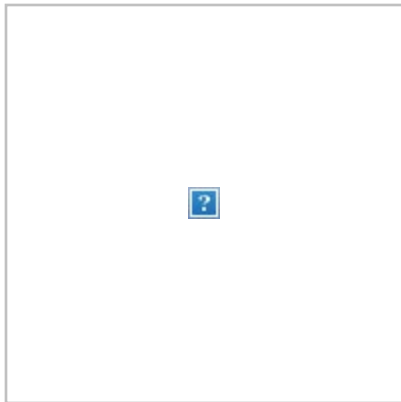
Hey Jess,

This is super random, but I was wondering if you could answer something for me or point me in the right direction with finding an answer.

As I think you know, we live out in Hickory Lodge. My property is in the portion of the development that is annexed by VM. Our HOA allows property owners to bow hunt their properties. I would like to bow hunt my ground. Do you know if the HOA's position/rules allows me to bow hunt? Or am I technically within the city limits and out of luck?

And thank you in advance for your help. I'm sure this is just what you were hoping to get asked about prior to the holiday vacation!

Brooks Newton DC, CICE



Phone | 515.276.4344

Text | 515.505.1771

Fax | 515.276.4744

DSM Spine+Sport

[4456 NW 128th St](#)

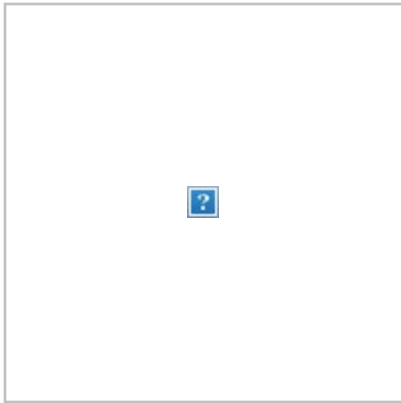
[Urbandale, IA 50323](#)

On Tue, Nov 26, 2024 at 9:05 AM Brooks Newton

<drbrooks@dsmspinesport.com> wrote:

No need to apologize!

Brooks Newton DC, CICE



Phone | 515.276.4344

Text | 515.505.1771

Fax | 515.276.4744

DSM Spine+Sport

[4456 NW 128th St](#)

[Urbandale, IA 50323](#)

On Mon, Nov 25, 2024 at 7:37 PM Jess Drake <jdrake@vanmeteria.gov> wrote:

Nope. Sorry! She was one of the 2 that wasn't there.

You likely won't meet her :)

Jess Drake
City Clerk

Van Meter City Hall
310 Mill St, PO BOX 160
Van Meter, IA 50261
Hours: Monday - Thursday 8:00am - 5:00pm, Friday 8:00am - 1:00pm
Appointments available upon request

On Nov 25, 2024, at 6:18 PM, Brooks Newton
<drbrooks@dsmspinesport.com> wrote:

I'm bad with names. Was that one of the ladies there last

week?

- Brooks Newton DC, CICE

On Nov 25, 2024, at 4:51 PM, Jess Drake
<jdrake@vanmeteria.gov> wrote:

Hello!

We received a letter of resignation from the Park Board from Cari this morning. We will be advertising the vacancy on social media and in the City Newsletter.

Jess.

Jess Drake

City of Van Meter | City Clerk

515-996-2644 (o) | 515-478-5047 (c)

jdrake@vanmeteria.gov

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

HOURS FOR CITY HALL:

Monday – Thursday 8:00am – 5:00pm

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

41.12 THROWING AND SHOOTING.

It is unlawful for a person to throw stones, bricks, or missiles of any kind or to shoot arrows, paintballs, rubber guns, slingshots, air rifles, BB guns, or other dangerous instruments or toys on or into any street, alley, highway, sidewalk, public way, public ground, or public building, without written consent of the Council.

(Code of Iowa, Sec. 364.12[2])

**Minutes of Annual Meeting
Of Members and Board of Directors
Of**

Hickory Lodge Homeowners' Association

On May 26, 2021, the Annual Meeting of the Members of Hickory Lodge Homeowners' Association was held at the American Legion Hall at 910 Main Street, Van Meter, Iowa. Notice of such meeting was provided to all Members on April 30, 2021. 32 Members were present in person or by proxy.

The initial matter to come up before the Membership was the election of one Director. Upon Motion duly made and seconded, and unanimously approved, the following Director was elected.

David Wetsch One Year term expiring February 28, 2022

The next matter to come before the Membership was a review of the financial information of the Association for the calendar years 2020 and 2021. The Association had income totaling \$19,366.75 for the calendar year 2020, and expenses totaling \$44,278.15. The January, 2020 beginning cash balance was \$102,029.47, and after allowing for all income and expenses, a cash balance on December 31, 2020, of \$77,118.07. For 2021, income year to date totals \$19,568.08, expenses year to date total \$6505.56, and the cash balance as of May 12, 2021 was \$90,180.59.

The next matter to come before the Membership was a discussion on snow removal and application of salt/sand. Charges for application of salt this past winter were high and the board felt that it would be beneficial to request a bid from another company for 2021. Dave Wetsch has asked a new company for a bid and is still waiting for their submission.

The next matter to come before the Membership was concerning the stacked rock at the entrance to Hickory Lodge which is starting to collapse. The board will be looking for volunteers to restack the walls this summer or fall.

There was a motion made to allow bow hunting for deer in Hickory Lodge during bow season. The motion was seconded. There was discussion and the motion passed. Homeowners and their immediate family members will be allowed to bow hunt for deer on their property, only during bow season. This may not apply to lots that have been annexed into the City of Van Meter.

There being no further business, the meeting was adjourned.

Respectfully Submitted,

Tom Small, Secretary

**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR LOTS 1 THROUGH 15, INCLUSIVE, IN
HICKORY LODGE PLAT 5**

THIS DECLARATION is made this 20th day of July, 2018, by **Hickory Lodge Holdings, L.L.C.** (hereinafter called "Declarant");

WITNESSETH:

WHEREAS, Declarant is the owner of real estate described as Lots 1 through 15, inclusive, in Hickory Lodge Plat 5, an Official Plat, now included in and forming a part of the City of Van Meter, Dallas County, Iowa (hereinafter collectively as "Property" or "Lots"); and

WHEREAS, Declarant is desirous of developing the Property and to establish certain Covenants, Conditions and Restrictions for the benefit of Owners within the Property;

NOW, THEREFORE, Declarant by the execution and recording of this document, hereby declares that the Property shall be held, occupied, sold and conveyed subject to the Covenants, Conditions and Restrictions set forth herein.

ARTICLE I.

General Use Restrictions and Building Specifications

Lots 1 through 15, inclusive, in Hickory Lodge Plat 5, shall be held, maintained, occupied, sold and conveyed subject to the following Covenants, Conditions and Restrictions, as well as those Covenants, Conditions and Restrictions set forth elsewhere in this Declaration:

A. Single Family Residence.

The use of Lots shall be limited to single family residential use. The term "single family" shall have the same meaning under this Declaration as contained in the Van Meter, Iowa, Zoning Ordinance. Uses of land or structures customarily incidental, accessory and subordinate to the single family residential use as permitted by the City of Van Meter ("City") Zoning Ordinance are permitted unless prohibited or otherwise regulated by this Declaration.

B. Playhouses and Sheds.

Playhouses, utility buildings, tool sheds, storage sheds, or other similar structures shall be permitted; provided, however, that regardless of whether the appropriate municipality is required by its regulations to issue a building permit for such structure the exterior and the roof must be constructed of the same material and have the same color and appearance as the residential dwelling on the same Lot and be constructed and maintained in an attractive and workmanlike manner. The structure shall be at least twenty (20) feet away from any Lot line and may only be placed in the rear yard of a Lot and shall be securely anchored on a suitable concrete, concrete block or slab foundation.

C. Garages.

All dwellings shall have at least a two-car attached garage.

D. Fences and Hedges.

No fences, walls, or barriers shall be permitted upon Lots or property lines except as follows:

- (i) Fences, walls or barriers shall be permitted only along rear Lot lines and side Lot lines behind the dwelling (rear yard) but they shall not exceed eight (8) feet in height.
- (ii) The fence screening material shall be mounted on the exterior face of the fence posts or fence framing. No chain link fence, including a chain link fence around a dog run, shall be permitted unless it is a black vinyl clad fence. Fencing material shall be limited to black vinyl clad fence, black wrought iron, or concrete block with suitable stucco finish. The Architectural Control Committee of the Board of Directors of the Hickory Lodge Homeowners' Association ("Homeowner's Association") shall have the authority, in its sole discretion, to permit alternative fencing materials which would be in harmony

with the neighborhood. All fences shall be kept in good repair and attractive appearance.

E. Trees.

The knocking down or cutting down of trees should be limited to the minimum needed for construction on a Lot or the removal of diseased or dead trees.

F. Utility Meters.

Utility meters shall be hidden architecturally or through the use of remote reading devices.

G. Measurement of Setbacks.

The minimum setbacks as specified in this Declaration shall be measured from the Lot line from which the setback is being measured to the nearest building or structure. No buildings or structures (except for permitted fences or mailboxes) shall be constructed or maintained within the required minimum setback area. The definition of the terms "front yard", "side yard", "rear yard", "building", "structure", or other similar term relating to setbacks shall be the same as that definition contained in the City's Zoning Ordinance now or in the future.

H. Utilities.

All utilities, including trunk and service lines for telephone, electricity and cable television, shall be constructed and maintained underground except for that portion which utility companies customarily require to be above ground in the immediate proximity of any exterior utility meter.

I. Security Lighting.

Security or decorative lighting for driveways, parking and other areas shall be designed, located and directed in a fashion which will avoid direct lighting onto adjoining Lots.

J. Paving of Driveways.

All parking and driveway areas shall be hard surfaced, using a suitable thickness of Portland cement, brick pavers, stamped concrete or asphalt. The driveway shall extend to the public street and be of sufficient length or accommodate the back-to-back parking of at least two standard size sedan automobiles without encroaching on the street right-of-way.

K. Seeding or Sodding.

All portions of a Lot not occupied by structures, walkways, driveways, parking or landscaping and which have been disturbed during construction shall be sodded or seeded within ninety (90) days after completion of construction on a Lot unless weather conditions make this requirement impossible to meet, in which event the Board of Directors of the Association shall establish a reasonable period of time for compliance. If the sodding or seeding is not fully successful, the affected area shall be re-sodded or re-seeded.

L. Garbage Cans, Firewood and Equipment.

Items such as garbage cans, firewood, clotheslines, lawn or garden equipment, building materials and other similar items shall be stored out of public view. Garbage or trash receptacles may be placed curbside the evening before pick-up and shall be returned to acceptable storage out of public view by the evening of the day of pick-up. Furthermore, any repair of motorcycles, automobiles, vehicles, boats or equipment shall be done out of public view. The term "out of public view" as used in this paragraph or elsewhere in this Declaration shall mean that the item in question cannot be seen from any street or from any other Lot.

M. Offensive Vehicles.

No vehicles offensive to the neighborhood shall be stored, parked or abandoned on any Lot or street. Nothing in this paragraph, however, shall prohibit the parking of usual and customary construction equipment and vehicles during the time construction takes place on a Lot or street.

N. Boats and Equipment.

No boat, snowmobile, tractor, recreational vehicle, camper, trailer, auto-drawn or mounted trailer of any kind, truck, aircraft, camper truck or similar equipment shall be maintained, stored or parked on any Lot unless it is stored or parked out of public view. No motor vehicle may be parked or stored outside on any Lot, except vehicles driving on a regular basis by the occupants of the dwelling located on such Lot. No grading, excavating equipment, commercial vehicles, or semi-tractor/trailers shall be parked, stored, kept or maintained in any yards, driveways or street. However, this section shall not apply to pick-up trucks or customary sport utility vehicles (SUV). In addition to the foregoing, this section shall not apply to temporary parking of commercial vehicles or excavating equipment which are necessary for construction on a Lot.

O. Temporary Structures; Mobile Homes.

There shall be no occupancy or use of temporary structures or partially completed structures. No home or other building shall be moved onto any Lot. No mobile homes, prefabricated homes, modular or factory manufactured homes shall be permitted at any time. All homes and buildings, including outbuildings, shall be "stick built."

P. Architectural Character.

The architectural character of any structure shall be in harmony with, and compatible with, other structures located on the Property as well as the neighboring area and environment and also meet the building standards described below in Article II and shall have been first approved by the Architectural Control Committee of the Board of Directors as set forth more fully in these Covenants, Conditions and Restrictions.

Q. Exterior Foundations.

Exterior foundations exposed above finish grade which are not faced with brick or stone shall be painted to match the rest of the structure; provided, however, that in no event shall any exterior foundations be exposed more than twelve (12) inches above finish grade which is not faced with brick or stone.

R. Roof Material.

Roof materials shall be slate, tile, copper or wood shake shingles, or high-quality asphalt shingles with a weight rating of at least 300 pounds.

S. Swimming Pools.

Above-ground swimming pools or non-permanent swimming pools are prohibited. Below ground swimming pools shall be allowed; however, the Lot Owner shall be responsible to provide property security fencing completely surrounding the pool meeting governmental safety requirements.

T. Satellite Dish.

A satellite earth station antenna or parabolic device used to receive television or telecommunication signals from satellites (Satellite Dish) shall be permitted only if it meets the following requirements:

- (i) The Satellite Dish shall not be mounted on a trailer or other temporary Or portable device, but shall be permitted installed in an acceptable fashion;

(ii) The Satellite Dish shall not exceed one meter in diameter or as measured diagonally;

(iii) The Satellite Dish shall be installed and maintained in accordance with rules and regulations as may be adopted from time to time by the Board of Directors of the Homeowners' Association. In no event, however, shall the regulation of satellite dishes conflict with The Telecommunications Act of 1996, as amended, or other applicable Federal Act as well as any Federal Rules promulgated pursuant thereto. If there is a conflict between Federal law and the terms of this subparagraph U or the terms of any regulations adopted by the Declarant or the Homeowners' Association, the terms of the Federal law shall control.

U. Dog Runs and Houses.

Dog runs shall not be permitted unless they are located at the rear of the house or garage and extend toward the rear of the Lot from that portion of the house or garage which is closest to the rear Lot line. Any dog house shall be the same external appearance, color and building material as the home situated on the Lot, and shall be constructed and maintained in an attractive and workmanlike manner. No dog house or dog run shall be located within any setback area required by this Declaration.

V. Towers.

No home amateur ("ham") radio tower or other communication tower, mast or pole of any kind shall be constructed or maintained on any Lot; provided, however, that a video communication tower or mast may be constructed and maintained on a house or building if the tower, mast or antenna does not extend higher than twelve (12) feet above the roof line of the home. If there is a conflict between The Telecommunication Act of 1996, as amended, and the Federal Regulations promulgated pursuant thereto and the terms of this subparagraph W, the terms of the Federal law shall control.

W. Noxious Activities; Livestock.

No noxious or offensive activity, sound, vibration, noise or odors shall be permitted on or to escape from any Lot, nor shall anything be maintained or done thereon which is or may become an annoyance, offensive or a nuisance either temporarily or permanently. No animals, livestock, pigs, snakes or poultry of any kind shall be raised, bred or kept on any Lot or within any house or structure on a Lot except that domestic dogs (but not pitbull dogs), cats, and other small commonly accepted domestic pets may be kept so long as they are not kept, bred or maintained for commercial purposes or sale to the public and so long as they do not present any health or safety hazard or cause any offensive activity,

sound, noise or odor. In no event, however, shall more than two (2) dogs (but not pitbull dogs) and two (2) cats be maintained on any one Lot. Dogs shall be tied, kept on a leash, fenced or kept in a dog run at all times. Owners of dogs and cats shall promptly clean up after their pets, especially any droppings on sidewalks, streets or neighboring Lots.

X. Maintenance of Lot.

The owner or person in possession of any Lot, whether vacant or improved, shall keep the Lot free of trash, litter and debris and shall keep the sodded or seeded portion of the Lot attractively mowed so that the grass and vegetation do not exceed six (6) inches in height. The mowing requirement, however, shall not apply to areas maintained in their natural state or to areas of the Lot where wildflowers are maintained. Each Owner of a Lot agrees that after he or she receives written notice given by certified mail, return receipt requested, or delivered in person by written notice, by the Declarant or the Association, such grass or vegetation shall be cut and trash, litter and debris removed within five (5) days or receipts of the notice. If the appropriate corrective action is not taken within five (5) days of receiving notice, the Association or the Declarant shall have the right (but not the duty) and easement to enter upon the premises and mow or cut the grass or vegetation or remove the offending trash, litter and debris. If the Association elects to mow or remove the trash, litter and debris from the offending Lot after giving the above-described notice, the Association shall have the right to assess the cost thereof against the offending Lot in the same fashion as other assessments are imposed on Lots by the Association and to establish a monetary penalty for breach of the maintenance requirement set forth in this paragraph.

Y. Home Business.

A customary home business or profession may be permitted so long as (i) it is conducted wholly within the residence, in compliance with any applicable zoning ordinance or other similar governmental regulation; (ii) it will not cause increased traffic, truck deliveries, or congestion within the Property; and (iii) there will be no outward indication, signs or otherwise, indicating the home business enterprise.

Z. Erosion Control.

All Lot Owners as well as their contractors or agents shall be responsible for implementing appropriate erosion control measures before, during and after any construction or excavation on a Lot. Such measures may include temporary sedimentation areas, silt fences and ground cover. If in the opinion of the Declarant or the Association erosion is not properly controlled, corrective action may be taken by the Declarant or the Association, and an automatic easement is hereby reserved and granted to implement

the corrective action, and the actual costs thereof plus an administrative fee, as determined by the Association, shall be assessed against the offending Lot.

AA. Burning Prohibited.

No trash burning or burning of building materials, leaves, branches or other material shall be permitted on any Lot. This prohibition shall not restrict a homeowner from installing and utilizing a fire pit, conditioned on such fire pit being installed in the rear portion of any individual Lot, further conditioned on being installed at least twenty (20) feet from any Lot line, and finally, conditioned upon the homeowner maintaining such fire pit in an attractive manner and limiting any flying sparks or embers from emanating from such fire pit.

BB. Drainage.

Drainage from an Owner's Lot shall not adversely affect any other Owner, Lot, street or structure and each Owner shall indemnify and hold harmless all other Owners, the Declarant and the Association from and against any and all damages or liability caused by an Owner's violation of this paragraph regarding drainage.

CC. Easements.

Certain perpetual easements are reserved as shown on the recorded plat of Hickory Lodge Plat 5, and/or as may be granted to the City by the Declarant and filed of record in the Office of the Dallas County Recorder. The owner or occupant of a Lot shall, at their own expense, keep and preserve that portion of the easement within their Lot in good repair and condition, and shall neither erect nor permit erection of any building, structure or fences of any kind within the easement which might interfere in any way with the use of such easement.

DD. Signs.

There shall be no signs posted on or within the Property except reasonable "For Sale" signs maintained by Declarant or maintained by any agents or brokers regarding sale of Lots by Owners. Reasonable signs identifying that a home is protected by a security system shall also be allowed. In no event shall any sign permitted by this paragraph be placed on or near any entrance feature to the property or in the public right of way.

EE. Noise.

There shall be a limited noise level of thirty (30) decibels allowed to be emitted from any Lot when measured from any other Lot in the Property. Exceptions shall be lawnmowers,

snow blowers, chainsaws, or other standard exterior maintenance equipment and construction work, for which levels may be higher but only between 6:00 A.M. and 10:00 P.M.

FF. Parking.

There shall be no parking of automobiles, motorcycles or vehicles of any kind on any of the streets in the Property.

GG. No Hunting.

No hunting, trapping, shooting of wildlife or discharging of firearms or bows and arrows shall be allowed in the Property.

HH. Recreational Vehicles.

There shall be no recreational snowmobiling or motorized off-road vehicle use or all-terrain vehicles use within the Property except directly to or from an Owner's residence and a destination outside of the Property. Such vehicles, however, may be used for the conveyance of emergency supplies or emergency transportation.

II. No Change of Grade.

No person shall change the plat of the Property or elevation of any easement area or interfere with any easement area shown on the plat or the Property or by separate instrument, including electric lines and utility easements nor construct any fence or place any obstruction on or over the easement area.

JJ. Propane Tanks.

Any liquefied propane (L.P.) tank located on a lot shall be buried completely below ground.

KK. Subdividing Prohibited.

No Lot shall be subdivided, partitioned, re-platted or in any way divided so as to create more than one parcel of real estate.

LL. Construction Trucking Limitations on Residential Streets.

To preserve the structural integrity of the residential streets in the Hickory Lodge development, all construction traffic must enter Hickory Lodge Plat 5 from Tabor Road.

At no time shall the weight limit of any truck or construction vehicle exceed the maximum allowable weight set forth in Iowa Code §321.463.

MM. Street Damage Deposit.

Upon closing of a Lot in Hickory Lodge Plat 5, the purchaser shall deposit with the Association a street damage deposit in the amount of \$5,000.00 to be held in escrow by the Association until the completion of construction on the Lot ("Street Damage Deposit"). In the event the purchaser does not fully comply with the limitations set forth in Section MM above and, as a result, damage is caused to any private, residential street located in the development, the Association shall have the right to repair any damage and retain the Street Damage Deposit, in whole or in part, as reimbursement for payment therefor. Once construction has been completed and an occupancy permit has been issued by the City, the Owner of the Lot shall notify the Association, in writing, and absent any damage to the streets caused by the Owner, the Street Damage Deposit shall be returned to the Owner within thirty (30) days thereof. Notwithstanding the foregoing, it shall be the Owner's sole responsibility for obtaining a refund of the Street Damage Deposit from the Association and shall hold Declarant harmless from the same.

ARTICLE II.

Architectural Control

A. Scope of Architectural Control.

In order to preserve the general design for the development of the whole of Hickory Lodge as fine residential country estate community, no dwelling, Living Unit, or outbuilding or improvement of any kind, nor any addition thereto or landscaping shall be erected or undertaken upon any Lot unless the plan, design, building materials, landscaping plan and location thereof shall have first been approved by the Architectural Control Committee of the Board of Directors. The Board of Directors shall establish an Architectural Control Committee composed of three (3) persons appointed the Board, all of whom may be members of the Board. Each committee person shall serve for a one-year term and no member of this committee, except the Declarants or their appointees, shall be allowed to serve more than three (3) consecutive terms.

In the event of a dispute between a Lot Owner in Plats 4 or 5 and the Architectural Control Committee, Declarant shall appoint three additional owners to serve with the Architectural Control Committee to resolve the dispute, said additional owners to have an equal share in vote as the Architectural Control Committee members.

B. Approval of Plans.

No grading of any Lot, no dwelling, Living Unit or outbuilding of any kind, no Fence, wall or other structure, and no landscaping shall be commenced, erected, altered or maintained upon the Property, nor shall any exterior addition to or change in alteration therein be made until the plans and specifications showing the nature, kind, shape, height, color, materials and location of the same shall have been submitted to and approved in writing by the Architectural Control Committee as to the harmony of the external design in relation to the surrounding homes and topography. Any change in appearance or color of any part of the exterior of a dwelling or outbuilding shall be deemed a change thereto and shall require the approval therefore as above provided.

C. Procedure.

In order to obtain the approval of the Architectural Control Committee, an Owner shall submit a complete set of architectural plans, which plans shall show in sufficient detail the following:

- a. All exterior design elements, including a showing the front elevation of the dwelling is covered with no less than 65% stone or brick veneer (exclusive of doors and windows);
- b. All exterior building materials;
- c. All exterior colors;
- d. Interior square footage and garage space;
- e. Location of all proposed improvements on the Lot; and
- f. All landscaping and grading details.

No approval of the plans shall be given unless the proposed improvement or construction shall meet all of the expressed provisions of this Declaration and shall be in accordance with the spirit and harmony of this Declaration, to be determined in the sole discretion of Architectural Control Committee.

The Architectural Control Committee shall make a decision within fifteen (15) days of receipt of a complete set of such plans. Failure to approve or disapprove such plans within fifteen (15) days shall be deemed approval.

-continued on next page-

ARTICLE II.
Bulk and Setback Restrictions

A. Setbacks.

In addition to the general use restrictions and building specifications set forth in Article I and the requirements for approval by the Architectural Control Committee in Article II above, the following building specifications shall apply to each Lot in the Property.

- (i) The front yard setback shall be at least 50 feet.
- (ii) The side yard setback shall be at least 20 feet (each side).
- (iii) The rear yard setback shall be at least 50 feet.
- (iv) Lots shall also be subject to all setbacks, easements and restrictions shown on the plat of the Property which is filed of public record.

B. Minimum Square Footage.

Dwellings shall have a minimum square footage of finished areas as measured to the exterior wall face of the finished areas as follows:

- (i) One story dwellings must have a main floor finished are of not less than 2,000 square feet.
- (ii) One and one-half story dwellings must have not less than 2200 square feet with 1,700 on the first floor.
- (iii) Two story dwellings must have not less than 2,400 square feet.
- (iv) Split-level or split entry dwellings must have not less than 1,850 square feet, directly under the roof and a total finished are of at least 2,200 square feet.
- (v) Any other styles or sizes not enumerated above shall not be permitted unless approved by the Board of Directors of the Association in its sole discretion.
- (vi) All buildings structures and/or improvements of any kind must be completed within twelve (12) months of the commencement date of construction.

C. Computation of Square Footage.

In computing minimum square footage under this Article, porches, including three-season porches, and decks, breezeways, attics, garages and basements, even if finished, shall be excluded.

ARTICLE III.

Enforcement of Covenants

A. Legal Action.

These Covenants, Conditions and Restrictions shall be deemed to run with the land to which they apply and all improvements thereon. The Owner of any Lot or portion thereof to which these Covenants, Conditions and Restrictions apply, the Declarant, or the Association may bring an action in any court of competent jurisdiction to enforce these Covenants, Conditions and Restrictions and enjoin their violation, mandate their compliance or to recover damages for the breach thereof or for any other remedy or combination of remedies recognized at law or in equity.

B. Penalties.

In addition to the remedies described above in Paragraph A or elsewhere in this Declaration, the Homeowners' Association is hereby authorized to levy against any Lot in violation of these Covenants, Conditions and Restrictions an assessment penalty not to exceed \$100 for each day a violation continues beyond thirty (30) days after notice of violation has been given by the Homeowners' Association to the Owner of said Lot by certified mail, return receipt requested, or delivered in writing in person. If the Owner refuses delivery of notice, the Homeowners' Association shall publish notice of the violation for two (2) successive weeks in a newspaper of general circulation in Dallas County, Iowa. If the Owner has not fully complied with the covenants, Conditions and Restrictions within thirty (30) days of receiving notice, or thirty (30) days after second publication of notice, the Homeowners' Association shall have the authority to levy an assessment penalty as describe herein. This assessment shall be a lien on the Lot and shall have the same status as any other assessment levied by the Homeowners' Association. Any Lot Owner objecting to the notice of violation shall have the right within thirty (30) days of receiving notice to request a hearing before the Homeowners' Association Board of Directors. Assessment of the penalty shall be stayed pending a hearing and final decision by the Homeowners' Association Board of Directors.

C. Delays in Enforcement.

No delay or omission on the part of the Association, the Declarant, or any Owner of land

to which these Covenants, Conditions and Restrictions apply in exercising any rights, power or remedy herein allowed shall be construed as a waiver or acquiescence therein. No right, claim or action shall accrue to and no action or claim shall be brought or maintained by anyone against Declarant, or any officer, employee or agent thereof or the Association on account of any action or inaction under this Declaration.

D. Conflict with Governmental Regulations.

The Property subject to this Declaration shall also be subject to any and all applicable regulations of the City and any other governmental entities having jurisdiction including, but not limited to, zoning ordinances, subdivision ordinances, life safety and building codes, environmental health or sanitation regulations as well as other such regulations. Whenever there is a conflict between the provisions of these Covenants, Conditions and Restrictions and the ordinances, statues or regulations of the City, State, or other applicable governmental entity having jurisdiction over the Property, or any portion thereof, that provision which is most restrictive shall be binding unless otherwise prohibited or preempted by law.

E. Rules and Regulations.

The Board of Directors of the Association is hereby authorized to adopt rules and regulations pursuant to this Declaration to clarify any terms of hereof, carry out the intent hereof, prescribe rules for the breach of the rules and regulations or breach of this Declaration. The rules and regulations shall become effective upon a simple majority vote of Board members present at a Board meeting where a quorum is present.

ARTICLE IV.

Term of Covenants; Severability

A. Duration.

All of the foregoing Covenants, Conditions and Restrictions shall continue and remain in full force and effect at all times and as to the Property, regardless of how title was acquired, from the date of filing of the Declaration until a date 21 years later, unless amended by an affirmative vote of two-thirds (2/3) of the Lots within the Property, (with each Lot entitle to one (1) vote), or unless amended as provided below in subparagraph E. Any amendment or consent shall be accompanied by an affidavit by any officer of the Homeowners' Association certifying that two-thirds (2/3) of the Lot Owners within the Property (excluding Common Areas) have so consented as disclosed by the records of the Association. In determining ownership for purposes of consent, the records of the Association shall be conclusive. The Hickory Lodge Homeowners' Association is hereby appointed attorney in fact on an irrevocable basis to file any notices or extensions of these

Covenants, Conditions and Restrictions which might be required by the Iowa Code beyond the initial term ending the date noted above.

B. Homeowners' Association.

Termination of any or all of the Covenants, Conditions or Restrictions contained in this Declaration shall not operate in any way to terminate the Homeowners' Association and said Association and all functions and duties pertaining thereto shall remain in full force and effect pursuant to the Declaration creating the Association.

C. Severability.

In the event that any one or more of the terms or conditions of this Declaration shall be declared for any reason, by a court of competent jurisdiction, to be null and void, such judgment or decree shall in no way affect, modify, change, abrogate or nullify any of the remaining Covenants, Conditions or Restrictions not so expressly held to be void and the remaining parts of this Declaration shall remain in full force and effect.

D. Reasonable Period of Enforcement.

If any of the terms of this Declaration shall be held by a court of competent jurisdiction to be void or unenforceable by reason of the period of time herein stated for which the Declaration may be effective or amount of any penalty imposed, such terms or penalty shall be reduced to a reasonable period of time or amount which shall not violate the laws of the State of Iowa or other applicable law, all as determined by the court.

E. Amendments.

All amendments to this Declaration shall require the consent of at least 51% of the members of the Homeowners Association.

ARTICLE V.

Notice of Adjacent Agricultural Use and Nature of Rural Living

A. Notice of Adjacent Use.

The adjacent property as well as properties in the general vicinity are being used, and may continue to be used, for agricultural purposes as permitted by the City Zoning Ordinance, including but not limited to, farming operations and raising of livestock. Any lot owner shall be deemed to have consented to the use of adjacent property or property in the general vicinity pursuant to the agricultural classification of the City's Zoning Ordinance and shall be barred from objecting to agricultural uses presently

permitted as a matter of right under the City Zoning Ordinance and also barred from objecting to any use which was lawful under the City Zoning Ordinance as of the filing date of this declaration.

B. Notice Regarding Rural Living.

By the filing of this Declaration, notice is hereby given that the Property has been platted for and is intended to be used for residential purposes in a rural setting. The unique rural setting is not like a typical urban subdivision. Consequently, certain urban infrastructure, such as fire hydrants, natural gas mains as well as sanitary sewers is not planned for the property by the Declarant. Owners must be prepared to address adequate private sanitary sewer or septic systems on their own lot which meets the requirements of the City or other applicable governmental unit (septic systems with laterals where permitted or peat or sand filter systems but not mechanical systems). Owners must also be prepared to make arrangements for propane (LP) storage and use in compliance with all applicable governmental regulations.

C. Property Abutting Northern Boundary of Plat 5.


Owners of Lots in Plat 5 shall ensure owners of land bounding the north boundary of said plat shall be reimbursed for any damage caused by the construction activities relating to the development of Lots in Plat 5.

D. Perimeter Fences/Entrance Features.

The Developer shall maintain the Farm Fence spanning the North Boundary of Plat 5 as to the Developer's share of costs prescribed by the Code of Iowa pertaining to rural partition of fences. This obligation shall survive the sale of the last lot of the development owned by the developer.

HICKORY LODGE HOLDINGS, L. L.C.
DECLARANT

By _____


Toby Torstenson, Manager

STATE OF IOWA)
)ss
COUNTY OF Dallas)

This instrument was acknowledged before me on this 20th day of July, 2018, by Toby Torstenson, Manager of Hickory Lodge Holdings, L.L.C.



Lisa R. Wilson
Notary Public in and for the State of Iowa

Agenda Item #9

Discussion and Possible Action:

Resolution #2024-145 Accepting Plat of Survey Parcels 24-108, 24-109, and 24-123 and Waiving Compliance with the City's Sub-Division Ordinance

Submitted for: **Discussion and Possible Action**

The City received a Plat of Survey for parcels located on 340th Trail, within city limits. The plat has been reviewed by the City Engineer and P&Z. Both recommend approval of the plat and wavier of the City's sub-division requirements due to location of the plat and the unlikeliness of the City's ability to provided services in that location. However, there will likely be road improvements which is what prompted the need for the creation of Parcel 24-123 for the City's Easement of Right of Way Area.

Recommendation: **APPROVAL**

Sample Language: Motion to adopt Resolution #2024-145 Accepting Plat of Survey Parcels 24-108, 24-109 and 24-123 & Compliance of the Sub-Division Ordinance Waiver

City Councilmember: _____ *So moved.*

City Councilmember: _____ *Second.*

Mayor: *Roll Call Please.*

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

Resolution #2024-145

Approving a Plat of Survey & Waiving Compliance with the City of Van Meter's Sub-Division Ordinance - Parcels 24-108, 24-109 and 24-123

WHEREAS, the City of Van Meter received a plat of survey regarding a newly created parcels known as Parcels 24-108, 24-109, and 24-123 for property located within the City of Van Meter corporate limits; and

WHEREAS, the City Engineer reviewed said plat to determine whether said plat shall comply with the City's Sub-Division Ordinance (Chapter 170 of the Code of Ordinances of the City of Van Meter). The City Engineer provided his opinion to the Van Meter Planning & Zoning Commission. The Commission reviewed said plat and recommendation. Due to the location of said plat & the unlikely possibility of services being provided to the parcels, the City Engineer and Planning & Zoning Commission recommend approval of said plat and waive compliance with the City of Van Meter's Sub-Division Ordinance; now

THEREFORE, be it resolved by the City of Council of the City of Van Meter that the plat is approved and compliance with the City's Sub-Division Ordinance is waived.

PASSED AND APPROVED THIS 9TH DAY OF DECEMBER, 2024

Joe Herman, Mayor

ATTEST: Jessica Drake, City Clerk

INDEX LEGEND

<ONLY
 LOCATION: MADIS, I;
 REQUEST : JI 4 SK9-77N-Z7W
 PROPRITOL: LANCE L-UTAJ, aiaa...
 SURVEYOR: 1P103HUY113.U.C
 SURVEYOR COMPANY: CHADR A5EAAV...S
 COOPER CIMWF & ASSOCIATS, U.C
 75 5 50th STREET, SUITE 800
 WEST DES MOINES, IOWA 50316
 RFTVRNTO: G0JPFK-CTWIDQJ 6 ASSOCIATS, I, LLC

PETERSON ESTATES PRELIMINARY PLAT

SITE ADDRESS:

1115 p.uIRteITEW AVE
 WIMMETEQ, IA 5061

BASIS OF BEAANCs:

IOWA STATE PLANE T 111 ZONE 1402
 U-D-T I U...U...TIME NTWOR...

FIELDWORK:

IZ-19-2023

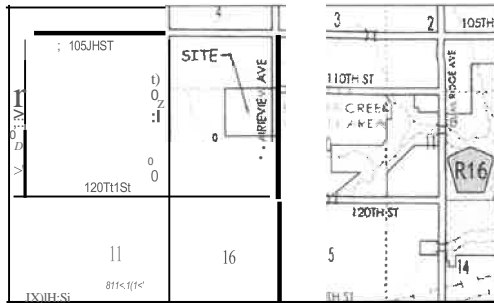
RECOADERS USE ONLY

LEGAL DESCRIPTION:

THE NORTHWEST QUARTER (1/4) OF SECTION 16, T11N, R17W, S27, IOWA COUNTY, IOWA, EXCEPT PARCEL C AS SHOWN ON A PLAT OF SURVEY IN BOOK 2024 PAGE 514 IN THE COUNTY CORDEA'S OFFICE

CONTAINING 3.525 ACRES, WHICH INCLUDES 1960 ACRES OF COUNTY ADJUGATED WAY EASEMENT

VICINRY MAP



ZONING:

TOTAL AREA SUMMARY:

AGRICULTURAL

195.255 ACRES (GROSS)
 1.960 ACRES (R.O.W.)
 153.295 ACRES (NET)

OWNER/DEVELOPER:

1P103HUY113.U.C
 3540 0. D'FOAL LAND ROAD
 VANMETER, IA 52241
 TEL. 515-280-9800

CERTIFICATION

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY AN ENGINEER IN DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA

CHADR A5EAAV...S
 245025
 0 W A

THIS SURVEY WAS COMPLETED ON 11/19/2023
 THIS SURVEY WAS COMPLETED ON 11/19/2023
 SHEETS 1 AND 2

SURVEY NOTES:

- 005 5A 11Y WA S PIRORMb WIMOUT TI-IE IINFRIT OF A TITLE SEARCH
- naS SUAVETIS SVUECT TO ALI ANI ALL EASEMENTS, AAIN T OOOIRECORP
- IN SPLATHAS ANERAOI OF Q OSUIE OF LES STHAN FOOTIN 10,000 FEET A ID EAD-I LOT WITHIN IUS AT HAS M-JE OF CLOSURI; OI, ESS IMN J IOOTIN 5,000 FEET
- THE EITITRE PROPERY LIES OUTSIDE TH-F LIMITS OF THE FEMA FLOODM-L-J
- IBUJ1, .0ENo, sT&ACU:
 -IA, ONYAILO; 50 FEET
 -RAQ VARI; 10 FEET
 -SIOEY-R(I) 25 FEET
- PROPOSED WATER TOSEJUAL WATER
- PROPOSIO, seveci to BE IN DIVIOIAL SEPTIC SVSTE"
- OO IVIWAYEN NCS-S 5TALU, eECONSYRUCTIO AT AMINIMUM OF 24 FEET WIDE AT THLOCATIONS IEFICTED ON TH-IS SURVIVY LOCATION S JIRE MEASURED TO THE CENTERLINE OF THE ENTIANU FRO THE NEAAEST NOATP OR SOUTH LOT U-P
- SAU IKAJLUMINTS TO BE CEY WITHIN ONE YEAR OF THE RECODING DATE OF TH-IS PLAT

LEGEND

- A SECTION NUMBER
- B LOT NUMBER
- C ROAD RIGHT-OF-WAY
- D EASEMENT
- E FLOOD ZONE
- F POWER LINE
- G UTILITY
- H SURVEY POINT
- I BOUNDARY
- J ADJACENT PROPERTY
- K CORNER
- L CENTERLINE
- M RIGHT-OF-WAY
- N NORTH ARROW
- O SCALE BAR
- P TITLE
- Q DATE
- R SURVEYOR
- S PROJECT
- T SHEET
- U TOTAL SHEETS
- V TOTAL ACRES
- W NET ACRES
- X ZONING
- Y ADJACENT PROPERTY
- Z ADJACENT PROPERTY



COOPER CRAWFORD & Associates
 CMI Engineers & Land Surveyors
 15151 EX-D.ms

108 NUMBER
 CC
 1

INDEX LEGEND

LOCATION: SEC 22-78-27, SW1/4 NE1/4 NW1/4 SE1/4

REQUESTOR & PROPRIETOR: KNAPP ABEL BLUFFS, LC
PO BOX 657
DES MOINES IA 50306

SURVEYOR: MICHAEL A. BROONER

COMPANY: CIVIL DESIGN ADVANTAGE

PREPARED BY & RETURN TO: CIVIL DESIGN ADVANTAGE
4121 NW URBANDALE DRIVE
URBANDALE, IA 50322
PH: 515-369-4400

PLAT OF SURVEY

AREA ABOVE RESERVED FOR RECORDING STAMP

PARCEL 24-108 DESCRIPTION

A PART OF SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, AND A PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 78 NORTH, RANGE 27 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN THE CITY OF VAN METER, DALLAS COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTER OF SAID SECTION 22; THENCE NORTH 00°43'18" EAST ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, 1308.10 FEET TO THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE SOUTH 89°55'48" EAST ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, 658.65 FEET; THENCE NORTH 89°55'19" EAST ALONG SAID NORTH LINE, 659.55 FEET TO THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE SOUTH 00°38'41" WEST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, 618.17 FEET; THENCE NORTH 89°21'09" WEST, 662.23 FEET; THENCE SOUTH 00°39'50" WEST, 1250.87 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF 340TH TRAIL; THENCE NORTH 77°32'48" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, 672.42 FEET TO THE WEST LINE OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER; THENCE NORTH 00°46'53" EAST ALONG SAID WEST LINE, 408.38 FEET TO THE POINT OF BEGINNING AND CONTAINING 36.31 ACRES (1,581,704 SQUARE FEET). THE PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

AREA BREAKDOWN

PARCEL 24-108	
GROSS	36.31 ACRES (1,581,704 S.F.)
SW1/4 NE1/4	29.06 ACRES (1,265,785 S.F.)
NW1/4 SE1/4	7.25 ACRES (315,919 S.F.)
PARCEL 24-109	
GROSS	19.17 ACRES (834.944 S.F.)
SW1/4 NE1/4	10.58 ACRES (460,836 S.F.)
NW1/4 SE1/4	8.59 ACRES (374,108 S.F.)
PARCEL 24-123	
GROSS	1.71 ACRES (74,284 S.F.)

PARCEL 24-123 LEGAL DESCRIPTION

A PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 78 NORTH, RANGE 27 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN THE CITY OF VAN METER, DALLAS COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 22; THENCE SOUTH 00°46'53" WEST ALONG THE WEST LINE OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, 408.38 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF 340TH TRAIL AND THE POINT OF BEGINNING; THENCE SOUTH 77°32'48" EAST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, 672.42 FEET; THENCE SOUTH 87°42'10" EAST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, 662.92 FEET TO THE EAST LINE OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER; THENCE SOUTH 00°38'41" WEST ALONG SAID EAST LINE, 55.02 FEET TO THE CENTER LINE OF SAID 340TH TRAIL; THENCE NORTH 87°42'10" WEST ALONG SAID CENTERLINE, 542.13 FEET; THENCE WESTERLY ALONG SAID CENTERLINE AND A CURVE CONCAVE NORTHERLY WHOSE RADIUS IS 1432.39 FEET, WHOSE ARC LENGTH IS 253.79 FEET AND WHOSE CHORD BEARS NORTH 82°38'00" WEST, 253.46 FEET; THENCE NORTH 77°31'44" WEST ALONG SAID CENTERLINE, 289.45 FEET; THENCE WESTERLY ALONG SAID CENTERLINE AND A CURVE CONCAVE SOUTHERLY WHOSE RADIUS IS 1909.86 FEET, WHOSE ARC LENGTH IS 246.71 FEET AND WHOSE CHORD BEARS NORTH 81°15'16" WEST, 246.54 FEET TO THE WEST LINE OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER; THENCE NORTH 00°46'53" EAST ALONG SAID WEST LINE, 72.38 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.71 ACRES (74,284 SQUARE FEET). THE PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

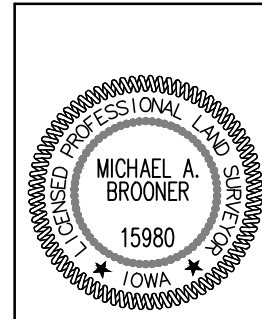
NOTES

- SEE SURVEYS: BOOK 2011, PAGE 2684, BOOK 2010 PAGE 3702, BOOK 2010 PAGE 14858 AND BOOK 2011 PAGE 1034.
- SEE DEED RECORDED IN BOOK 2010 PAGE 3918.
- PARCEL 24-123 IS EXISTING ROADWAY EASEMENT. SAID PARCEL IS TO BE DEEDED TO THE CITY OF VAN METER AND WILL CONTINUE AS PUBLIC ROAD RIGHT-OF-WAY.

PARCEL 24-109 LEGAL DESCRIPTION

A PART OF SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, AND A PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 78 NORTH, RANGE 27 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN THE CITY OF VAN METER, DALLAS COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE SOUTH 00°38'41" WEST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, 618.17 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00°38'41" WEST ALONG SAID EAST LINE, 1269.96 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF 340TH TRAIL; THENCE NORTH 87°42'10" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, 662.92 FEET; THENCE NORTH 00°39'50" EAST, 1250.87 FEET; THENCE SOUTH 89°21'09" EAST, 662.23 FEET TO THE POINT OF BEGINNING AND CONTAINING 19.17 ACRES (834,944 SQUARE FEET). THE PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.



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

11-22-2024
MICHAEL A. BROONER, P.L.S. DATE

LICENSE NUMBER 15980
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2024
PAGES OR SHEETS COVERED BY THIS SEAL:

SHEET 1 & 2

DATE	11/22/24
REVISIONS	
REVISOR	
PREPARED	
TECH:	4121 NW URBANDALE DRIVE URBANDALE, IA 50322 PHONE: (515) 369-4400
ENGINEER:	CIVIL DESIGN ADVANTAGE
REVIEW:	

**SW1/4 NE1/4 & PT. NW1/4 SE1/4
SEC 22-78-27 - PLAT OF SURVEY**

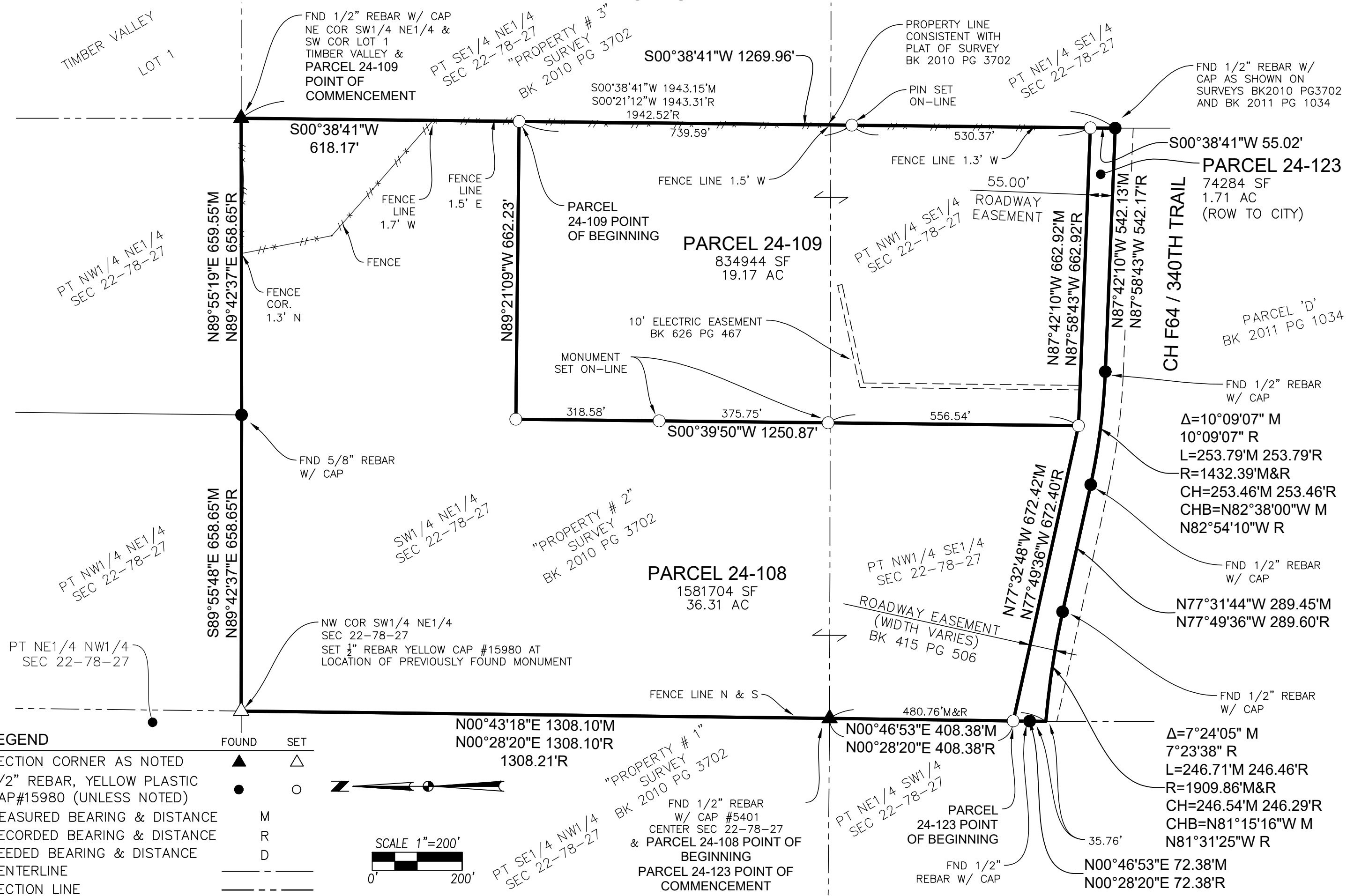
VAN METER, IOWA

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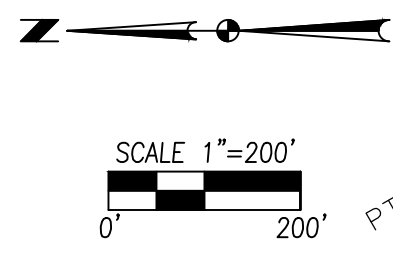
FILE: H:\2024\IOWA\2410783-PLAT OF SURVEY.DWG
PLOT DATE: 11/22/2024 4:32 PM
PLOT BY: MICHAEL A. BROONER

PLAT OF SURVEY



LEGEND

	FOUND	SET
SECTION CORNER AS NOTED	▲	△
1/2" REBAR, YELLOW PLASTIC CAP #15980 (UNLESS NOTED)	●	○
MEASURED BEARING & DISTANCE	M	
RECORDED BEARING & DISTANCE	R	
DEEDED BEARING & DISTANCE	D	
CENTERLINE	---	
SECTION LINE	---	
EASEMENT LINE	---	



FILE: \\S:\WORK\10783\10783-PLAT OF SURVEY.DWG
 DATE PLOTTED: 11/22/2024 4:43 PM
 PLOTTED BY: LAURE BRONKHORST

DATE	11/22/24
REVISIONS	
REVISOR	
PREPARED	
ENGINEER	
TECH	
REVIEW	

4121 NW URBANDALE DRIVE
 URBANDALE, IA 50322
 PHONE: (515) 369-4400

ESA
 CIVIL DESIGN ADVANTAGE
 VAN METTER, IOWA

**SW1/4 NE1/4 & PT. NW1/4 SE1/4
 SEC 22-78-27 - PLAT OF SURVEY**

2 / 2
 2410.783



VEENSTRA & KIMM INC.

3000 Westown Parkway
West Des Moines, Iowa 50266

515.225.8000 // 800.241.8000
www.v-k.net

November 25, 2024

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

VAN METER, IOWA
PLAT OF SURVEY
KNAPP ABEL BLUFFS LC PROPERTY

The writer has completed a review of the revised submittal of the Plat of Survey of the southwest quarter of the northeast quarter and the northwest quarter of the southeast quarter of Section 22 Township 78 North Range 27 West. The primary purpose of the Plat of Survey is to divide the existing parcel to create new Parcel 24-109 with the remainder of the existing parcel identified as Parcel 24-108.

In the writer's previous review comment it was noted under City practice the roadway easement of 340th Trail needs to be identified as a separate parcel and conveyed to the City in fee title. The revised Plat of Survey shows the creation of Parcel 24-123 that encompasses 1.71 acres of the right-of-way easement of 340th Trail. This parcel will be conveyed to the City and fee title.

The revised Plat of Survey satisfies the writer's comment relative to the original Plat of Survey. The writer has no additional comments regarding the Plat of Survey and would recommend its approval.

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

Cc: Jessica Drake



VEENSTRA & KIMM INC.

3000 Westown Parkway
West Des Moines, Iowa 50266

515.225.8000 // 800.241.8000
www.v-k.net

November 1, 2024

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

VAN METER, IOWA
PLAT OF SURVEY
PARCEL 24-108 AND 24-109

The writer has completed a review of the Plat of Surveys submitted by Civil Design Advantage for the Knapp Abel Bluff property located at 27671 340th Trail. The Plat of Survey involves dividing the existing 57.18-acre parcel into two separate parcels. The Plat of Survey creates a new Parcel 24-109 encompassing a gross area of 20 acres located in the southeast part of the existing parent parcel. The balance of the parent parcel becomes Parcel 24-108.

The existing parcel is located within the corporate limits of the City of Van Meter. The review is for compliance with the subdivision ordinance and any other policies and requirements of the City of Van Meter.

Under the subdivision ordinance the City can determine whether the Plat of Survey needs to provide infrastructure improvements normally associated with the subdivision of property. In determining whether a Plat of Survey should comply with the requirements of the subdivision ordinance the City utilizes a three part test.

First test is the location of the Plat of Survey. If the Plat of Survey is located in an area where the City anticipates future development, the City is more inclined to require compliance with the provisions of the subdivision ordinance. If the Plat of Survey is located in an area the City does not anticipate for future development the city is less inclined to require compliance with the provisions of the subdivision ordinance.

This Parcel is located on the north side of 340th Trail east of Veterans Memorial Parkway. This area has been identified by the City as part of its future growth plan. The location factor would weigh in favor of requiring compliance with the provisions of the subdivision ordinance.

The second factor is the nature of the Plat of Survey. If the Plat of Survey does not create any new developable lots the City generally does not require compliance with the provision of the subdivision ordinance. If the Plat of Survey creates a significant number of new buildable lots the City is more inclined to require compliance with the provisions of the subdivision ordinance. When the Plat of

Survey divides an existing Parcel to create a potentially developable lot this factor is generally viewed as more neutral.

This Plat of Survey creates a new 20-acre parcel. This parcel would clearly be considered buildable under the zoning ordinance. Further Plat of Survey the nature of the plat would be considered a neutral factor and the determination would be based primarily on the other two factors.

The third factor is whether any improvements normally required under the subdivision ordinance would logically be required. The City normally will determine whether water, sewer, stormwater drainage or street improvements would be required the area of this Plat of Survey is in the Xenia Rural Water territory. Although the City anticipates purchasing territory from Xenia Rural Water in some areas along 340th Trail this area is not considered an area the City is currently considering for purchase. Based on the existing water service by Xenia, and the uncertainty regarding the City's plans for providing water service to this area it does not appear requiring the construction of a watermain along 340th Trail would be considered.

This property drains generally southerly towards 340th Trail. At the present time the City does not have sanitary sewer service in this area. Sanitary sewer service in this area will probably require sanitary sewer service to areas to the south and east of this parcel. The City does not have a plan for providing sanitary sewer service that would involve the construction of improvements within the area of this Plat of Survey. Based on the City's current sanitary sewer plan,,,,,, it does not appear the Plat of Survey would require the construction of sanitary sewer normally associated with a development project.

The division of the existing Parcel to create a new 20-acre parcel does not appear to require any stormwater drainage improvements, under the subdivision ordinance it does not appear any stormwater drainage improvements would be required.

The final factor to consider is road improvements. The City's general policy is a Plat or Plat of Survey should improve the roads encompassing all, or part, of the Plat or Plat of Survey. Although this is the general policy the City has generally not required a Plat of Survey to improve a gravel roadway where only a portion of the right-of-way is located within the Plat of Survey.

In this instance 340th Trail is a gravel road and only part of the right-of-way easement is within the Plat of Survey. On the other hand, the City has an interest in improving 340th Trail.

It is anticipated 340th Trail will be improved in the near future as part of an economic development project located farther to the east on 340th Trail. The City could request this Parcel to contribute to that improvement project. That being said requiring participation in the improvements to 340th Trail may complicate that project and other alternatives for funding the improvements may be more appropriate.

The City has a policy relative to roadway easements in areas located within the Plat of Survey. The City's policy is whenever an area is platted or a Plat of Survey encompasses a roadway easement and

Liz Faust
November 1, 2024
Page 3

the City anticipates its long term plan is to acquire the roadway easement area by fee title the City requires the Plat or Plat of Survey to create a separate parcel encompassing the roadway easement and dedicating that parcel to the City. That policy is used whether only a part of the roadway easement or all of the roadway easement is within the plat of Survey.

The City anticipates it will be upgrading 340th Trail within the near future as part of that upgrading it is quite likely the City will acquiring some, or all, of the right-of-way easement area of 340th Trail in fee title.

Although the City may not require this Plat of Survey to contribute to the cost of upgrading 340th Trail the City's policy would require the roadway easement area within this Plat of Survey be created as a separate parcel and dedicated to the City in fee title.

For this Parcel the location factor would weigh heavily in favor of requiring compliance with the subdivision ordinance. The nature of the Plat of Survey would be neutral and not weigh against that position. Under the subdivision ordinance the only two potential requirements that would appear applicable would be to contribute to the cost of upgrading 340th Trail and creating a separate parcel for the roadway easement and to convey that parcel to the City in fee title.

In this instance it appears the more reasonable approach would be to waive the requirement for contribution to the roadway improvements as the City has generally not imposed that requirement on other parcels in a similar situation. However, the writer would recommend the City utilize policy to require the creation of a separate parcel for the roadway easement area and conveyance of the roadway easement area to the City in fee title. This requirement is recommended as it is anticipated the City will be pursuing fee title ownership of at other portions of 340th Trail as improvements to 340th Trail are completed in the near future.

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

Enclosure

Cc: Jessica Drake
Michael Brooner

INDEX LEGEND

LOCATION: SEC 22-78-27, SW1/4 NE1/4 NW1/4 SE1/4

REQUESTOR & PROPRIETOR: KNAPP ABEL BLUFFS, LC
PO BOX 657
DES MOINES IA 50306

SURVEYOR: MICHAEL A. BROONER

COMPANY: CIVIL DESIGN ADVANTAGE

PREPARED BY & RETURN TO: CIVIL DESIGN ADVANTAGE
4121 NW URBANDALE DRIVE
URBANDALE, IA 50322
PH: 515-369-4400

PLAT OF SURVEY

AREA ABOVE RESERVED FOR RECORDING STAMP

PARCEL 24-108 DESCRIPTION

A PART OF SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, AND A PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 78 NORTH, RANGE 27 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN THE CITY OF VAN METER, DALLAS COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTER OF SAID SECTION 22; THENCE NORTH 00°43'18" EAST ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, 1308.10 FEET TO THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE SOUTH 89°55'48" EAST ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, 658.65 FEET; THENCE NORTH 89°55'19" EAST ALONG SAID NORTH LINE, 659.55 FEET TO THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE SOUTH 00°38'41" WEST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, 618.17 FEET; THENCE NORTH 89°21'09" WEST, 662.23 FEET; THENCE SOUTH 00°39'50" WEST, 1300.79 FEET TO THE CENTERLINE OF 340TH TRAIL; THENCE WESTERLY ALONG SAID CENTERLINE AND A CURVE CONCAVE NORTHERLY WHOSE RADIUS IS 1432.39 FEET, WHOSE ARC LENGTH IS 132.70 FEET AND WHOSE CHORD BEARS NORTH 80°12'41" WEST, 132.65 FEET; THENCE NORTH 77°31'44" WEST CONTINUING ALONG SAID CENTERLINE, 289.45 FEET; THENCE WESTERLY CONTINUING ALONG SAID CENTERLINE AND A CURVE CONCAVE SOUTHERLY WHOSE RADIUS IS 1909.86 FEET, WHOSE ARC LENGTH IS 246.71 FEET AND WHOSE CHORD BEARS NORTH 81°15'16" WEST, 246.54 FEET TO THE WEST LINE OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER; THENCE NORTH 00°46'53" EAST ALONG SAID WEST LINE, 480.76 FEET TO THE POINT OF BEGINNING AND CONTAINING 37.18 ACRES (1,619,732 SQUARE FEET). THE PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS OF RECORD, INCLUDING BUT NOT LIMITED TO 0.87 ACRES (38,028 SQUARE FEET) OF ROADWAY EASEMENT.

PARCEL 24-109 LEGAL DESCRIPTION

A PART OF SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, AND A PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 78 NORTH, RANGE 27 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN THE CITY OF VAN METER, DALLAS COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE SOUTH 00°38'41" WEST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, 618.17 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00°38'41" WEST CONTINUING ALONG SAID EAST LINE, 1324.98 FEET TO THE CENTERLINE OF 340TH TRAIL; THENCE NORTH 87°42'10" WEST ALONG SAID CENTERLINE, 542.13 FEET; THENCE WESTERLY ALONG SAID CENTERLINE AND A CURVE CONCAVE NORTHERLY WHOSE RADIUS IS 1432.39 FEET, WHOSE ARC LENGTH IS 121.10 FEET AND WHOSE CHORD BEARS NORTH 85°17'14" WEST, 121.06 FEET; THENCE NORTH 00°39'50" EAST, 1300.79 FEET; THENCE SOUTH 89°21'09" EAST, 662.23 FEET TO THE POINT OF BEGINNING AND CONTAINING 20.00 ACRES (871,200 SQUARE FEET). THE PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS OF RECORD, INCLUDING BUT NOT LIMITED TO 0.83 ACRES (36,256 SQUARE FEET) OF ROADWAY EASEMENT .

AREA BREAKDOWN

PARCEL 24-108

GROSS 37.18 ACRES (1,619,732 S.F.)

SW1/4 NE1/4 29.06 ACRES (1,265,785 S.F.)
NW1/4 SE1/4 7.25 ACRES (315,919 S.F.)
ROADWAY EASEMENT 0.87 (38,028 S.F.)
NET 36.31 ACRES (1,581,704 S.F.)

PARCEL 24-109

GROSS 20.00 ACRES (871,200 S.F.)

SW1/4 NE1/4 10.58 ACRES (460,836 S.F.)
NW1/4 SE1/4 8.59 ACRES (374,108 S.F.)
ROADWAY EASEMENT 0.83 (36,256 S.F.)
NET 19.17 ACRES (834,944 S.F.)

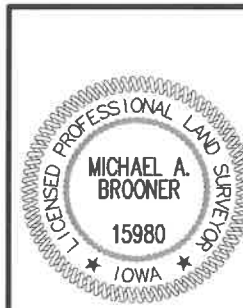
NOTES

SEE SURVEYS:
BOOK 2011, PAGE 2684, BOOK 2010 PAGE 3702,
BOOK 2010 PAGE 14858 AND BOOK 2011 PAGE 1034.

SEE DEED RECORDED IN BOOK 2010 PAGE 3918.

LEGEND

	FOUND	SET
SECTION CORNER AS NOTED	▲	△
1/2" REBAR, YELLOW PLASTIC CAP#15980 (UNLESS NOTED)	●	○
MEASURED BEARING & DISTANCE		M
RECORDED BEARING & DISTANCE		R
DEEDED BEARING & DISTANCE		D
CENTERLINE	---	---
SECTION LINE	---	---
EASEMENT LINE	---	---



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

Michael Brooner 10-31-2024
MICHAEL A. BROONER, P.L.S. DATE

LICENSE NUMBER 15980
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2024
PAGES OR SHEETS COVERED BY THIS SEAL:

SHEET 1 & 2

FILE: H:\2024\SURVEYS\24108-24109-PLAT OF SURVEY.DWG
DATE PLOTTED: 10/31/2024 8:15 AM
PLOTTER: MICHAEL BROONER

REVISIONS: _____
 DATE: _____
 4121 NW URBANDALE DRIVE
 URBANDALE, IA 50322
 PHONE: (515) 369-4400
 REVIEW: _____
 TECH: _____
 ENGINEER: _____
CSA
 CIVIL DESIGN ADVANTAGE
 VAN METER, IOWA
SW1/4 NE1/4 & PT. NW1/4 SE1/4
SEC 22-78-27 - PLAT OF SURVEY
 1/2
 2410.783

PLAT OF SURVEY

TIMBER VALLEY
LOT 1

FND 1/2" REBAR W/ CAP
NE COR SW1/4 NE1/4 &
SW COR LOT 1
TIMBER VALLEY &
PARCEL 24-109
POINT OF
COMMENCEMENT

PT SE1/4 NE1/4
SEC 22-78-27
"PROPERTY # 3"
SURVEY
BK 2010 PG 3702

S00°38'41"W 1324.98'

S00°38'41"W 1943.15'M
S00°21'12"W 1943.31'R
1942.52'R

PROPERTY LINE
CONSISTENT WITH
PLAT OF SURVEY
BK 2010 PG 3702

PT NE1/4 SE1/4
SEC 22-78-27

FND 1/2" REBAR W/
CAP AS SHOWN ON
SURVEYS BK2010 PG3702
AND BK 2011 PG 1034

S00°38'41"W
618.17'

739.59'

530.37'
FENCE LINE 1.3' W
55.02'

N89°55'19"E 659.55'M
N89°42'37"E 658.65'

N89°21'09"W 662.23'

PARCEL
24-109 POINT
OF BEGINNING

PARCEL 24-109
871200 SF
20.00 AC

ROADWAY
EASEMENT

CH F64 / 340TH TRAIL

Δ=4°50'38"
L=121.10'
R=1432.39'
CH=121.06'
CHB=S85°17'14"E

PARCEL 'D'
BK 2011 PG 1034

10' ELECTRIC EASEMENT
BK 626 PG 467

MONUMENT
SET ON-LINE

318.58'

375.75'

49.92'

S00°39'50"W 1300.79'

Δ=5°18'28"
L=132.70'
R=1432.39'
CH=132.65'
CHB=N80°12'41"W

Δ=10°09'07" M
10°09'07" R
L=253.79'M 253.79'R
R=1432.39'M&R
CH=253.46'M 253.46'R
CHB=N82°38'00"W M
N82°54'10"W R

FND 1/2" REBAR
W/ CAP

FND 5/8" REBAR
W/ CAP

PT NW1/4 NE1/4
SEC 22-78-27

S89°55'48"E 658.65'M
N89°42'37"E 658.65'R

SW1/4 NE1/4
SEC 22-78-27

"PROPERTY # 2"
SURVEY
BK 2010 PG 3702

PARCEL 24-108
1619732 SF
37.18 AC

PT NW1/4 SE1/4
SEC 22-78-27

FND 1/2" REBAR
W/ CAP

NW COR SW1/4 NE1/4
SEC 22-78-27
SET 1/2" REBAR YELLOW CAP #15980 AT
LOCATION OF PREVIOUSLY FOUND MONUMENT

ROADWAY EASEMENT
(WIDTH VARIES)
BK 415 PG 506

N77°31'44"W 289.45'M
N77°49'36"W 289.60'R

FND 1/2" REBAR
W/ CAP

FENCE LINE N & S

72.38' M&R

408.38'M&R

N00°43'18"E 1308.10'M
N00°28'20"E 1308.10'R
1308.21'R

N00°46'53"E 480.76'M
N00°28'20"E 480.76'R

Δ=7°24'05" M
7°23'38" R
L=246.71' M 246.46'R
R=1909.86'M&R
CH=246.54'M 246.29'R
CHB=N81°15'16"W M
N81°31'25"W R

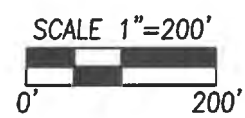
"PROPERTY # 1"
SURVEY
BK 2010 PG 3702

FND 1/2" REBAR
W/ CAP #5401
CENTER SEC 22-78-27
& PARCEL 24-108 POINT OF
BEGINNING

PT NE1/4 SW1/4
SEC 22-78-27

FND 1/2" REBAR
W/ CAP

35.76'



PT SE1/4 NW1/4
SEC 22-78-27

PT NE1/4 NW1/4
SEC 22-78-27

NO.	DATE	REVISIONS

4121 NW URBANDALE DRIVE
URBANDALE, IA 50322
PHONE: (515) 369-4400



SW1/4 NE1/4 & PT. NW1/4 SE1/4
SEC 22-78-27 - PLAT OF SURVEY

FILE IN WORKSPACE\COMPUTER\PLAT OF SURVEY\DWG
DATE PLOTTED: 10/27/2023 8:10 AM
PLOTTER: HP
SCALE: 1"=200'

Agenda Item #10

Public Hearings

#1 - Voluntary, Non-Consenting Annexation - Van Meter Country Estates Plat 1 & Certain Real Estate Owned by Edith Ann Westfall

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

City Councilmember: _____ So moved. City Councilmember: _____ Second.

Mayor: All in favor? _____ Yes _____ No

Mayor: The public hearing is open as of _____pm. Has City staff received any comment to be heard regarding this matter?

City Clerk: Provides summary of matter for hearing.

Mayor: Does anyone present wish to comment on this matter?

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

City Councilmember: _____ So moved. City Councilmember: _____ Second.

Mayor: All in favor? _____ Yes _____ No

Mayor: The public hearing is closed as of _____pm.

#2 - Proposed Plans, Specifications, Forms of Contract and Estimate of Cost for the proposed Water Main Replacement Project - Phase 1

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

City Councilmember: _____ So moved. City Councilmember: _____ Second.

Mayor: All in favor? _____ Yes _____ No

Mayor: The public hearing is open as of _____pm. Has City staff received any comment to be heard regarding this matter?

City Clerk: Provides summary of matter for hearing.

Mayor: Does anyone present wish to comment on this matter?

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

City Councilmember: _____ So moved. City Councilmember: _____ Second.

Mayor: All in favor? _____ Yes _____ No

Mayor: The public hearing is closed as of _____pm

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING ON PROPOSED PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE OF COST FOR THE CONSTRUCTION OF THE WATER MAIN REPLACEMENT – PHASE 1 FOR THE CITY OF VAN METER, IOWA

At 7:00 P.M. on the 9th day of December 2024, the City Council of the City of Van Meter, Iowa will, in said Van Meter United Methodist Church, 100 Hazel Street, Van Meter, Iowa, hold a hearing and said Council proposes to adopt plans, specifications, form of contract and estimate of cost for the Water Main Replacement – Phase 1 project.

The description of the project is as follows:

WATER MAIN REPLACEMENT – PHASE 1

Construct Water Main Replacement – Phase 1 including all labor, materials and equipment necessary for 3,492 linear feet of 8-inch water main installed by directional boring and open cut, hydrants, valves, water service line transfers, surface restoration, seeding, removal of existing hydrants, abandonment of existing water main, surface restoration, seeding and miscellaneous associated work, including cleanup.

The project is located southwest of the intersection of Hazel Street and DeSoto Road in the City of Van Meter, Iowa.

At said hearing, the City Council will consider the proposed plans, specifications, form of contract and estimate of cost for the project, the same now being on file in the office of the City Clerk, reference to which is made for a more detailed and complete description of the proposed improvements, and at said time and place the said Council will also receive and consider any objections to said plans, specifications and form of contract or to the estimated cost of said improvements made by any interested party.

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

Joe Herman, Mayor

ATTEST:

Jessica Drake, City Clerk

NPH-1

19392

Agenda Item #11

Discussion and Possible Action:

Resolution #2024-150 Assenting to the Annexation of Certain Real Estate Identified as Lot 1, Lot 7, Lot 8, Lot 9, Lot 10, and Lot 11 of Van Meter Country Estates Plat 1 and Certain Real Estate Owned by Edith Ann Westfall including non-consenting property identified herein

Submitted for: **Discussion and Possible Action**

The resolution details the annexation. Upon approval of the resolution, City Staff will provide the necessary information to the City Development Board. They will review at their next regular business meeting & set a public hearing for their next meeting. The City Development Board will hold a public hearing and then 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. 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 #2024-150 Assenting to the Annexation of Certain Real Estate Identified as Lot 1, Lot 7, Lot 8, Lot 9, Lot 10, and Lot 11 of Van Meter Country Estates Plat 1 and Certain Real Estate Owned by Edith Ann Westfall including non-consenting property identified herein**

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

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

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

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

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

RESOLUTION #2024-150

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 2024 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.

Lot 1, 2684 Brookview Lane

Lot 1 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 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), and

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 2024 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, 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, 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, and

WHEREAS, Resolution #2024-102 was adopted by the City Council of the City of Van Meter on September 9, 2024 and City Staff submitted the required information to the City Development Board, a division of the Iowa Economic Development Authority and received feedback that additional information was required including but not limited updated voluntary annexation applications from the current owners of certain parcels, and

WHEREAS, due notice of the proposed annexation (including full legal descriptions, copies of the annexation applications and certain maps) and notice of the public hearing was sent to the non-consenting party, impacted utilities, Dallas County Board of Supervisors, cities located within 2 miles of the proposed annexation boundaries, all applicants and adjoining property owners via certified mail on November 12, 2024; and

WHEREAS, notice of the public hearing was published in the Des Moines Register on November 20, 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 December 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, and

WHEREAS, a revised notice (due to an inadvertent omission of one legal description on the 11/12/24 notice) of the proposed annexation (including full legal descriptions, copies of the annexation applications and certain maps) and notice of the public hearing was sent to the non-consenting party, impacted utilities, Dallas County Board of Supervisors, Dallas County Auditor, cities located within 2 miles of the

proposed annexation boundaries, all applicants and adjoining property owners via certified mail on November 12, 2024; and

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 December 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. If the applicants do not withdraw their application within three business days from this date, the City Clerk is hereby authorized and directed to cause these annexation proceedings to be filed with the City Development Board in accordance with Iowa Code Chapter 368 and applicable provisions of the Iowa Administrative Code.
4. 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.

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 DECEMBER 2024 AND APPROVED THIS 9TH DAY OF DECEMBER 2024.

Joe Herman, Mayor

ATTEST: Jessica Drake, City Clerk

Acknowledgement of Corporation

STATE OF IOWA)
)SS
DALLAS COUNTY)

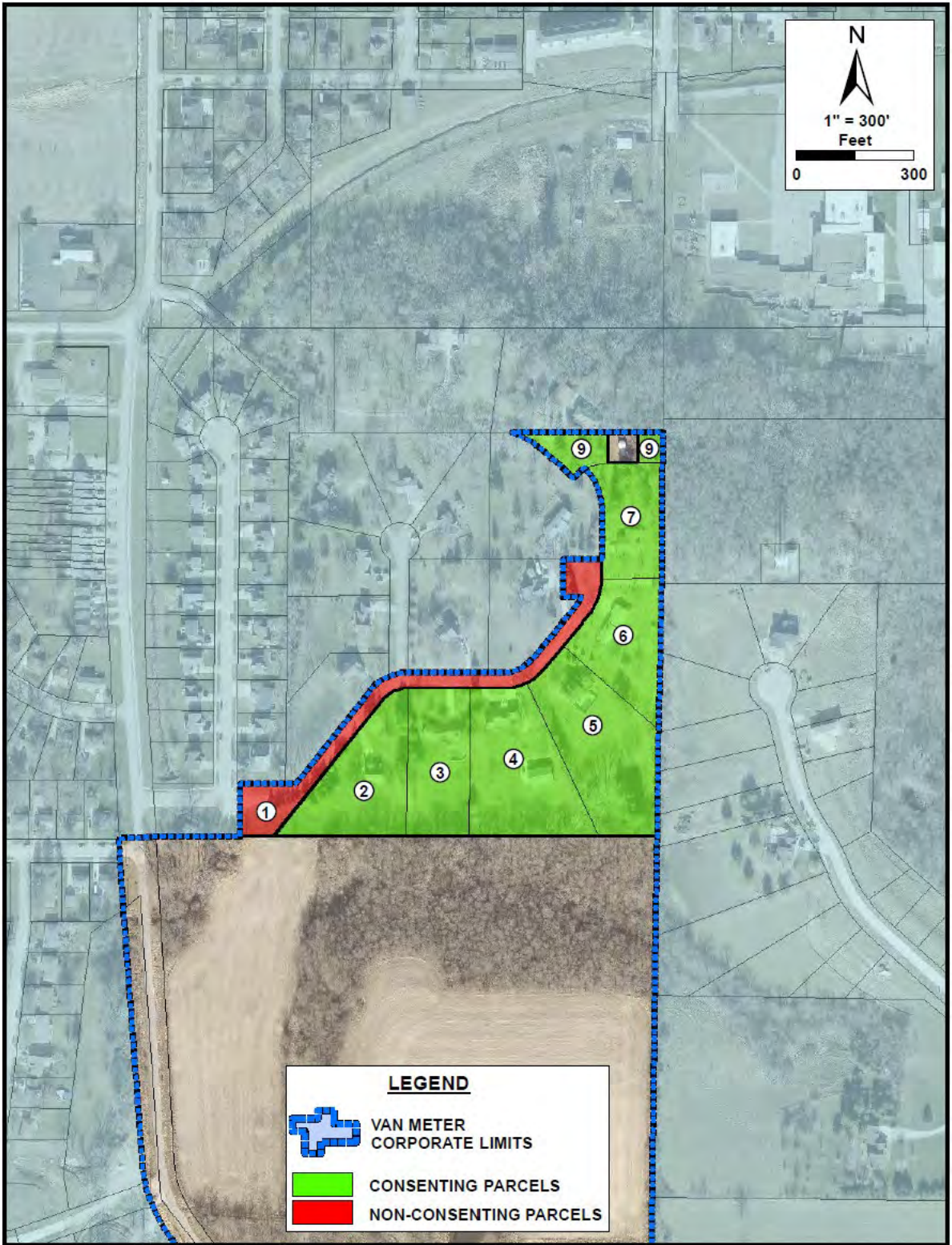
On this 10th day of December, 2024, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Joe Herman and Jessica Drake, to me personally known, who being by me duly sworn did say that they are respectively the Mayor and City Clerk of the City of Van Meter, Iowa; 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 Public

Notary Seal

My commission expires: _____

EXHIBIT "A" to Resolution #2024-150
Proposed Annexation Territory



Parcel	Property Owner	Area	Consenting	Non-Consenting
1	VM Country Estates	1.50		1.50
2	Porter	1.60	1.60	
3	Folkerts	1.40	1.40	
4	Albertson	2.07	2.07	
5	Clark	2.30	2.30	
6	Hassebrock	1.40	1.40	
7	Costlow	1.00	1.00	
9	Westfall	0.50	0.50	
	Total	11.77	10.27	1.50
			87.256%	12.744%

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.

Agenda Item #12

Discussion and Possible Action:

Resolution #2024-151 Approving and Confirming Plans, Specifications, Form of Contract and Estimate of Cost for the Water Main Replacement Project - Phase 1

Submitted for: **Discussion and Possible Action**

Information is included in the packet.

Recommendation: **Approval**

Sample Language: **Motion to adopt #2024-151 Approving and Confirming Plans, Specifications, Form of Contract and Estimate of Cost for the Water Main Replacement Project - Phase 1**

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

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

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

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

MINUTES OF MEETING TO APPROVE PLANS AND SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE OF COST AND TO CONSIDER BIDS

420352-33 (L)

Van Meter, Iowa

December 9, 2024

The City Council of the City of Van Meter, Iowa, met on December 9, 2024, at 7:00 p.m., at the United Methodist Church, Van Meter, Iowa, pursuant to published notice. The Mayor presided and the roll was called showing the following members of the Council present and absent:

Present: _____

Absent: _____.

The Mayor announced that this was the time and place set for hearing on the plans and specifications, form of contract and estimate of cost for the proposed Water Main Replacement – Phase 1 Project.

Upon investigation, it was found that _____ persons had appeared and filed objections to the proposed plans, specifications, form of contract and estimate of cost for the Water Main Replacement – Phase 1 Project as follows:

(Insert the word “no” in the blank space above or list here the names of objectors and the types of objections, if any are filed.)

The City Council heard said objectors and evidence for or against the proposed Water Main Replacement – Phase 1 Project; whereupon, the Mayor declared the hearing closed.

Council Member _____ introduced the following resolution and moved its adoption, seconded by Council Member _____; and after due consideration thereof by the City Council, the Mayor put the question upon the motion and the roll being called, the following named Council Members voted:

Ayes: _

Nays: ..

Whereupon, the Mayor declared the said motion duly carried and the resolution adopted as follows:

RESOLUTION NO. 2024-151

Resolution finally approving and confirming plans, specifications, form of contract and estimate of cost for the Water Main Replacement – Phase 1 Project

WHEREAS, the City Council of the City of Van Meter, Iowa, has heretofore given preliminary approval to the plans, specifications, form of contract and estimate of cost (the “Contract Documents”) for the proposed Water Main Replacement – Phase 1 Project (the “Project”), as described in the notice of hearing on the Contract Documents for the Project; and

WHEREAS, a hearing has been held on the Contract Documents on December 9, 2024;

NOW, THEREFORE, Be It Resolved by the City Council of the City of Van Meter, Iowa, as follows:

Section 1. The Contract Documents referred to in the preamble hereof are hereby finally approved, and the prior action of the City Council giving preliminary approval is hereby finally confirmed, and the Project, as provided for in the Contract Documents, is necessary and desirable.

Section 2. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved December 9, 2024.

Mayor

Attest:

City Clerk

Agenda Item #13

Discussion and Possible Action:

Consideration of Bids for the Water Main Replacement Project - Phase 1

Submitted for: **Discussion and Possible Action**

Information is included in the packet. No action is needed during this item. Consideration only.

Recommendation:

Sample Language:

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

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

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

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

The Mayor announced that bids for the construction of the Water Main Replacement – Phase 1 Project had been received before 11:00 a.m., on December 4, 2024, at the City Hall, Van Meter, Iowa, and that on the same day, at the same time, in the same place, such bids had been opened and read, and that this was the time and place set for the consideration of such bids.

Thereupon, the results of the bidding were reported, and Veenstra & Kimm, Inc. (the “Project Engineers”) made their recommendations thereon to the City Council. The bids received for the construction of the Water Main Replacement – Phase 1 Project are as follows:

Name and Address of Bidder

Amount of Bid

See attached.



BID SUMMARY

Project: Water Main Replacement – Phase 1
Van Meter, Iowa

Bid Date: Wednesday, December 4, 2024; 11:00 A.M.

CONTRACTOR	ADDM 1 & 2	BID BOND (x)	BIDDER STATUS FORM	TOTAL BID
Synergy	2	X	X	816,378.00
Absolute	2	X	X	934,367.00
United	2	X	X	673,648.00
On Track	2	X	X	1,024,215.00
Max Smith	2	X	X	775,114.00
J+K		X	X	820,070
Busy Bee		X	X	784,721.52

BID TABULATION
WATER MAIN REPLACEMENT - PHASE 1

1. Construct Water Main Replacement - Phase 1 Project for the following unit and lump sum prices:				United Utilities & Excavation LLC 1410 5th Ave Council Bluffs, Iowa		Max Smith Construction, LLC 1681 E. Adams St. Creston, Iowa 50801		Busy Bee Construction LLC 15691 State Hwy 6 Lewistown, Missouri		Synergy Contracting, LLC 7481 US Highway 69 Des Moines, IA 50320		J&K Contracting 10703 Justin Drive Urbandale, IA 50322		Absolute Group 1800 Burr Oak Blvd PO Box 430 Granger, IA 50109		On Track Construction 1435 West F Avenue P.O. Box 524 Nevada, IA 50201	
ITEM NO.	DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
1.	Water Main in Place – 8”	LF	3,100	\$ 76.00	\$ 235,600.00	\$ 81.72	\$ 253,332.00	\$ 81.96	\$ 254,076.00	\$ 98.00	\$ 303,800.00	\$ 75.00	\$ 232,500.00	\$ 138.50	\$ 429,350.00	\$ 121.00	\$ 375,100.00
2.	Water Main Trenched – 8”	LF	400	\$ 76.00	\$ 30,400.00	\$ 76.25	\$ 30,500.00	\$ 93.43	\$ 37,372.00	\$ 98.00	\$ 39,200.00	\$ 60.00	\$ 24,000.00	\$ 171.00	\$ 68,400.00	\$ 300.00	\$ 120,000.00
3.	Water Main Trenched – 6”	LF	20	\$ 59.00	\$ 1,180.00	\$ 51.00	\$ 1,020.00	\$ 57.82	\$ 1,156.40	\$ 90.00	\$ 1,800.00	\$ 180.00	\$ 3,600.00	\$ 140.00	\$ 2,800.00	\$ 250.00	\$ 5,000.00
4.	Connection to Existing System – No. 1	EA	1	\$ 4,964.00	\$ 4,964.00	\$ 14,460.00	\$ 14,460.00	\$ 5,267.87	\$ 5,267.87	\$ 7,810.00	\$ 7,810.00	\$ 55,000.00	\$ 55,000.00	\$ 1,925.00	\$ 1,925.00	\$ 6,520.00	\$ 6,520.00
5.	Connection to Existing System – No. 2	EA	1	\$ 4,964.00	\$ 4,964.00	\$ 14,805.00	\$ 14,805.00	\$ 5,267.87	\$ 5,267.87	\$ 4,653.00	\$ 4,653.00	\$ 41,000.00	\$ 41,000.00	\$ 1,925.00	\$ 1,925.00	\$ 6,520.00	\$ 6,520.00
6.	Connection to Existing System – No. 3	EA	1	\$ 3,970.00	\$ 3,970.00	\$ 13,320.00	\$ 13,320.00	\$ 5,267.87	\$ 5,267.87	\$ 7,810.00	\$ 7,810.00	\$ 20,000.00	\$ 20,000.00	\$ 2,550.00	\$ 2,550.00	\$ 6,520.00	\$ 6,520.00
7.	Connection to Existing System – No. 4	EA	1	\$ 4,649.00	\$ 4,649.00	\$ 13,930.00	\$ 13,930.00	\$ 5,267.87	\$ 5,267.87	\$ 4,527.00	\$ 4,527.00	\$ 12,600.00	\$ 12,600.00	\$ 1,365.00	\$ 1,365.00	\$ 6,520.00	\$ 6,520.00
8.	Gate Valves – 8”	EA	23	\$ 2,086.00	\$ 47,978.00	\$ 3,298.30	\$ 75,860.90	\$ 3,084.40	\$ 70,941.20	\$ 2,638.00	\$ 60,674.00	\$ 2,900.00	\$ 66,700.00	\$ 3,600.00	\$ 82,800.00	\$ 3,480.00	\$ 80,040.00
9.	Hydrant Assemblies	EA	10	\$ 6,664.00	\$ 66,640.00	\$ 7,405.00	\$ 74,050.00	\$ 9,332.18	\$ 93,321.80	\$ 9,059.00	\$ 90,590.00	\$ 8,300.00	\$ 83,000.00	\$ 9,115.00	\$ 91,150.00	\$ 8,195.00	\$ 81,950.00
10.	Hydrant Removal	EA	6	\$ 375.00	\$ 2,250.00	\$ 250.00	\$ 1,500.00	\$ 1,000.00	\$ 6,000.00	\$ 1,236.00	\$ 7,416.00	\$ 1,250.00	\$ 7,500.00	\$ 1,275.00	\$ 7,650.00	\$ 1,420.00	\$ 8,520.00
11.	Valve Abandonment	EA	5	\$ 500.00	\$ 2,500.00	\$ 300.00	\$ 1,500.00	\$ 1,000.00	\$ 5,000.00	\$ 575.00	\$ 2,875.00	\$ 475.00	\$ 2,375.00	\$ 215.00	\$ 1,075.00	\$ 240.00	\$ 1,200.00
12.	Service Line Connections – Hazel Street	EA	16	\$ 2,780.50	\$ 44,488.00	\$ 2,578.00	\$ 41,248.00	\$ 1,760.97	\$ 28,175.52	\$ 2,081.00	\$ 33,296.00	\$ 2,800.00	\$ 44,800.00	\$ 2,840.00	\$ 45,440.00	\$ 4,470.00	\$ 71,520.00
13.	Service Line Connection – Adjacent Side	EA	16	\$ 2,500.00	\$ 40,000.00	\$ 2,162.00	\$ 34,592.00	\$ 1,824.57	\$ 29,193.12	\$ 1,804.00	\$ 28,864.00	\$ 2,800.00	\$ 44,800.00	\$ 2,715.00	\$ 43,440.00	\$ 2,700.00	\$ 43,200.00
14.	Service Line Connection – Opposite Side	EA	18	\$ 2,975.00	\$ 53,550.00	\$ 3,015.00	\$ 54,270.00	\$ 2,142.00	\$ 38,556.00	\$ 2,106.00	\$ 37,908.00	\$ 4,000.00	\$ 72,000.00	\$ 2,835.00	\$ 51,030.00	\$ 5,470.00	\$ 98,460.00
15.	Service Line Location	EA	16	\$ 750.00	\$ 12,000.00	\$ 300.00	\$ 4,800.00	\$ 600.00	\$ 9,600.00	\$ 505.00	\$ 8,080.00	\$ 300.00	\$ 4,800.00	\$ 450.00	\$ 7,200.00	\$ 750.00	\$ 12,000.00
16.	7” PCC Street Pavement Removal and Replacement	SY	50	\$ 368.00	\$ 18,400.00	\$ 112.00	\$ 5,600.00	\$ 180.00	\$ 9,000.00	\$ 212.00	\$ 10,600.00	\$ 250.00	\$ 12,500.00	\$ 110.00	\$ 5,500.00	\$ 128.00	\$ 6,400.00
17.	6” PCC Driveway Removal and Replacement	SY	200	\$ 211.00	\$ 42,200.00	\$ 105.50	\$ 21,100.00	\$ 175.00	\$ 35,000.00	\$ 174.00	\$ 34,800.00	\$ 145.00	\$ 29,000.00	\$ 85.00	\$ 17,000.00	\$ 104.00	\$ 20,800.00
18.	4” PCC Sidewalk Removal and Replacement	SY	275	\$ 117.00	\$ 32,175.00	\$ 88.00	\$ 24,200.00	\$ 160.00	\$ 44,000.00	\$ 71.00	\$ 19,525.00	\$ 95.00	\$ 26,125.00	\$ 75.00	\$ 20,625.00	\$ 89.00	\$ 24,475.00
19.	Granular Driveway Removal and Replacement	SY	30	\$ 100.00	\$ 3,000.00	\$ 25.00	\$ 750.00	\$ 65.00	\$ 1,950.00	\$ 49.00	\$ 1,470.00	\$ 35.00	\$ 1,050.00	\$ 16.00	\$ 480.00	\$ 60.00	\$ 1,800.00
20.	6” PCC Sidewalk Ramp	SY	10	\$ 135.00	\$ 1,350.00	\$ 124.00	\$ 1,240.00	\$ 300.00	\$ 3,000.00	\$ 98.00	\$ 980.00	\$ 300.00	\$ 3,000.00	\$ 85.00	\$ 850.00	\$ 84.00	\$ 840.00
21.	Detectable Warning Pad	SF	8	\$ 75.00	\$ 600.00	\$ 100.00	\$ 800.00	\$ 75.00	\$ 600.00	\$ 55.00	\$ 440.00	\$ 65.00	\$ 520.00	\$ 64.00	\$ 512.00	\$ 60.00	\$ 480.00
22.	Remove and Replace 24” Storm Sewer	LF	30	\$ 198.00	\$ 5,940.00	\$ 762.67	\$ 22,880.10	\$ 623.60	\$ 18,708.00	\$ 575.00	\$ 17,250.00	\$ 425.00	\$ 12,750.00	\$ 690.00	\$ 20,700.00	\$ 878.00	\$ 26,340.00
23.	Remove and Replace 8” Storm Sewer	LF	20	\$ 80.00	\$ 1,600.00	\$ 242.80	\$ 4,856.00	\$ 100.00	\$ 2,000.00	\$ 321.00	\$ 6,420.00	\$ 85.00	\$ 1,700.00	\$ 185.00	\$ 3,700.00	\$ 220.00	\$ 4,400.00
24.	Raise Sanitary Manhole to Grade	EA	1	\$ 750.00	\$ 750.00	\$ 10,000.00	\$ 10,000.00	\$ 1,000.00	\$ 1,000.00	\$ 3,750.00	\$ 3,750.00	\$ 4,000.00	\$ 4,000.00	\$ 1,950.00	\$ 1,950.00	\$ 2,730.00	\$ 2,730.00
25.	Traffic Control	LS	1	\$ 2,500.00	\$ 2,500.00	\$ 24,000.00	\$ 24,000.00	\$ 55,000.00	\$ 55,000.00	\$ 60,000.00	\$ 60,000.00	\$ 5,750.00	\$ 5,750.00	\$ 6,100.00	\$ 6,100.00	\$ 5,810.00	\$ 5,810.00
26.	Erosion Control	LS	1	\$ 3,500.00	\$ 3,500.00	\$ 24,000.00	\$ 24,000.00	\$ 10,000.00	\$ 10,000.00	\$ 13,440.00	\$ 13,440.00	\$ 3,000.00	\$ 3,000.00	\$ 11,350.00	\$ 11,350.00	\$ 3,030.00	\$ 3,030.00
27.	Seeding	ACRE	1	\$ 6,500.00	\$ 6,500.00	\$ 6,500.00	\$ 6,500.00	\$ 10,000.00	\$ 10,000.00	\$ 8,400.00	\$ 8,400.00	\$ 6,000.00	\$ 6,000.00	\$ 7,500.00	\$ 7,500.00	\$ 4,040.00	\$ 4,040.00
TOTAL BID (Items 1 - 27)				\$673,648.00	\$775,114.00	\$784,721.52	\$816,378.00	\$820,070.00	\$934,367.00	\$1,024,215.00							

I hereby certify that this is a true tabulation of bids received on December 4, 2024 by Veenstra & Kimm, Inc. on behalf of the City of Van Meter, Iowa



Randy Johnson
Randy M. Johnson, P.E.
Iowa License No. 22407
My license renewal date is December 31, 2025



VEENSTRA & KIMM INC.

3000 Westown Parkway
West Des Moines, Iowa 50266

515.225.8000 // 800.241.8000
www.v-k.net

December 4, 2024

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

VAN METER, IOWA
WATER MAIN REPLACEMENT – PHASE 1
LETTER OF RECOMMENDATION

The City of Van Meter received bids until 11:00 A.M., December 4, 2024, for the Water Main Replacement – Phase 1 project. A total of seven bids were received. The bids are as follows:

United Utilities & Excavation LLC	\$673,648.00
Max Smith Construction, LLC	\$775,114.00
Busy Bee Construction LLC	\$784,721.52
Synergy Contracting, LLC	\$816,378.00
J&K Contracting	\$820,070.00
Absolute Group	\$934,367.00
On Track Construction	\$1,024,215.00

The apparent low bid was submitted by United Utilities & Excavation LLC of Council Bluffs, Iowa in the amount of \$673,648.00.

The engineer's estimate of cost for construction of the project was \$906,250.00.

We recommend award of the Water Main Replacement – Phase 1 project to United Utilities & Excavation LLC of Council Bluffs, Iowa.

Liz Faust
December 4, 2024
Page 2

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

VEENSTRA & KIMM, INC.

A handwritten signature in black ink that reads "Randy M. Johnson". The signature is written in a cursive style with a large, prominent "R" and "J".

Randy M. Johnson, P.E.

19392
Enclosure



VEENSTRA & KIMM INC.

3000 Westown Parkway
West Des Moines, Iowa 50266

515.225.8000 // 800.241.8000
www.v-k.net

November 11, 2024

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

VAN METER, IOWA
WATER MAIN REPLACEMENT – PHASE 1
ENGINEER'S ESTIMATE OF COST

Enclosed is a copy of the Engineer's Estimate of cost for the Water Main Replacement – Phase 1 project. The Engineer's Estimate of cost for construction of the project is \$906,250.

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

VEENSTRA & KIMM, INC.

A handwritten signature in blue ink, appearing to read 'H. R. Veenstra Jr.'.

H. R. Veenstra Jr.

HRVJr:crt
19392
Enclosure
Cc: Jess Drake

Item	Description	Unit	Estimated Quantity	Unit Price	Extended Price
1	Water Main in Place - 8"	LF	3100	\$120	\$372,000
2	Water Main Trenched - 8"	LF	400	\$150	\$60,000
3	Water Main Trenched - 6"	LF	20	\$110	\$2,200
4	Connection to Existing System - No. 1	EA	1	\$10,000	\$10,000
5	Connection to Existing System - No. 2	EA	1	\$10,000	\$10,000
6	Connection to Existing System - No. 3	EA	1	\$10,000	\$10,000
7	Connection to Existing System - No. 4	EA	1	\$10,000	\$10,000
8	Gate Valves - 8"	EA	21	\$3,500	\$73,500
9	Hydrant Assemblies	EA	8	\$8,500	\$68,000
10	Hydrant Removal	EA	6	\$1,250	\$7,500
11	Valve Abandonment	EA	5	\$500	\$2,500
12	Service Line Connections - Hazel Street	EA	16	\$5,000	\$80,000
13	Service Line Connection - Adjacent Side	EA	16	\$3,000	\$48,000
14	Service Line Connection - Opposite Side	EA	18	\$4,000	\$72,000
15	Service Line Location	EA	16	\$500	\$8,000
16	7" PCC Street Removal and Replacement	SY	50	\$120	\$6,000
17	6" Driveway Removal and Replacement	SY	200	\$110	\$22,000
18	4' PCC Sidewalk Removal and Replacement	SY	275	\$90	\$24,750
18	Granular Driveway Removal and Replacement	SY	30	\$30	\$900
19	6" PCC Sidewalk Ramp	SY	25	\$120	\$3,000
20	Detectable Warning Pad	SF	8	\$50	\$400
21	Traffic Control	LS	1	\$5,000	\$5,000
22	Erosion Control	LS	1	\$7,500	\$7,500
23	Seeding	ACRE	1	\$3,000	\$3,000
Estimated Construction Cost					\$906,250

Agenda Item #14

Discussion and Possible Action:

Resolution #2024-152 Awarding Contract for the Water Main Replacement Project - Phase 1

Submitted for: **Discussion and Possible Action**

Information is included in the packet.

Recommendation: **Approval**

Sample Language: **Motion to adopt #2024-152 Awarding Contract for the Water Main Replacement Project - Phase 1**

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

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

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

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

RESOLUTION NO. 2024-152

Resolution awarding contract for the Water Main Replacement – Phase 1 Project

WHEREAS, pursuant to notice duly posted in the manner and form prescribed by resolution of the City Council of the City of Van Meter, Iowa, and as required by law, bids and proposals were received by this Council for the Water Main Replacement – Phase 1 Project (the “Project”); and

WHEREAS, all of the said bids and proposals have been carefully considered, and it is necessary and advisable that provision be made for the award of the contract for the Project;

NOW, THEREFORE, Be It Resolved by the City Council of the City of Van Meter, Iowa, as follows:

Section 1. The bid for the Project submitted by the following contractor is fully responsive to the plans and specifications for the Project, is heretofore approved by the City Council, and is the lowest responsible bid received, such bid being as follows:

<u>Name and Address of Contractor</u>	<u>Amount of Bid</u>
_____	\$ _____

Section 2. The contract for the Project is hereby awarded to such contractor at the total estimated cost set out above, the final settlement to be made on the basis of the unit prices therein set out and the actual final quantities of each class of materials furnished, the said contract to be subject to the terms of the aforementioned resolution, the notice of hearing and letting, the plans and specifications and the terms of the bidder’s written proposal.

Section 3. The Mayor and City Clerk are hereby authorized and ordered to enter into a written contract with said contractor for the Project, said contract not to be binding until approved by resolution of this City Council.

Section 4. The amount of the contractor’s performance and/or payment bonds is hereby fixed and determined to be 100% of the amount of the contract.

Section 5. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved _____, 202__.

Mayor

Attest:

City Clerk

ATTESTATION CERTIFICATE:

STATE OF IOWA
DALLAS COUNTY
CITY OF VAN METER

SS:

I, the undersigned, City Clerk of the City of Van Meter, Iowa, hereby certify that the attached is a true, correct and complete transcript of the proceedings had and action taken by the City Council up to the present time in connection with the Water Main Replacement – Phase 1 Project, including a true, correct and complete copy of the resolutions referred to in such minutes.

WITNESS MY HAND this _____ day of _____, 202__.

City Clerk

Agenda Item #15

Discussion and Possible Action: Ordinance #2024-28 Amending Ordinance #2020-02 Providing for the Division of Taxes Levied on Taxable Property in the February 2020 Addition to the Van Meter Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa

Submitted for: **Discussion and Possible Action**

City Clerk Drake will provide additional information at the meeting.

Recommendation: **Approval**

Sample Language: **Motion to make this the first and final reading of Ordinance #2024-28 Amending Ordinance #2020-02 Providing for the Division of Taxes Levied on Taxable Property in the February 2020 Addition to the Van Meter Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa, waiving the requirement for subsequent readings and moving to approval and adoption of said Ordinance.**

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

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

Mayor: ***Roll call please.***

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

ORDINANCE NO. 2024-28

An Ordinance Amending Ordinance No. 2020-02 Providing for the Division of Taxes Levied on Taxable Property in the February, 2020 Addition to the Van Meter Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa

WHEREAS, the City Council of the City of Van Meter, Iowa (the "City"), on February 10, 2020, enacted Ordinance No. 2020-02 providing for the division of taxes levied on taxable property in the February, 2020 Addition to the Van Meter Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa; and

WHEREAS, it is now necessary to amend Ordinance No. 2020-02 to correct the legal description of the Urban Renewal Area Addition (as herein defined);

WHEREAS, the City of Van Meter caused Ordinance No. 2020-02 to be published in the Des Moines Register on November 25, 2024;

BE IT ENACTED by the City Council of Van Meter, Iowa that Ordinance No. 2020-02 approved by the City Council on February 10, 2020 be amended as follows:

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

Section 1. Purpose. The purpose of this ordinance is to provide for the division of taxes levied on the taxable property in the February, 2020 Addition to the Van Meter Urban Renewal Area of the City of Van Meter, Iowa, each year by and for the benefit of the state, city, county, school districts or other taxing districts after the effective date of this ordinance in order to create a special fund to pay the principal of and interest on loans, moneys advanced to or indebtedness, including bonds proposed to be issued by the City of Van Meter to finance projects in such area.

Section 2. Definitions. For use within the remainder of this ordinance the following terms shall have the following meanings:

"City" shall mean the City of Van Meter, Iowa.

"County" shall mean Dallas County, Iowa.

"Urban Renewal Area Addition" shall mean the February, 2020 Addition to the Van Meter Urban Renewal Area of the City of Van Meter, Iowa, the legal description of which is set out below:

Grand Ridge Estates Plat 2; AND Grand Ridge Estates Townhomes Plat 1; AND Van Meter Commercial Land Plat 1; AND Grand Ridge Estates Plat 1 except Lot 80, Lot 83 and Outlot W, Official Plats, now included in and forming a part of the City of Van Meter, Dallas County, Iowa.

“Urban Renewal Area” shall mean the entirety of the Van Meter Urban Renewal Area as amended from time to time.

Section 3. Provisions for Division of Taxes Levied on Taxable Property in the Urban Renewal Area Addition. After the effective date of this ordinance, the taxes levied on the taxable property in the Urban Renewal Area Addition each year by and for the benefit of the State of Iowa, the City, the County and any school district or other taxing district in which the Urban Renewal Area Addition is located, shall be divided as follows:

(a) that portion of the taxes which would be produced by the rate at which the tax is levied each year by or for each of the taxing districts upon the total sum of the assessed value of the taxable property in the Urban Renewal Area Addition, as shown on the assessment roll as of January 1 of the calendar year preceding the first calendar year in which the City certifies to the County Auditor the amount of loans, advances, indebtedness, or bonds payable from the special fund referred to in paragraph (b) below, shall be allocated to and when collected be paid into the fund for the respective taxing district as taxes by or for said taxing district into which all other property taxes are paid. For the purpose of allocating taxes levied by or for any taxing district which did not include the territory in the Urban Renewal Area Addition on the effective date of this ordinance, but to which the territory has been annexed or otherwise included after the effective date, the assessment roll applicable to property in the annexed territory as of January 1 of the calendar year preceding the effective date of the ordinance which amends the plan for the Urban Renewal Area Addition to include the annexed area, shall be used in determining the assessed valuation of the taxable property in the annexed area.

(b) that portion of the taxes each year in excess of such amounts shall be allocated to and when collected be paid into a special fund of the City to pay the principal of and interest on loans, moneys advanced to or indebtedness, whether funded, refunded, assumed or otherwise, including bonds issued under the authority of Section 403.9(1), of the Code of Iowa, incurred by the City to finance or refinance, in whole or in part, projects in the Urban Renewal Area, and to provide assistance for low and moderate-income family housing as provided in Section 403.22, except that taxes for the regular and voter-approved physical plant and equipment levy of a school district imposed pursuant to Section 298.2 of the Code of Iowa, taxes for the instructional support program levy of a school district imposed pursuant to Section 257.19 of the Code of Iowa and taxes for the payment of bonds and interest of each taxing district shall be collected against all taxable property within the taxing district without limitation by the provisions of this ordinance. Unless and until the total assessed valuation of the taxable property in the Urban Renewal Area Addition exceeds the total assessed value of the taxable property in such area as shown by the assessment roll referred to in subsection (a) of this section, all of the taxes levied and collected upon the taxable property in the Urban Renewal Area Addition shall be paid into the funds for the respective taxing districts as taxes by or for said taxing districts in the same manner as all other property taxes. When such loans, advances, indebtedness, and bonds, if any, and interest thereon, have been paid, all money thereafter received from taxes upon the taxable property in the Urban Renewal Area Addition shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

(c) the portion of taxes mentioned in subsection (b) of this section and the special fund into which that portion shall be paid may be irrevocably pledged by the City for the payment of the principal and interest on loans, advances, bonds issued under the authority of Section 403.9(1) of the Code of Iowa, or indebtedness incurred by the City to finance or refinance in whole or in part projects in the Urban Renewal Area.

(d) as used in this section, the word “taxes” includes, but is not limited to, all levies on an ad valorem basis upon land or real property.

Section 4. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance, including Ordinance No. 2020-02, are hereby repealed.

Section 5. Saving 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 6. Effective Date. This ordinance shall be effective after its final passage, approval and publication as provided by law.

Passed by the Council of the City of Van Meter, Iowa, on December 9, 2024.

Mayor

Attest:

City Clerk

ORDINANCE NO. 2020-02

An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the February, 2020 Addition to the Van Meter Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa

WHEREAS, the City Council of the City of Van Meter, Iowa (the "City") previously enacted an ordinance entitled "An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the Van Meter Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa"; and

WHEREAS, pursuant to that ordinance, certain taxable property within the Van Meter Urban Renewal Area in the City was designated a "tax increment district"; and

WHEREAS, the City Council now desires to increase the size of the "tax increment district" by adding additional property;

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

Section 1. Purpose. The purpose of this ordinance is to provide for the division of taxes levied on the taxable property in the February, 2020 Addition to the Van Meter Urban Renewal Area of the City of Van Meter, Iowa, each year by and for the benefit of the state, city, county, school districts or other taxing districts after the effective date of this ordinance in order to create a special fund to pay the principal of and interest on loans, moneys advanced to or indebtedness, including bonds proposed to be issued by the City of Van Meter to finance projects in such area.

Section 2. Definitions. For use within this ordinance the following terms shall have the following meanings:

"City" shall mean the City of Van Meter, Iowa.

"County" shall mean Dallas County, Iowa.

"2020 Urban Renewal Area Addition" shall mean the February, 2020 Addition to the Van Meter Urban Renewal Area of the City, the legal description of which is set out below, approved by the City Council by resolution adopted on February 10, 2020:

LOT 1 OF QUIST SUBDIVISION BEING IN THE N 1/2 OF THE NW 1/4 OF SECTION 34, TOWNSHIP 78 NORTH, RANGE 27 WEST OF THE 5th P.M., DALLAS COUNTY, IOWA.

AND

BEGINNING AT THE NORTH 1/4 CORNER OF SECTION 34, TOWNSHIP 78 NORTH, RANGE 27 WEST OF THE 5th P.M., DALLAS COUNTY, IOWA, THENCE NORTH 90°00' WEST 1621.1 FEET, THENCE SOUTH 0°07 3/4' WEST 1317.6 FEET. THENCE SOUTH 89°43' EAST 394.1 FEET, THENCE SOUTH 89°53 1/4' EAST 561.8

FEET, THENCE SOUTH 89°54 1/2' EAST 665.2 FEET, THENCE NORTH 0°08' EAST
1313.4 FEET TO THE POINT OF BEGINNING.

“Urban Renewal Area” shall mean the entirety of the Van Meter Urban Renewal Area as amended from time to time.

Section 3. Provisions for Division of Taxes Levied on Taxable Property in the 2020 Urban Renewal Area Addition. After the effective date of this ordinance, the taxes levied on the taxable property in the 2020 Urban Renewal Area Addition each year by and for the benefit of the State of Iowa, the City, the County and any school district or other taxing district in which the 2020 Urban Renewal Area Addition is located, shall be divided as follows:

(a) that portion of the taxes which would be produced by the rate at which the tax is levied each year by or for each of the taxing districts upon the total sum of the assessed value of the taxable property in the 2020 Urban Renewal Area Addition, as shown on the assessment roll as of January 1 of the calendar year preceding the first calendar year in which the City certifies to the County Auditor the amount of loans, advances, indebtedness, or bonds payable from the special fund referred to in paragraph (b) below, shall be allocated to and when collected be paid into the fund for the respective taxing district as taxes by or for said taxing district into which all other property taxes are paid. For the purpose of allocating taxes levied by or for any taxing district which did not include the territory in the 2020 Urban Renewal Area Addition on the effective date of this ordinance, but to which the territory has been annexed or otherwise included after the effective date, the assessment roll applicable to property in the annexed territory as of January 1 of the calendar year preceding the effective date of the ordinance which amends the plan for the 2020 Urban Renewal Area Addition to include the annexed area, shall be used in determining the assessed valuation of the taxable property in the annexed area.

(b) that portion of the taxes each year in excess of such amounts shall be allocated to and when collected be paid into a special fund of the City to pay the principal of and interest on loans, moneys advanced to or indebtedness, whether funded, refunded, assumed or otherwise, including bonds issued under the authority of Section 403.9(1), of the Code of Iowa, incurred by the City to finance or refinance, in whole or in part, projects in the Urban Renewal Area, and to provide assistance for low and moderate-income family housing as provided in Section 403.22, except that taxes for the regular and voter-approved physical plant and equipment levy of a school district imposed pursuant to Section 298.2 of the Code of Iowa, taxes for the instructional support program levy of a school district imposed pursuant to Section 257.19 of the Code of Iowa and taxes for the payment of bonds and interest of each taxing district shall be collected against all taxable property within the taxing district without limitation by the provisions of this ordinance. Unless and until the total assessed valuation of the taxable property in the 2020 Urban Renewal Area Addition exceeds the total assessed value of the taxable property in such area as shown by the assessment roll referred to in subsection (a) of this section, all of the taxes levied and collected upon the taxable property in the 2020 Urban Renewal Area Addition shall be paid into the funds for the respective taxing districts as taxes by or for said taxing districts in the same manner as all other property taxes. When such loans, advances, indebtedness, and bonds, if any, and interest thereon, have been paid, all money thereafter received from taxes upon the taxable property in the 2020 Urban Renewal Area Addition shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

(c) the portion of taxes mentioned in subsection (b) of this section and the special fund into which that portion shall be paid may be irrevocably pledged by the City for the payment of the principal and interest on loans, advances, bonds issued under the authority of Section 403.9(1) of the Code of Iowa, or indebtedness incurred by the City to finance or refinance in whole or in part projects in the Urban Renewal Area.

(d) as used in this section, the word "taxes" includes, but is not limited to, all levies on an ad valorem basis upon land or real property.

Section 4. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 5. Saving 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 6. Effective Date. This ordinance shall be effective after its final passage, approval and publication as provided by law.

Passed by the Council of the City of Van Meter, Iowa, on February 10, 2020.



Mayor

Attest:



City Clerk

.....

There being no further business to come before the meeting, it was upon motion adjourned.



Mayor

Attest:



City Clerk

STATE OF IOWA

SS:

COUNTY OF DALLAS

I, the undersigned, County Auditor of Dallas County, in the State of Iowa, do hereby certify that on the 2nd day of December 2024, the City Clerk of the City of Van Meter, Iowa, filed in my office a copy of an ordinance of such City shown to have been adopted by the Council and approved by the Mayor thereof on February 10, 2020, entitled: "Ordinance No. 2020-02. An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the February, 2020 Addition to the Van Meter Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa," and that I have duly placed a copy of the ordinance on file in my records.

WITNESS MY HAND this ___ day of _____, 2024.

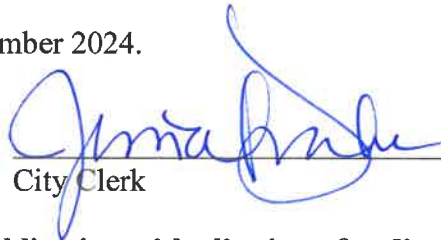
County Auditor

STATE OF IOWA
COUNTY OF DALLAS
CITY OF VAN METER

SS:

I, the undersigned, City Clerk of the City of Van Meter, State of Iowa, do hereby certify that I caused to be published "Ordinance No. 2020-02 An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the February, 2020 Addition to the Van Meter Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa," of which the printed slip attached to the publisher's original affidavit hereto attached is a true and complete copy, on the date and in the newspaper specified in such affidavit, and that such newspaper has a general circulation in said City.

WITNESS MY HAND this 2nd day of December 2024.



City Clerk

(Attach hereto publisher's affidavit of publication with clipping of ordinance as published.)



Iowa

GANNETT

PO Box 631851 Cincinnati, OH 45263-1851

AFFIDAVIT OF PUBLICATION


City of Van Meter
Po Box 160
Van Meter IA 50261-0160

STATE OF WISCONSIN, COUNTY OF BROWN

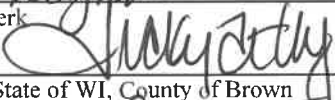
The Des Moines Register and Tribune Company, a newspaper printed and published in the city of Des Moines, Polk County, State of Iowa, and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issue:

11/25/2024

and that the fees charged are legal.
Sworn to and subscribed before on 11/25/2024



Legal Clerk



Notary, State of WI, County of Brown

9-19-25

My commission expires

Publication Cost:	\$151.60	
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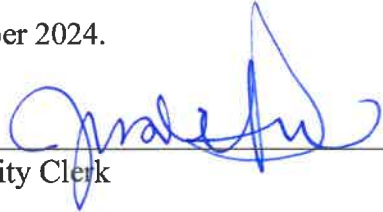
VICKY FELTY
Notary Public
State of Wisconsin

STATE OF IOWA
COUNTY OF DALLAS
CITY OF VAN METER

SS:

I, the undersigned, City Clerk of the City of Van Meter, State of Iowa, do hereby certify that the attached is a true, correct and complete copy of all the records of the Council of such City relating to the adoption of an ordinance entitled "Ordinance No. 2020-02. An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the February, 2020 Addition to the Van Meter Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa."

WITNESS MY HAND this 2nd day of December 2024.



City Clerk

Agenda Item #16

Discussion and Possible Action:

Resolution #2024-153 Setting the Date of Public Hearing relating to a Proposed Amendment to the Code of Ordinances of the City of Van Meter - Section 63.04 Special Speed Zones of Chapter 63 Speed Regulations - 340th Trail

Submitted for: **Discussion and Possible Action**

V&K has provided a speed recommendation for 340th Trail.

Recommendation: **APPROVAL**

Sample Language: **Motion to adopt RResolution #2024-153 Setting the Date of Public Hearing relating to a Proposed Amendment to the Code of Ordinances of the City of Van Meter - Section 63.04 Special Speed Zones of Chapter 63 Speed Regulations - 340th Trail for Monday, January 13, 2025 at 7:00pm**

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

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

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

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



VEENSTRA & KIMM INC.

3000 Westown Parkway
West Des Moines, Iowa 50266

515.225.8000 // 800.241.8000
www.v-k.net

November 27, 2024

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

VAN METER, IOWA
340th TRAIL
SPEED ZONE

This letter is a follow-up to the discussion at the November 25, 2024 City Council Workshop concerning the establishment of a speed limit on 340th Trail from east of Veteran Memorial Parkway. All of 340th Trail from Veteran Memorial Parkway easterly to the intersection with S Avenue is located within the City and subject to the City Council jurisdiction establishing speed limits. East of S Avenue only small portions of south half of 340th Trail are located within the corporate limits of the City. The vast majority of 340th Trail east of S Avenue is located in unincorporated Dallas County.

Under the Code of Iowa the speed limit in a “suburban district” is 45 mph unless posted otherwise. A suburban district is defined as any portion of a City not located in a residence, business, or school district. It would appear 340th Trail falls within the definition of a suburban district and may well have a statutory 45 mph speed limit even though there is no posted speed limit. It is noted in unincorporated Dallas County 340th Trail that is not posted will likely have a 55mph implied statutory speed limit.

Although technically 340th Trail may have a 45 mph speed limit, most cities would not consider the statutory definition of a speed limit to be sufficient for purposes of siting motorists for speed violations. It would clearly be preferable for any intended speed limit to be established by ordinance and posted accordingly.

In establishing speed limits there are a number of factors the City can consider. One factor is whether the roadway geometrics are such that a slower speed limit would be appropriate. Geometric factors include both horizontal and vertical curves that limit site visibility.

A second factor to consider is the number of potential conflicts. Conflicts can be intersections with public streets and driveways. Conflicts can take into account non-motorized vehicle traffic such as pedestrian and bicyclist.

Along the reach of 340th Trail from Veteran Memorial Parkway to S Avenue there are two horizontal curves that could form the basis for a establishment of a lower speed zone based on geometric considerations. At this time there is only one residential property located along this reach of 340th Trail. Based on the current potential conflicts there may not be a justification for a lower speed limit.

Another factor the City may wish to take into consideration is its likely the western portion of 340th Trail from east of Veterans Memorial Parkway to the former Lauterbach property will likely be improved in 2025. Converting the existing gravel surface to a paved roadway surface will likely result in increased speeds. It is likely starting in 2025 and continuing for some period of years there will be increased traffic on the western portion of 340th Trail due to economic development activity.

Veenstra & Kimm, Inc. would recommend at a minimum the City establish a speed limit no greater than 45 mph to correspond with the definition statutory speed limit for a suburban zone. The City Council, in its discretion can establish a lower speed limit. Although the City Council has significant discretion in establishing the speed limit it is generally preferable for the City Council to have reasonable basis for establishing the speed limit.

It should also be recognized motorists will tend to travel at speeds they deem appropriate based on physical conditions. Given the limited number of conflicts along 340th Trail many motorist will reach the conclusion a higher speed is reasonable based on roadway conditions.

In considering the speed limit the City Council may wish to take into consideration the potential there will be at least one additional major entrance to 340th Trail that is likely to be located between the two horizontal curves. Although the exact location of the future entrance has not been finalized all indications are it will be located between the two horizontal curves on 340th Trail. It is likely the entrance could have significant traffic volumes as result of the economic development prospect. The construction of the addition of an entrance between the two horizontal curves both increases the conflict potentials. The anticipated construction addition of an entrance with significant traffic may well provide a basis or determining that based on roadway geometrics and conflict potential that a speed limit lower than 45 mph would be appropriate.

On the other hand, in establishing speed limits there needs to be a recognition speed limits need to reasonably align with driver perception of appropriate speed limits. Establishing a speed limit that is significantly slower than driver perception of a safe speed does not always result in the slowing that is the intent of speed limits.

Liz Faust
November 27, 2024
Page 3

The reach of 340th Trail from Veteran Memorial Parkway easterly approximately one-half mile probably does not justify a speed limit less than 45 mph. The horizontal curves on 340th Trail would appear to justify a 40 mph speed limit based on sight distance. The anticipated development in the area of the horizontal curves there may be a justification for a speed limit of 35 mph in the eastern half of 340th Trail extending easterly to S Avenue.

If the City were to establish a speed limit, it is recommended a singular speed limit be established from Veteran Memorial Parkway easterly to S Avenue. It is suggested a 40 mph speed limit over this one mile reach of 340th Trail may be a reasonable approach based on sighted distance issues in the curves. The City can monitor the speed as the Economic Development project moves forward. If the traffic activity generated by the Economic Development prospect results in additional conflicts the City could reevaluate and potentially lower the speed limit.

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:mmc

193

Cc: Jessica Drake

Agenda Item #17

Discussion and Possible Action:

Resolution #2024-154 Setting the Date of Public Hearing relating to Proposed Amendments to the Code of Ordinances of the City of Van Meter - Repealing the Following Chapters: Chapters 155 Adoption of Codes, Chapter 157 Mechanical Code, Chapter 158 Property Maintenance and Housing, Chapter 159 Plumbing Code and Chapter 160 Fuel Gas Code AND Repealing & Replacing Chapter 156 Building Code

Submitted for: **Discussion and Possible Action**

City Clerk Drake will provide additional detail.

Recommendation: **APPROVAL**

Sample Language: **Motion to adopt Resolution #2024-154 Setting the Date of Public Hearing relating to Proposed Amendments to the Code of Ordinances of the City of Van Meter - Repealing the Following Chapters: Chapters 155 Adoption of Codes, Chapter 157 Mechanical Code, Chapter 158 Property Maintenance and Housing, Chapter 159 Plumbing Code and Chapter 160 Fuel Gas Code AND Repealing & Replacing Chapter 156 Building Code for Monday, January 13, 2025 at 7:00pm**

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

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

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

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

AN ORDINANCE TO REPEAL CHAPTER 156 OF THE MUNICIPAL CODE OF THE CITY OF VAN METER, IOWA AND TO ADOPT BY REFERENCE THE 2021 EDITION OF THE INTERNATIONAL CODES (I-CODES™) AND MORE SPECIFICALLY THE INTERNATIONAL BUILDING CODE, THE INTERNATIONAL RESIDENTIAL CODE, THE INTERNATIONAL EXISTING BUILDING CODE, THE INTERNATIONAL FUEL GAS CODE, THE INTERNATIONAL MECHANICAL CODE, THE INTERNATIONAL PROPERTY MAINTENANCE CODE, THE INTERNATIONAL FIRE CODE, THE 2021 UNIFORM PLUMBING CODE AS ADOPTED BY THE STATE OF IOWA, THE INTERNATIONAL PLUMBING CODE, THE 2012 INTERNATIONAL ENERGY AND CONSERVATION CODE, AND BY REFERENCE THE NATIONAL ELECTRICAL CODE AS CURRENTLY USED BY THE STATE OF IOWA, NFPA 58, AND NFPA 54 TO REGULATE THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, CONVERSION, DEMOLITION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA AND MAINTENANCE OF BUILDINGS AND STRUCTURES, INCLUDING INSTALLATION OF MOBILE, MANUFACTURED AND MODULAR HOMES; TO PROVIDE FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; AND TO PROVIDE PENALTIES FOR VIOLATIONS.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF VAN METER, IOWA:

§156.0 **VAN METER Municipal Code, Building Code Regulations and Penalties for Violations, is hereby repealed, and the following ordinance is hereby enacted in lieu thereof:**

§156.1 **Administrative Provisions.** Administration of this ordinance shall be as provided in this section and in the following sections of the several codes named which are hereby adopted by reference to provide procedures for local enforcement of the codes, constituting the International Codes. The Administrative Official or his/her designee, designated by the City Council, shall be responsible for the enforcement of the International Codes. He or she shall be accountable for the issuance of all applicable permits under this ordinance which shall include building permits issued in compliance with the Zoning Ordinance of the City of Van Meter. The Administrative Official shall have the power to render interpretations of this code and to adopt and enforce rules and regulations supplemental to this code, subject to approval of the Council of the City of Van Meter, as he/she may deem necessary in order to clarify the application of the provisions of this code. Such interpretations, rules and regulations shall be in conformity with the intent and purpose of this code.

§156.2 **Adoption of the 2021 International Residential Code.** Pursuant to published notice and public hearing, as required by law, the International Residential Code, 2021 Edition, published by the International Code Council, is hereby adopted in full, including Appendix Chapters except for such portions as may hereinafter be deleted, modified or amended.

§156.3 **Amendments, Modifications, Additions and Deletions.** The following amendments, modifications, additions and deletions to the International Residential Code, 2021

Edition, are hereby made:

- A. Insert Section R101.1 to read City of Van Meter as the applicable jurisdiction.
- B. Delete Section R105.2(Building1) and replace as follows:
 1. One-story detached accessory structures, provided the floor area does not exceed 200 square feet; however, site plan approval shall be obtained from the Zoning Department.
- C. Delete Sections R105.2(Building 2), R105.2(Building 4), R105.2(Building 5), and R105.2(Building 10). Replace section R105.2 (5) with the following language: Sidewalks shall be permitted and installed in accordance with approved site plan for individual lot development.
- D. Amend Section R105.6 to include the addition of R105.6.1 Revocation of permit. Insert Section R105.6.1 to read: Revocation of Permit. It is the permit holder's responsibility to schedule the required inspections and obtain final approvals. Failure to schedule the required inspections and receive approval of work authorized by the permit before covering said work or at completion shall result in revocation of the permit and void any associated approvals granted by the City. This failure shall also equate to working without a permit in violation of City ordinance and no future permits shall be issued to any person or company who has outstanding violations of this code or any other laws or ordinances of the City. Failure to contact the City for any inspection or follow-up prior to expiration of a permit shall be deemed a violation of this code section. Failure to contact the City for any inspection or follow-up prior to expiration of a Temporary Certificate of Occupancy shall also be deemed a violation of this code section. Allowing occupancy of a structure, for which a person or company holds a building permit, prior to or without a valid Certificate of Occupancy (temporary or final) shall be deemed a violation of this code section and no future permits shall be issued to any person or company who has outstanding violations of this code or any other laws or ordinances of the City.
- E. Add the following to Section R108.2 Schedule of Permit Fees with the following language:

Permit fees will be derived from the City of Van Meter Fee Schedule as adopted.
- F. Add the following to Section R108.3: The Building Valuation will be derived from the construction costs for the total work submitted by the contractor, or the most current Building Valuation Data Schedule published by the International Code Council (ICC). Submitted contractor valuation shall not be less than derived valuation through ICC. Published data is utilized by the Administrative Official in an effort to maintain consistency and fairness for permit fee calculations. It is not intended to reflect actual taxable value.

The method for determining the value of the additional listed residential items will be as follows: The square foot of the listed structure, times the Dwelling -

Type V - Wood Frame value, times the % multiplier assigned to each listed item.

1. Open Decks - 8%
2. Screened Porches - 15%
3. In-ground Pools - 17%
4. Above-ground pools - 8%
5. 3 Season Porches - 50%
6. Detached Garages – 50%
7. Post Frame Buildings – 50%
8. Remodel/Renovation – 30%

G. Amend Section R108.5 to read as follows: Fee Refunds. The administrative official may authorize refunding of any fee paid hereunder which was erroneously paid or collected.

The administrative official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The administrative official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done.

The administrative official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.

H. Amend Section R110.1 to add the following at the end of the paragraph:

On all new construction, all necessary walks, drives and approaches, and all seeding and sodding are to be installed before a final Certificate of Occupancy is issued.

I. Table R301.2 to read as follows:

GROUND SNOW LOAD	WIND DESIGN				SEISMIC DESIGN CATEGORY	SUBJECT TO DAMABGE FROM			WINTER DESIGN TEMP	ICE BARRIER UNDERLAYMENT REQUIRED	FLOOD HAZARDS	AIR FREEZING INDEX	MEAN ANNUAL TEMP
	SPEED (MPH)	TOPOGRAPHIC EFFECTS	SPECIAL WIND REGION	WINDBORNE DEBRIS ZONE		WEATHERING	FROST DEPTH	TERMITE					
30	115	NO	NO	NO	A	SEVERE	42	MODERATE	0	YES	DEC. 2007	2000	48.6

J. Amend Section R301.2.1.3 to add the following:

For purposes of determining wind loads, the minimum basic wind speed shall be

considered as 115 miles per hour; except when referenced documents are based on fastest mile wind velocities, Table R301.2(1) shall be used.

K. Amend Section R301.2.3 to add the following:

For purposes of determining snow loads, the minimum ground snow load for design purposes shall be 30 pounds per square foot. Subsequent increases or decreases shall be allowed as otherwise provided in this code, except that the minimum allowable flat roof snow load may be reduced to not less than 80 percent of the ground snow load.

L. Amend section R302.3 to read:

For purposes of fire-resistive separation, two family dwelling units shall be considered as townhouses and shall be constructed in accordance with R302.2

M. Modify IRC Table 302.6 and replace with the following table:

TABLE R302.6

DWELLING-GARAGE SEPARATION

SEPARATION	MATERIAL
From the residence and attics	Not less than 5/8-inch "X" gypsum board or equivalent applied to the garage side
From habitable rooms above the garage and structure(s) supporting floor/ceiling assemblies used for separation required by this section	Not less than 5/8-inch "X" gypsum board or equivalent
Garages located less than 5 feet from a dwelling unit on the same lot	Not less than 5/8-inch "X" gypsum board or equivalent applied to the interior side of exterior walls and ceilings within the garage

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

N. Delete Section R302.13

O. Amend Section R305.1.1 Exception to read:

Existing basements not having a height as specified in this section are allowed to be finished with a ceiling height that is not decreased more than the minimal measurement created by applying a finished ceiling of gypsum board or acoustical ceiling tiles.

P. Amend Section R310.2.3 to add the following exception:

A landing may be provided to meet the maximum sill height of forty-four (44) inches above the floor or landing provided. The landing shall be not less than thirty-six (36) inches wide, not less than twelve (12) inches out from the exterior wall, and not more than twenty-four (24) inches in height. The landing shall be permanently affixed to the floor below or the wall under the window it serves.

Q. Amend Section R310.6 Exception to read:

New habitable spaces created in an existing basement shall be provided with emergency escape and rescue openings in accordance with Section R310.1.

R. Amend Section R311.3.2 Exception to read:

A top landing is not required where a stairway of not more than four rises is located on the exterior side of a door, provided the door does not swing over the stairway.

S. Amend Section R311.7.5.1 to add exception 3 with the following language:

The dimension of the top and bottom riser of a stair may vary up to 1-inch (25.4 mm) from the stairway riser dimension; however, in no case shall the riser height exceed seven and three-quarter inches.

T. Amend Section R311.7.8.4 to add exception 3 with the following language:

Handrails within a dwelling unit or serving an individual dwelling unit shall be permitted to be interrupted at one location in a straight stair when the rail terminates into a wall or ledge and is offset and immediately continues.

U. Delete Section R313.1 and replace with the following:

313.1 Townhouses automatic fire sprinkler systems. An automatic residential fire sprinkler system shall be installed in townhouses.

Exceptions:

1. An automatic residential fire sprinkler system shall not be required where additions or alterations are made to existing townhouses that do not have an automatic residential fire sprinkler system installed.
2. Townhouse structures where the conditioned square footage of the entire building is less than eighteen thousand (18,000) square feet. For purposes of this section, conditioned space shall be defined as space that can be occupied but shall not include garages or attics.
3. Townhouse structures that contain eight (8) or less dwelling units.

V. Delete Section R313.2 and replace with the following:

313.2 One and two-family dwelling automatic fire sprinkler systems. An automatic residential fire sprinkler system shall be installed in one and two-family dwellings.

Exceptions:

1. An automatic residential fire sprinkler system shall not be required where additions or alterations are made to existing buildings that

are not already provided with an automatic residential fire sprinkler system.

2. One and two-family dwellings containing less than eight thousand (8,000) square feet of floor space, excluding attached garages and other unenclosed areas.

W. Amend Section R317.1 to add the following:

8. Fences. Residential fences shall be chain link, ornamental iron, PVC/Composite, or approved wood. Wood used in fences shall be treated wood, or approved wood of natural resistance to decay.

X. Replace Table R403.1(1),(2), (3)with the following:

TABLE R403.1
FOUNDATIONS FOR STUD BEARING WALLS

Number of Stories	Thickness of Foundation Walls		Minimum Width of Footing (inches)	Thickness of Footing (inches)	Minimum Depth of Foundation Below Natural Surface of Ground and Finish Grade (inches)
	Unit <i>Concrete Masonry</i>				
1	8	8	16	8	42
2	8	8	16	8	42
3	10	10	18	12	42

Y. Delete Section R403.1.4.1 Exception 1 and replace with the following:

Accessory structures up to 200 square feet may be constructed on a 4 inch wood deck or 4 inch concrete slab. Protection for detached garages and other accessory structures 1024 square feet or less in size, located more than ten (10) feet from a dwelling, attached garage, or other principal structures, may be accomplished with a floating slab (monolithic). The floating slab shall include a thickened slab edge or a minimum eighteen (18) inches thick. Twelve inches of the thickened slab shall be below grade and six inches shall be above finished grade. The bottom portion of the thickened slab area shall be twelve (12) by twelve (12) inches. Two #4 rebar shall be placed within the thickened edge continuous around the perimeter of the slab. The floor shall be Portland cement concrete not less than four (4) inches thick. Garage floor areas shall have all sod and/or debris removed. For detached garages and accessory structures exceeding 1024 square feet, a frost protected footing and foundation shall be required.

Z. Delete Section R403.1.4.1 Exception 2.

AA. Amend Section R404.1 to add the following:

1. Scope. Notwithstanding other design requirements of Sections R404.1 - R404.1.5.2 of the International

Residential Code, foundation retaining walls for one and two family dwelling occupancies of Type V construction may be constructed in accordance with this section, provided that use or building site conditions affecting such walls are within the limitations specified in this section. Concrete foundation walls shall be selected and constructed in accordance with the provisions of Section R404.1.3. Masonry foundation walls shall be selected and constructed in accordance with the provisions of Section R404.1.2. If backfill prior to a poured in place floor slab is desired, one of the following methods to provide bottom lateral support shall be completed: (1) a full depth (minimum 1-1/2") nominal 2" x 4" keyway may be formed into the footings to secure the bottom of the foundation wall -or- (2) 36" long vertical # 4 rebar may be embedded a minimum of 6" into the footings not to exceed 7' on center spacing.

BB. Amend Code to Add Code Section: IRC R404.1.3.2.3 Insert the following language and Table:

Table R404.1.3.2.3 - 'Foundation Walls for Conventional Light Frame Construction'

Height of Foundation Wall (Net measured from top of basement slab to top of foundation wall)*		Thickness of Foundation Walls		Reinforcement Type and placement within Foundation Wall**	Reinforcement Type and placement within Foundation Wall** (maximum 12' span between corners and supporting cross walls)	Type of Mortar
		Concrete	Masonry			
Gross	Net	Concrete	Masonry	Concrete	Masonry	Masonry
8	7' 8"	7 1/2"	8"	1/2" horizontal bars, placement in the middle, and near the top & bottom – 1/2" bars @ 6' max. vertically	0.075 square inch bar 8' o.c. vertically in fully grouted cells. If block is 12" nominal thickness, may be unreinforced.	Type M or S. Grout & Mortar shall meet provisions of Chapter 21 IBC
9	8' 8"	8"	See Chapter 18 IBC	1/2" bars 2' o.c. horizontally & 20" vertically o.c.	See Chapter 18 IBC	Same as above
10	9' 8"	8"	See Chapter 18 IBC	(5/8" bars 2' o.c. horizontally & 30" vertically o.c.)	See Chapter 18 IBC	Same as above

*Concrete floor slab to be nominal 4". If such floor slab is not provided prior to backfill, provide 1) 36" vertical embedded in the footing @ maximum 7' O.C. spacing -and/or- 2) full depth nominal 2" depth x 4" width keyway in footing

** All reinforcement bars shall meet ASTM A6175 grade 40 minimum and be deformed. Placement of bars shall

center of wall and meet the provisions of chapters 18, 19, and 21 of the International Building Code.

NOTE: Cast in place concrete shall have a compressive strength of 3,000 lbs @ 28 days. Footings shall contain reinforcement of minimum 2 – Y2” diameter rebar throughout. Placement of reinforcement and concrete shall requirements of Chapter 19 of the International Building Code.

NOTE: Material used for backfilling shall be carefully placed granular soil of average or high permeability and drained with an approved drainage system as prescribed in Section 1805.4 of the International Building Code. containing a high percentage of clay, fine silt or similar materials of low permeability or expansive soils are where backfill materials are not drained or an unusually high surcharge is to be placed adjacent to the wall, a designed wall shall be required.

Note: Foundation plate or sill anchorage shall be installed in accordance with the respective codes as applicable.

BB. Amend Chapter 11 Energy Efficiency -- Energy Efficiency, of the IRC is hereby amended by deleting this chapter and inserting the following:

Provisions of the International Energy Conservation Code as currently adopted and amended by the Iowa State Building Code Bureau shall apply to all matters governing the design and construction of buildings for energy efficiency. Administration shall be prescribed in “this code” and the regulations shall be known as the Waukee Energy Code.

CC. Amend Section R1601.4 to add the following:

Section 1601.4 Installation. Duct installation shall comply with sections M1601.4.1 through M1601.4.11

Section 1601.4.11. Air plenum and duct separation. Air plenums and ducts located in floor and wall cavities shall be separated from unconditioned spaces by construction with sufficient insulation to meet energy code requirements. These areas include but are not limited to exterior walls, cantilevered floors, and floors above garages.

DD. Delete Section R G2414.5.2 (403.5.2) and replace with the following:

Section G2415.5.2 (403.5.2): Corrugated Stainless Steel Tubing (CSST). Only CSST with an Arc Resistant Jacket or Covering System listed in accordance with ANSI LC-1 (Optional Section 5.16)/CSA 6.26-2016 shall be installed in accordance with the terms of its approval, the conditions of listing, the manufactures instructions and this code including electrical bonding requirements in Section G2411. CSST shall not be used for through wall penetrations from the point of delivery of the gas supply to the inside of the structure. CSST shall not be installed in locations where subject to physical damage unless protected in an approved manner.

EE. Delete Section R G2414.5.4 (403.5.5) and replace with the following:

Section G2414.5.4 (403.5.5): Corrugated Stainless Steel Tubing. Arc resistant corrugated stainless steel tubing shall be listed in accordance with ANSI LC 1 (Optional Section 5.16)/CSA 6.26.

FF. Amend section P2603.5.1 Sewer depth. Building sewers that connect to private sewage disposal systems shall not be less than 60 inches below finished grade at the point of septic tank connection or as approved by Dallas County Environmental Health. Building sewers shall not be less than 60 inches below grade.

GG. Add Code Section IRC E3704.7 and insert the following language:

3704.7 Prohibited Locations. Feeders supplying a townhome shall not cross a property line other than the individual unit served. For the purposes of this provision, the term townhome shall mean a single-family dwelling unit constructed in a group of two or more attached units in which each unit extends from foundation to roof and with a yard or public way on not less than two sides.

Exception: If a recorded easement is established in a concealed space or attic within the townhome unit, feeds are allowed within the easement.

§156.4 **Adoption of the 2021 International Building Code.** Pursuant to published notice and public hearing, as required by law, the International Building Code, 2021 Edition, published by the International Code Council, is hereby adopted in full to include Appendix K except for such portions as may hereinafter be deleted, modified or amended.

§156.5 **Amendments, Modifications, Additions and Deletions.** The following amendments, modifications, additions and deletions to the International Building Code, 2021 Edition, are hereby made:

- A. Insert Section 101.1 to read City of Van Meter
- B. Delete Sections 105.2(Building 2), 105.2(Building 5), 105.2(Building 6).
- C. Amend Section R105.6 to include the addition of R105.6.1 Revocation of permit. Insert Section R105.6.1 to read: Revocation of Permit. It is the permit holder's responsibility to schedule the required inspections and obtain final approvals. Failure to schedule the required inspections and receive approval of work authorized by the permit before covering said work or at completion shall result in revocation of the permit and void any associated approvals granted by the City. This failure shall also equate to working without a permit in violation of City ordinance and no future permits shall be issued to any person or company who has outstanding violations of this code or any other laws or ordinances of the City. Failure to contact the City for any inspection or follow-up prior to expiration of a permit shall be deemed a violation of this code section. Failure to contact the City for any inspection or follow-up prior to expiration of a Temporary Certificate of Occupancy shall also be deemed a violation of this code section. Allowing occupancy of a structure, for which a person or company holds

a building permit, prior to or without a valid Certificate of Occupancy (temporary or final) shall be deemed a violation of this code section and no future permits shall be issued to any person or company who has outstanding violations of this code or any other laws or ordinances of the City.

- D. Add the following to Section 109.2 Schedule of Permit Fees with the following language:
Permit fees will be derived from the City of Van Meter Fee Schedule as adopted.
- E. Add the following to Section R109.3: The Building Valuation will be derived from the construction costs for the total work submitted by the contractor, or the most current Building Valuation Data Schedule published by the International Code Council (ICC). Submitted contractor valuation shall not be less than derived valuation through ICC. Published data is utilized by the Administrative Official in an effort to maintain consistency and fairness for permit fee calculations. It is not intended to reflect actual taxable value.
- F. Delete Section 308.5.4 and replace with the following:
308.5.4 Eight or fewer persons receiving care in a dwelling unit. A facility such as the above within a dwelling unit and having eight or fewer persons receiving custodial care shall be classified as a Group R-3 occupancy or shall comply with the International Residential Code.
Exception:
Day Care facilities that provide custodial care for 16 or fewer persons for less than 24 hours per day in a single family dwelling, and where registered with the State of Iowa Department of Human Services as a child development home are permitted to comply with the International Residential Code.
- G. Delete Section 310.4.1 and replace with the following:
310.4.1 Care facilities within a dwelling. Care facilities within a dwelling shall adhere to section 308.5.4.
- H. Amend Section 423.5 to delete entire section including subsections 423.5.1 and 423.5.2 and replace with the following language:
423.5 Group E occupancy. In areas where the shelter design wind speed for tornadoes in 250 mph in accordance with Figure 304.2 (1) of ICC 500, all Group E occupancies with a program occupant load of 50 or more shall have a storm shelter constructed in accordance with Chapters 1 through 5 & 8 of ICC 500.
Exceptions:
1 Group E day care facilities.
2. Group E occupancies accessory to place of religious worship.
3. Buildings meeting the requirements for shelter design in ICC 500.
4. Accessory structures to existing group E sites where the occupancy classification of said structures are classified as Groups A-5 and U.

423.5.1 Required Occupant Capacity. The required occupant capacity of the storm shelter

shall include all buildings classified as a Group E occupancy on the campus or site (whichever is larger) and shall be the greater of the following:

1. The total occupant load of the classrooms, vocational rooms and offices in the Group E occupancy.
2. The occupant load of any indoor assembly space that is associated with the Group E occupancy.

Exceptions:

1. Where a new building is being added on an existing Group E site, and where the new building is not of sufficient size to accommodate the required occupant capacity of the storm shelter for all of the buildings on-site, the storm shelter shall at a minimum accommodate the required capacity for the new building.
2. Where approved by the code official, the required occupant capacity of the shelter shall be permitted to be reduced by the occupant capacity of any existing storm shelters on the campus or site.

423.5.2 Location. Storm shelters shall be located within the buildings they serve, or shall be located where the maximum distance of travel from not fewer than one exterior door of each building to a door of the shelter serving that building does not exceed 1,000 feet.

The installation of portable buildings for utilization on the campus or site for educational purposes is considered new construction and classified as Group E occupancies.

Exception: Existing schools undergoing alterations, additions, or construction of new accessory buildings.

- I. Delete Code Section: IBC 502.1 (Correlation IFC 505.1) and replace with the following language:

502.1 Address identification. New and existing buildings shall have *approved* address numbers, building numbers or *approved* building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall be black or white and shall contrast with their background. Where required by the *fire code official*, address numbers shall be provided in greater dimension or additional *approved* locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers and letters shall be a minimum height and a minimum stroke width as dictated by Table 502.1. Where access is by means of a private road and the building cannot be viewed from the *public way*, a monument, pole or other sign or means shall be used to identify the structure. Address numbers shall be maintained.

**Table 502.1
Minimum Height and Stroke Width**

Distance from the centerline of the Public Way (ft)		Minimum Height (in)	Minimum Stroke Width (in)
Less than 100		4	1/2
100	199	6	3/4
200	299	8	1
For each additional 100		Increase 2	Increase 1/2

^a Exterior suite identification, minimum height shall be 4 inches and stroke width shall be 1/2 inch.

^b Interior suite identification, minimum height shall be 2 inches and stroke width shall be 1/4 inch.

J. Modify IBC Section 716.2.6.1 to add the following language after the last sentence:
Automatic, self-closing, UL listed hinges may only be installed on the dwelling room entry door.

K. Add Section 902.1.1.1 (Correlation IFC 901.4.6.1) to include the following language:

902.1.1.1 Fire Sprinkler Riser Room. A fire sprinkler riser room shall be separated from the electrical room. The riser room shall have no electrical panels, devices, or apparatus inside the room other than the outlets or support equipment (lighting, air compressor, and heater) required for the use of the fire sprinkler system and/or the fire alarm panel. The sprinkler riser room shall not be accessed from the electrical room, but the electrical room may be accessed from the fire riser room.

L. Add new code section IBC 902.1.5 (Correlation IFC 901.4.6.5 DD) to include the following language:

902.1.5 Temperature Sensor. Provide a low temperature sensor in the fire sprinkler riser room. Low Temperature Sensor shall be monitored to prevent freezing.

M. Delete Section 903.2.11.1.3 and replace with the following:

903.2.11.1.3 Basements. Where any portion of a basement is located more than 75 feet (22 860 mm) from openings required by Section 903.2.11.1, the basement shall be equipped throughout with an approved automatic sprinkler system.

N. Modify IBC Section 903.3.1.2(2) to change “30 feet” to “35 feet”.

O. Modify IBC Section 903.3.1.2(3) to change “30 feet” to “35 feet”.

P. Delete Section 903.4.2 and replace with the following:

903.4.2 Alarms. An approved weather proof audible device suitable for outdoor use with 110 candela visual signal shall be connected to every automatic sprinkler system. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Alarm devices shall be provided on the exterior of the building in an approved location. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

Q. Amend Section 1008.3.3. to add the following locations with sequential numbering:

5. Public restrooms containing more than one water closet/urinal or that are accessible.
6. Meeting and conference rooms with an area greater than 400 square feet.
7. Classrooms in an E occupancy with an area greater than 400 square feet.

R. Amend Section 1009.2 to add the following:

11. Components of exterior walking surfaces shall be concrete, asphalt, or other approved hard surface.

S. Add Section 1010.1.6.1 with the following language:

1010.1.6.1 For landings required by Section 1010.1.5 to be at the same elevation on each side of the door, exterior landings at doors shall be provided with frost protection.

T. Amend Section 1010.2.2 to add the following:

Thumb Turn Locks shall not be allowed.

U. Add the following Section 1013.1.1:

1013.1.1 Additional Exit Signs. Exit signs may be required at the discretion of the Administrative Official to clarify an exit or exit access.

V. Delete Sections 1013.5 and 1013.6 including 1013.6.1, 1013.6.2 and 1013.6.3.

W. Add the following Section 1028.5.1:

1028.5.1 Components of exterior walking surfaces shall be concrete, asphalt, or

other approved hard surface.

- X. Modify Code Section: IBC 1301.1 and replace with the following language:
Section 1301.1 Scope. The provisions of the International Energy Code as currently adopted and amended by the Iowa State Building Code Bureau shall apply to all matters governing the design and construction of buildings for energy efficiency. Administration shall be as prescribed in chapter 1 of the currently State adoption of the IECC and these regulations shall be known as the 2021 Energy Code.
- Y. Amend Section 1608.2 to add the following: For purposes of determining snow loads, the minimum ground snow load for design purposes shall be 30 pounds per square foot. Subsequent increases or decreases shall be allowed as otherwise provided in this code, except that the minimum allowable flat roof snow load may be reduced to not less than 80 percent of the ground snow load.
- Z. In Section 1609.1.1 add the following: For purposes of determining wind loads, the minimum basic wind speed shall be considered as 115 miles per hour; except when referenced documents are based on fastest mile wind velocities, Table 1609.3(1) shall be used.
- AA. Add the following to Section 1807.1 Foundation Retaining Walls for Group R Occupancies:
 - 1. Scope. Notwithstanding other design requirements of Chapters 18, 19 and 21 of the International Building Code, foundation retaining walls for Group R occupancies of Type V construction may be constructed in accordance with this section, provided that use or building site conditions affecting such walls are within the limitations specified in this section.
 - 2. Specifications. General specifications for such foundation retaining walls shall be as follows:

Table - 'Foundation Walls for Conventional Light Frame Construction'

Height of Foundation Wall (Net measured from top of basement slab to top of foundation wall)*		Thickness of Foundation Walls		Reinforcement type and placement within Foundation Wall**	Reinforcement type and placement within Foundation Wall** (maximum 12' span between corners and supporting cross walls)	Type of Mortar
		Unit				
Gross	Net	Concrete	Masonry	Concrete	Masonry	Masonry
8	7' 8"	7 1/2"	8"	1/2" horizontal bars, placement in the middle, and near the top & bottom – Y2" bars @ 6' max. vertically	0.075 square inch bar 8' o.c. vertically in fully grouted cells. If block is 12" nominal thickness, may be unreinforced.	Type M or S. Grout & Mortar shall meet provisions of Chapter 21 IBC
9	8' 8"	8"	See Chapter	1/2" bars 2' o.c. horizontally & 20"	See Chapter 18 IBC	Same as above
10	9' 8"	8"	See Chapter	(5/8" bars 2' o.c. horizontally & 30" vertically o.c.)	See Chapter 18 IBC	Same as
<p>*Concrete floor slab to be nominal 4". If such floor slab is not provided prior to backfill, provide 1) 36" embedded in the footing @ maximum 7' O.C. spacing -and/or- 2) full depth nominal 2" depth x 4" width keyway in footing</p> <p>** All reinforcement bars shall meet ASTM A6175 grade 40 minimum and be deformed. Placement of center of wall and meet the provisions of chapters 18, 19, and 21 of the International Building Code.</p> <p>NOTE: Cast in place concrete shall have a compressive strength of 3,000 lbs @ 28 days. Footings shall reinforcement of minimum 2 – 1/2" diameter rebar throughout. Placement of reinforcement and requirements of Chapter 19 of the International Building Code.</p> <p>NOTE: Material used for backfilling shall be carefully placed granular soil of average or high drained with an approved drainage system as prescribed in Section 1805.4 of the International Building Code containing a high percentage of clay, fine silt or similar materials of low permeability or expansive soils where backfill materials are not drained or an unusually high surcharge is to be placed adjacent to the designed wall shall be required.</p> <p>Note: Foundation plate or sill anchorage shall be installed in accordance with the respective codes as applicable.</p>						

BB. Replace Table 1809.7 with the following:

TABLE 1809.7
FOUNDATIONS FOR STUD BEARING WALLS

Number of Stories	Thickness of Foundation Walls <i>Unit</i> <i>Concrete Masonry</i>	Minimum Width of Footing (inches)	Thickness of Footing (inches)	Minimum Depth of Foundation Below Natural Surface of Ground and Finish Grade (inches)
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1	8	8	16	8	42
2	8	8	16	8	42
3	10	10	18	12	42

§156.6 **Adoption of the 2021 International Existing Building Code.** Pursuant to published notice and public hearing, as required by law, the International Existing Building Code, 2021 Edition, published by the International Code Council, is hereby adopted in full except for such portions as may hereinafter be deleted, modified or amended.

§156.7 **Amendments, Modifications, Additions and Deletions.** The following amendments, modifications, additions and deletions to the International Existing Building Code, 2021 Edition, are hereby made:

A. Add the following to Section 108.2 Schedule of Permit Fees with the following language:
Permit fees will be derived from the City of Van Meter Fee Schedule as adopted.

B. Add New Code Section: IEBC 302.6 with the following language:
Section 302.6 Fire Protection. Existing buildings containing R-2 occupancies shall be made to comply with the International Building Code Section 903.2.8 within two (2) years of any of the following situations:

1. Fire damage to three or more dwelling units, not including smoke or water damage or other damage from fire-fighting operations.
2. Issuance of a building permit for a Level III alteration as identified in Chapter 6 of the International Existing Building Code.

§156.8 **Adoption of the 2021 International Mechanical Code.** Pursuant to published notice and public hearing, as required by law, the International Mechanical Code, 2021 Edition, published by the International Code Council, is hereby adopted in full except for such portions as may hereinafter be deleted, modified or amended.

§156.9 **Amendments, Modifications, Additions and Deletions.** The following amendments, modifications, additions and deletions to the International Mechanical Code, 2021 Edition, are hereby made:

A. The City of Van Meter interprets “NFPA 54 and NFPA 58” as equivalent alternatives for design to meet the intent of the 2021 International Fuel Gas Code

B. Amend Section 109.5 to add the following:
Permit fees will be derived from the City of Van Meter Fee Schedule as adopted.

C. Amend Section 306.5 to add the following:

If the tenants of a multiple tenant building have, or are allowed to have, mechanical facilities on or which penetrate the roof, then roof access ladders must be provided for use by all such tenants and their agents and contractors in a manner that does not require accessing space under the control of another tenant.

D. Delete Section 307.2.4.1 and replace with the following:

307.2.4.1 Ductless mini-split system traps. Ductless mini-split equipment that produces condensate shall be installed per manufacturer's instructions.

E. Amend Section 603.1 to add the following:

Air plenums and ducts located in floor and wall cavities shall be separated from unconditioned space by construction with insulation to meet energy code requirements. These areas include but are not limited to exterior walls, cantilevered floors, and floors above garages.

§156.10 **Adoption of the 2021 Uniform Plumbing Code.** Pursuant to published notice and public hearing, as required by law, the Uniform Plumbing Code, 2021 Edition, published by the International Association of Plumbing and Mechanical Officials and amended by the State of Iowa, is hereby adopted in full except for such portions as may hereinafter be deleted, modified or amended.

§156.11 **Amendments, Modifications, Additions and Deletions.** The following amendments, modifications, additions and deletions to the Uniform Plumbing Code, 2021 Edition, are hereby made:

The City of Van Meter interprets the 2021 International Plumbing Code as published by the International Code Council as an equivalent alternative to the 2018 Uniform Plumbing Code.

A. UPC Section 104.5: Delete Table 104.5 and insert the following language: permit fees will be derived from the City of Van Meter Fee Schedule as adopted.

B. Amend Section UPC 407.3 to include the following language at the end of the Code section:
Tempering devices shall be installed at or as close as possible to the point of use.

C. Amend Section UPC 418.3 to include location #5 with the following language:
Rooms containing a water heater.

D. Amend Section UPC 609.1 to add the following language:

Water service piping shall have no less than five feet (5') of soil cover.

E. Amend Section UPC 701.2 to add the following language:

(7) The use of SDR 23.5 is an acceptable material for exterior building sewers.

F. Amend Section UPC 717.1 to add the following language:

717.1.1 Size of Drainage Piping. The main building drain shall be a minimum

four inch (4") diameter.

- G. Amend Section UPC 718.3.1 to add the following language:

718.3.1 Protection from damage. Building sewers less than 42 inches below grade shall be cast iron pipe or be protected with an engineered system to prevent damage from freezing and frost heave.

- H. Amend Section UPC 1014.1 to add the following language:

Notwithstanding provisions of section 1014.1, regulations of Fat Oil and Grease (FOG) and sizing of FOG removal devices where connected to Wastewater Reclamation Authority (WRA) system shall be in accordance with WRA regulations for the regulations of industrial wastewater and commercial wastewater.

- I. Delete Section UPC 1101.12.2.2.2 Combined System.

- J. Amend Section UPC 1208.6.4.4 to add the following language:

1208.6.4.4 Corrugated Stainless Steel Tubing. Only CSST with an Arc Resistant Jacket or Covering System listed in accordance with ANSI LC-1 (Optional Section 5.16)/CSA 6.26-2016 shall be installed in accordance with the terms of its approval, the conditions of listing, the manufactures instructions and this code including electrical bonding requirements in Section 1211.2. CSST shall not be used for through wall penetrations from the point of delivery of the gas supply to the inside of the structure. CSST shall not be installed in locations where subject to physical damage unless protected in an approved manner.

§156.12 **Adoption of the 2020 National Electrical Code.** Pursuant to published notice and public hearing, as required by law, the currently adopted by the State of Iowa Edition of the National Electrical Code, published by the National Fire Protection Association, is hereby adopted in full except for such portions as may hereinafter be deleted, modified or amended.

§156.13 **Amendments, Modifications, Additions and Deletions.** The following amendments, modifications, additions and deletions to the National Electrical Code, as currently adopted by the State of Iowa, are hereby made:

- A. Amend Section 90.2 to add the following language:

90.2(D) Scope. Permits required. Permits shall be required for work contained within the scope of this article. Permit fees will be derived from the City of Van Meter Fee Schedule as adopted.

- B. Delete section 210.8(A). and insert in lieu thereof the following new section:
210.8 (A) Dwelling Units.

All 125-volt receptacles installed in locations specified in 210.8 (A)(1) through 210.8 (A)(11) shall be ground-fault circuit-interrupter protection for personnel.

(1) Bathrooms

(2) Garages and also accessory buildings that have floor located at or below grade level not intended to be habitable rooms and limited to storage areas, work areas, or similar use

(3) Outdoors

Exception to (3) Receptacles that are not readily accessible and are supply branch circuits dedicated to electrical snow-melting, deicing, or pipeline and Bessel heating equipment shall be permitted to be installed in accordance with 426.28m or 427.22, as applicable

(4) Crawl spaces – at or below grade level

(5) Basements

Exception to (5): A receptacle supplying only a permanently installed fire alarm or burglar alarm system shall not be required to have ground-fault circuit-interrupter protection.

Informational Note: See 760.41B and 760.121(B) for power supply requirements for fire alarm systems.

Receptacles installed under the exception to 210.8 (A) (5) shall not be considered as meeting the requirements of 210.52(G).

(6) Kitchens – Where the receptacles are installed to serve the countertop surfaces

(7) Sinks – Where receptacles are installed within 1.8 m (6 ft) from the top inside edge of the bowl of the sink

(8) Boathouses

(9) Bathtubs or shower stalls – Where receptacles are installed within 1.8 m (6 ft) of the outside edge of the bathtub or shower stall

(10) Laundry areas

Exception to (1) through (3), (5) through (8), and (1): Listed locking support and mounting receptacles utilized in combination with compatible attachment fittings installed for the purpose of serving a ceiling luminaire or ceiling fan shall not be required to be ground-fault circuit-interrupter protected. If a general-purpose convenience outlet is integral to the ceiling luminaire or ceiling fan, GFCI protection shall be provided.

(11) Indoor damp and wet locations

C. Delete section 210.8(F)

D. Add Code Section NEC 215.13 Prohibited Locations with the following language:
NEC 215.13 Prohibited Locations. Feeders supplying townhomes shall not extend through any townhome unit other than the unit served. For the purpose of this provision, the term townhome shall mean a single-family dwelling unit constructed in a group of two or more attached units in which each unit extends from the foundation to roof with a yard or public way on not less than two sides. Exception: If a recorded easement is established in a concealed space or attic within a townhome unit, feeders are allowed within that easement.

§156.14 **Adoption of the 2021 International Fuel Gas Code.** Pursuant to

published notice and public hearing, as required by law, the International Fuel Gas Code, 2021 Edition, published by the International Code Council, is hereby adopted in full except for such portions as may hereinafter be deleted, modified or amended.

§222.15 **Amendments, Modifications, Additions and Deletions.** The following amendments, modifications, additions and deletions to the International Fuel Gas Code, 2021 Edition are hereby made:

A. Amend Section 106.6.2 to include the following language: Permit fees will be derived from the City of Van Meter Fee Schedule as adopted.

B. Delete Section 5.6.3.4 and the replace with the following:

5.6.3.4 Corrugated Stainless Steel. Only CSST with an Arc Resistant Jacket or Covering System listed in accordance with ANSI LC-1 (Optional Section 5.16)/CSA 6.26-2016 shall be installed in accordance with the terms of its approval, the conditions of listing, the manufactures instructions and this code including electrical bonding requirements in Section 7.13.2. CSST shall not be used for through wall penetrations from the point of delivery of the gas supply to the inside of the structure. CSST shall not be installed in locations where subject to physical damage unless protected in an approved manner.

§156.16 **Adoption of the 2021 International Property Maintenance Code.** Pursuant to published notice and public hearing, as required by law, the International Property Maintenance Code, 2021 Edition, published by the International Code Council, is hereby adopted in full except for such portions as may hereinafter be deleted, modified or amended.

§156.17 **Amendments, Modifications, Additions and Deletions.** The following amendments, modifications, additions and deletions to the International Property Maintenance Code, 2021 Edition, are hereby made:

A. Amend Section 101.1 Title to insert City of Van Meter as the jurisdiction referenced.

B. Amend Section 103.5 Fees to include the following language: Permit fees will be derived from the City of Van Meter Fee Schedule as adopted.

C. Amend Section 302.4 to delete [JURISDICTION TO INSERT HEIGHT IN INCHES] and replace with “X inches in height on developed properties and X inches in height on undeveloped properties.”

D. Amend Section 304.14 to read as follows:

During the period from April 15th to October 15th, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm) and every swinging door shall have a self-closing device in good

working condition.

- E. Amend Section 602.3 by deleting “[DATE] to [DATE]” and replacing with September 1 to May 30.
- F. Amend Section 602.4 by deleting “[DATE] to [DATE]” and replacing with September 1 to May 30.
- G. Insert new sentence prior to last sentence of paragraph in Section 605.2 with the following language:
Any accessible receptacle within 6 feet of a water source shall be provided with Ground-Fault Circuit-Interrupter Protection.
- H. Amend Section 705.1 to add the following language to the end of the paragraph: In addition, carbon monoxide alarms and detectors shall be installed in accordance with Iowa Code Section 661—Chapter 211.
- I. Add new Section 705.3 with the following language:
705.3 Installation Locations. Installation locations shall be in conformance with the International Fire Code, the International Residential Code, Iowa Code, and at the location closest to the hazard of an attached garage or fuel-fired appliance.

§156.18 Adoption of the 2012 International Energy Conservation Code.

Pursuant to published notice and public hearing, as required by law, the International Energy Conservation Code, 2012 Edition, published by the International Code Council, is hereby adopted in full except for such portions as may hereinafter be deleted, modified or amended.

§156.19 Amendments, Modifications, Additions and Deletions. The following amendments, modifications, additions and deletions to the International Energy Conservation Code, 2012 Edition, are hereby made:

- A. The provisions of the International Energy Code as currently adopted and amended by the Iowa State Building Code Bureau shall apply to all matters governing the design and construction of buildings for energy efficiency.
- B. Delete Sections 101.1, 101.2, 103.3.1, 103.3.2, 103.3.3, 103.4, 103.5, and all of Sections 104, 107, 108 and 109.
- C. All energy code compliance inspections shall be completed by a third party certified to do such inspections with a report submitted to the Administrative Official showing compliance with the State adopted energy code.
- D. Add Code Section C402.1.1.1 Seasonal Structures with the following language:

C402.1.1.1 Seasonal Structures. The following seasonal type structures are exempt from meeting the provisions of this code. (These facilities are allowed to have heating and/or cooling equipment for temporary comfort of patrons and employees during operating hours.)
 - 1. Food Service Buildings that serve patrons at amusement parks, water parks,

and outdoor sporting facilities. The buildings can only be occupied by employees, must not be able to allow patrons to be served within the facility and must have its sole means of servicing customers, an operable exterior serving window.

2. Restroom Facilities that serve amusement parks, water parks, and outdoor sporting facilities.

E. Delete Section C408.2 and replace with the following:

Mechanical systems and service water-heating systems commissioning and completion requirements. Prior to the final mechanical and plumbing inspections, the registered design professional or approved agency shall provide evidence of mechanical systems commissioning and completion in accordance with the provisions of this section. The Commissioning Agent shall be in no way affiliated with the project's design, installation or sale of products, to avoid any conflict of interest. The Commissioning Agent shall be accredited by an industry-recognized certification program, to be determined by the AHJ.

§156.20 **Adoption of the 2021 International Fire Code.** Pursuant to published notice and public hearing, as required by law, the *International Fire Code*, 2021 edition, including Appendix Chapters **B, C, D, I, K, and N** (see *International Fire Code* Section 101.2.1, 2021 edition), as published by the International Code Council, is hereby adopted in full as the Fire Code of City of Van Meter, for regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this resolution.

§156.21 **Amendments, Modifications, Additions and Deletions.** The following amendments, modifications, additions and deletions to the International Fire Code, 2021 Edition, are hereby made:

A. Section 101.1. Insert: **[City of Van Meter]**

B. Code Section 109: Refer to City of Van Meter Board of Appeals.

C. Delete Code Section: IFC 308.1.4 Replace with the following language:

308.1.4 Open-flame cooking devices. Charcoal burners, other open-flame cooking devices, and other devices that produce ashes or embers shall not be operated on balconies or within 20 feet (3048 mm) of combustible construction. Location of LP containers shall comply with Section 6104. **Exceptions:**

1. One- and two-family *dwelling*s, constructed in accordance with the *International*

Residential Code.

2. LP-gas cooking devices having LP-gas container with a water capacity not greater than 20 pounds.

D. Insert New Code Section:

319.11 Location. Mobile food vehicles shall not be located within 20 feet (6096 mm) of buildings, tents, canopies or membrane structures.

E. Insert New Code Section: IFC 503.1.4 Insert the following language:

503.1.4 Outdoor Venue Access. A 10 ft. wide emergency access roads designed to support 36,000 lb. weight load shall be provided within 350-feet of all portions of an outdoor venue (e.g. soccer complex, park, skate park, sports fields) to facilitate emergency vehicle access.

Exception: The fire code official is authorized to increase the dimension of 350 feet where emergency access roads cannot be installed because of location on property, topography, waterway, nonnegotiable grades, or other similar conditions, and an approved alternative means of emergency access is provided.

F. Delete Code Section: IFC 505.1 Replace with the following language:

505.1 Address identification. New and existing buildings shall have *approved* address numbers, building numbers or *approved* building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall be black or white and shall contrast with their background. Where required by the *fire code official*, address numbers shall be provided in greater dimension or additional *approved* locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers and letters shall be a minimum height and a minimum stroke width as dictated by Table 505.1. Where access is by means of a private road and the building cannot be viewed from the *public way*, a monument, pole or other sign or means shall be used to identify the structure. Address numbers shall be maintained.

**Table 505.1
Minimum Height and Stroke Width**

Distance from the centerline of the Public Way (ft)	Minimum Height (in)	Minimum Stroke Width (in)
Less than 100	4	1/2
100	6	3/4
200	8	1
For each additional 100	Increase 2	Increase 1/2

^a Exterior suite identification, minimum height shall be 4 inches and stroke width shall be 1/2 inch.

^b Interior suite identification, minimum height shall be 2 inches and stroke width shall be 1/4 inch.

G. Modify Code Section: IFC 508.1 Replace with the following language:

508.1 General. Where required by other sections of this code, Table 508.1, and in all buildings classified as high-rise buildings by the *International Building Code*, a *fire command center* for fire department operations shall be provided and shall comply with Sections 508.1.1 through 508.1.6.

H. Add Code Section: IFC Table 508.1 Add the following language:

Table 508.1 Fire Command Center Thresholds

Occupancy	Threshold Requiring a Fire Command Center
Group A	1,000 occupants
Group E	100,000 gross square feet
Group F	200,000 gross square feet
Group H	100,000 gross square feet
Group I-2 or I-3	100,000 gross square feet
Group M	100,000 gross square feet
Group R1	Greater than 200 <i>dwelling units</i> or <i>sleeping units</i>
Group S	200,000 gross square feet

I. Modify Code Section IFC 705.2.4 and replace with and add the following language:

705.2.4 Door Operation. Swinging fire doors shall close from the full open position and latch automatically. The door closer shall:

1. Exert enough force to close and latch the door from any partially open position.
2. Be UL listed and of hydraulic type, spring type shall not be allowed.

J. Insert New Code Section: IFC 901.4.6.1.1 (correlation: IBC 902.1.1.1) Insert the following language:

901.4.6.1.1 Fire Sprinkler Riser Room. A fire sprinkler riser room shall be separated from the electrical room. The riser room shall have no electrical panels, devices, or apparatus inside the room other than the outlets or support equipment (lighting, air compressor, and heater) required for the use of the fire sprinkler system and/or the fire alarm panel. The sprinkler riser room shall not be exclusively accessed from the electrical room, but the electrical room may be accessed from the fire riser room.

K. Insert New Code Section: IFC 901.4.6.5 (correlation IBC 902.1.5) Insert the following language:

901.4.6.5 Temperature Sensors. Provide a low temperature sensor in the fire sprinkler riser room. Low Temperature Sensor shall be monitored to prevent freezing.

- L. Insert New Code Section IFC 903.3.1.1.3 (correlation: IBC 903.3.1.1.3)

903.3.1.1.3 Sprinkler installed under exterior projections. A canopy covering a door that is required to be marked as an exit shall be required to have fire sprinklers installed outside that door if the canopy extends more than 4 feet out from the door and is 12 feet or less in height from the ground regardless of whether the canopy is combustible or non-combustible. Canopies that have vehicle access under them with door openings shall be required to have fire sprinklers installed under the total canopy regardless of whether the canopy is combustible or non-combustible.

- M. Modify Code Section IFC 903.3.1.2 (correlation: IBC 903.3.1.2) and replace with the following language:

903.3.1.2 NFPA 13R sprinkler systems. Automatic sprinkler systems in Group R occupancies up to and including four stories in height in buildings not exceeding 60 feet (18288 mm) in height above grade plane shall be permitted to be installed throughout in accordance with NFPA 13R. Attics shall be protected throughout with an *automatic sprinkler system* installed in accordance with NFPA 13.

- N. Modify Code Section: IFC 903.2.11.1.3 (correlation: IBC 903.2.11.1.3) Replace with the following language:

903.2.11.1.3 Basements. Where any portion of a *basement* is located more than 75 feet (22 860 mm) from openings required by Section 903.2.11.1, the *basement* shall be equipped throughout with an *approved automatic sprinkler system*.

- O. Modify Code Section: IFC 903.4.2 (correlation: IBC 903.4.2) Replace with the following language:

903.4.2 Alarms. *An approved weather proof audible device suitable for outdoor use with 110 candela visual signal shall be connected to every automatic sprinkler system. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Alarm devices shall be provided on the exterior of the building in an approved location. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.*

- P. Modify Code Section: IFC 1008.3.3 (correlation: IBC 1008.3.3) Replace with the following language:

1008.3.3 Rooms and spaces. In the event of a power supply failure, an emergency electrical system shall automatically illuminate all of the following areas:

1. Electrical equipment rooms
2. Fire command centers

3. Fire pump rooms
4. Generator rooms
5. Public restrooms that contain more than one water closet/urinal or that are accessible
6. Meeting/conference rooms with an area greater than 400 square feet.
7. Classrooms in an E occupancy with an area greater than 400 square feet.

Q. Modify Code Section: IFC 1009.2 (correlation: IBC 1009.2) Insert item # 11 with the following language:

11. Components of exterior walking surfaces shall be concrete, asphalt, or other approved hard surface.

R. Add Code Section: IFC 1010.1.6.1 (correlation: IBC 1010.1.6.1) Insert the following language:

1010.1.6.1 Frost Protection. Landings required by Section 1010.1.5 to be at the same elevation on each side of the door exterior landings at doors shall be provided with frost protection.

S. Modify Code Section: IFC 1010.1.9.1 (correlation: IBC 1010.1.9.1) Replace with the following language:

1010.1.9.1 Hardware. Door handles, pulls, latches, locks and other operating devices on doors required to be accessible by Chapter 11 of the International Building Code shall not require tight grasping, tight pinching or twisting of the wrist to operate. This includes thumb turn locks.

T. Insert Code Section: IFC 1013.1.1 (correlation: IBC 1013.1.1) Language:

1013.1.1 Additional Exit Signs. Exit signs may be required at the discretion of the Code Official to clarify an exit or exit access.

U. Modify Code Section: IFC 1014.4 (correlation: IBC 1014.4) Insert item # 6 with the following language:

Handrails within a dwelling unit or serving an individual dwelling unit of groups R-2 and R-3 shall be permitted to be interrupted at one location in a straight stair when the rail terminates into a wall or ledge and is offset and immediately continues.

V. Add Code Section: IFC 1015.9 (correlation: IBC 1015.9) Insert the following language:

1015.9 Walking surfaces. A guard shall be provided along retaining walls where a finished walking surface such as sidewalks, patios, driveways and parking lots or similar is located on the top side of a retaining wall. The guard shall be installed along any portion of the wall measuring 30 inches or greater in height measured at any point within 36 inches horizontally to the edge of the open side. A guard shall not be required along portions of the retaining wall where the horizontal distance between the edge of the finished walking surface and the face

of the wall is greater than 72 inches.

W. Insert Code Section: IFC 1028.5.1 (correlation: IBC 1028.5.1) Insert the following language:

1028.5.1 Hard Surfaces. Components of exterior walking surfaces shall be concrete, asphalt, or other approved hard surface.

X. Insert Code Section: IFC 1031.5.3 (correlation: IBC 1030.4.3) Insert the following language:

1031.5.3 Window wells drainage. All window wells shall be provided with approved drainage.

Y. Insert New Code Section: IFC 1203.7 Insert the following language:

Section 1203.7 Shutdown of Emergency and Standby Power Systems. In addition to the requirements of NFPA 110 for a remote manual stop, a switch of an approved type shall be provided to shut down the generator. The switch shall be provided at an approved location.

Z. Insert New Code Section: IFC 1203.8 Insert the following language:

Section 1203.8 Emergency Generator Signs. Main electrical disconnects and main breaker panels supplied by the generator shall be provided with approved signs.

Additionally, doors accessing emergency and standby power systems shall be provided with approved signs. When approved switches for emergency power shut-down are located remote from the fire alarm annunciator, an approved sign shall be provided at fire alarm annunciator. Approved signs shall contain the word CAUTION in black letters at least 2 inches (50 mm) high on a yellow background. Such warning signs shall be placed so as to be readily discernible.

AA. Insert New Section 3106.3.1

3106.3.3 Occupancy and means of egress. The number and location of emergency egress and escape routes shall be approved by the fire code official. Exits shall comply with Chapter 10 and be as remote from each other as practical and shall be provided as follows:

Occupant Load	Minimum Number of Exits
1 to 500	2
501 to 1,000	3
1,001 or 1,500	4
each additional 500 persons	36 additional inches of exit width

3106.3.4 Width. The aggregate clear width of exits shall be a minimum of 36 inches wide (914mm) for each 500 persons to be accommodated.

3106.3.5 Signs. Exits shall be identified with signs that read "EXIT". The signs shall be

weather-resistant with lettering on a contrasting background. The lettering shall be of sufficient height and brush stroke to be immediately visible from 75 feet (22,860mm). Placement of the exit signs shall be approved by the fire code official.

BB. Insert Code Section: IFC 6104.3.3 Insert the following language:

6104.3.3 LP Gas Containers in Group R Occupancies. LP Gas shall not be stored or used inside of a building.

WORK IN PROCESS - DRAFT

Agenda Item #18

Discussion and Possible Action:

Resolution #2024-155 Setting the Date of Public Hearing relating to a Proposed Amendment to the Code of Ordinances of the City of the Van Meter Chapter 51 - Shipping Containers

Submitted for: **Discussion and Possible Action**

City Clerk Drake will provide additional detail.

Recommendation: **APPROVAL**

Sample Language: **Motion to adopt Resolution #2024-1155 Setting the Date of Public Hearing relating to a Proposed Amendment to the Code of Ordinances of the City of the Van Meter Chapter 51 - Shipping Containers for Monday, January 13, 2025 at 7:00pm**

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

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

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

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

PROFESSIONAL SERVICES AGREEMENT

Bolton & Menk, Inc.

Date of Agreement: 11/26/2024

430 E Grand Avenue, Suite 101
Des Moines, Iowa 503093
Ph. 515-259-9190 Fax OFFICE FAX

Bolton & Menk Project No: _____
Project Manager (PM): Justin Nickel
PM Phone No. or Ext.: 515-336-4307

(Hereinafter referred to as "BMI")

Client Name: City of Van Meter Phone No: 515-996-2644
Client Address: PO Box 160 Other Phone: _____
Client Address: _____ Email Contact: jdrake@vanmeteria.gov
City: Van Meter State: Iowa Zip: 50261

(Hereinafter referred to as "Client")

Client is Property Owner Client is Agent or Other (Not Property Owner)

Billing Name: _____ Phone No: _____
Billing Address: _____ Other Phone: _____
Billing Address: _____ Email Contact: _____
City: _____ State: _____ Zip: _____

(Insert Billing Address if Different)

Property Owner Name: _____
Property Owner Address: _____
Legal Description (or attach): _____
Scope of Services (or attach): Concept drawing of Grant Street and Virginia Street for discussion with Iowa Interstate RR
Fee Arrangement: Hourly, Not to Exceed
Special Conditions: _____

Payment Due Prior to Release of Deliverables Retainer & Amount \$ 3,000.00

BMI and CLIENT agree to the Terms and Conditions as stated above and on the reverse side of this Agreement, including Limitation of Liability. The undersigned represents that it is the CLIENT and authorized to accept this Agreement. The undersigned accepts full financial responsibility for all services and costs of collection incurred by BMI, including reasonable attorney fees, in the event of CLIENT'S default, unless "Additional Guarantee of Payment" is also executed by a person(s) or firm guaranteeing payment.

CLIENT acknowledges that it is the owner of the property described above or is a legally authorized representative of the property owner with sufficient interest and authority to enter into this agreement for the purposes of making improvements to and upon the property.

OFFERED by Bolton & Menk, Inc.

ACCEPTED by CLIENT:

Justin Nickel/ Project Manager

ELIZABETH LIZ FAUST

Liz Faust/City Administrator

Justin Nickel 11/26/2024
Signature and Date

Elizabeth Faust 25/11/2024
Signature and Date

CREDIT REQUESTED (See Reverse for Terms): I/We authorize BMI to obtain any information necessary to review status of my/our credit for purposes of advancing, at sole discretion of BMI, services to me/us on credit. I/We authorize any credit bureau to release information to BMI regarding my/our credit and any financial institution to provide information to BMI regarding sufficiency of funds in my/our accounts.

Print Name/Title

Signature and Date

ADDITIONAL GUARANTEE OF PAYMENT: I/We accept the Terms and Conditions as stated above and on the reverse side of this Agreement and personally guarantee payment of all obligations for services to be provided by BMI under this Agreement. I/We further agree to pay all costs of collection incurred by BMI, including reasonable attorney's fees.

Print Name/Title

Signature and Date

Terms and Conditions

Bolton & Menk (BMI) shall perform the services outlined in this agreement for the stated fee arrangement.

Billings and Payments: Invoices for BMI's services shall be submitted, at BMI's option, either upon completion of such services or on a monthly basis. Unless credit to Client is approved, payment is due upon receipt of services and prior to release of deliverables. If, at sole discretion of BMI, credit is advanced to Client, invoices shall be due and payable within 30 days after the invoice date. If the invoice is not paid within 30 days, BMI may, without waiving any claim or right against the Client, and without liability whatsoever to the Client, terminate the performance of its services. BMI reserves the right to withhold any deliverables until all unpaid fees are paid in full. Amount of retainer (if applicable) will be applied to amount owed on final invoice. To pay by credit card, please contact us for project number and/or invoice number and enter into our credit card link at: <https://www.e-billexpress.com/ebpp/BoltonMenk/>

Late Payments: Accounts unpaid 30 days after the invoice date will be subject to a monthly service charge of 1.5% on the unpaid balance. If any portion or all of an account remains unpaid 60 days after billing, the Client shall pay all costs of collection, including reasonable attorney fees.

Access to Site: Unless otherwise stated, Client agrees to provide BMI with access to the site, including adjoining properties, for activities necessary for the performance of services. It is understood that in the normal course of work, unavoidable property damage may occur due to excavations, tree and brush trimming, marking lines, etc. BMI will take reasonable precautions to minimize damage due to its activities. The cost to correct resulting damage has not been included in the fee and the Client agrees to reimburse BMI for any costs associated with required restoration work.

Information from Client: Except as otherwise noted, Client agrees to provide BMI with all site information necessary to complete its services. This information should include current site property descriptions (from abstract, title opinion or title commitment); other legal documents affecting the site; copies of previous surveys, maps, engineering studies and plans; existing or required geotechnical reports; governmental, regulatory and utility reviews and determinations; and all other pertinent information. Client shall promptly inform BMI of any alleged defects in services provided on the project.

Ownership of Documents: All documents or electronic media prepared or furnished by BMI under this agreement shall remain the property of BMI. The Client may make and retain copies for its use in connection with this project. However, such documents may not be reused by the Client for any other project or use by others without the written consent of BMI.

Standard of Care: Professional services provided under this Agreement will be conducted in a manner consistent with that level of care and skill ordinarily exercised by members of BMI's profession currently practicing under similar conditions. **BMI makes no warranties, expressed or implied, or otherwise with respect to any services performed or furnished.**

Project Approvals: Due to site limitations, code interpretations, regulatory reviews, political considerations and Client directed design and improvements; BMI makes no representations as to acceptability or approvability of the project, or, zoning requests, permit applications, site and development plans, plats and similar documents. Payment of fees to BMI is not contingent upon project approval.

Certifications: Any certification provided by BMI is a professional opinion based upon knowledge, information and beliefs available to BMI at the time. Such certifications are not intended and shall not be construed as a guarantee or warranty. BMI shall not be required to certify the existence of conditions whose existence BMI cannot ascertain.

Waiver: To the fullest extent permitted by law, Client and BMI waive against each other, and the other's employees, partners, officers, agents, insurers and subcontractors, any and all claims for or entitlement to special, incidental, indirect, or consequential damages arising out of, resulting from, or in any way related to this Agreement, from any cause or causes.

LIMITATION OF LIABILITY: In recognition of the relative risks, rewards and benefits of the project to both the Client and BMI, the risks have been allocated such that the Client agrees that BMI's total liability to the Client for any and all injuries, claims, losses, expenses, damages or claimed expenses arising out of the performance of this agreement from any cause or causes, shall not exceed total compensation paid to BMI. Such claims include, but are not limited to, BMI's negligence, errors, omissions, strict liability, breach of contract, or breach of warranty.

LIEN RIGHTS - IA: Pursuant to the representations by the CLIENT and to the extent permitted by Iowa Law for the improvements to be made to the project property, BMI reserves the right to file a lien against the project property in the event of delinquent or non-payment of monies owed to BMI by the CLIENT.

Termination of Services: This agreement may be terminated by the Client or BMI should the other fail to perform its obligations hereunder. In the event of termination, the Client shall pay BMI for all services rendered to the date of termination, all reimbursable expenses, and reimbursable termination expenses.

Dispute Resolution: Any claims or disputes made during or after the performance of services between BMI and the Client, with the exception of claims by BMI for non-payment of services rendered, shall first be submitted to mediation for resolution prior to initiating any other legal proceedings.

ORDINANCE NO. 621

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF DALLAS CENTER, IOWA, BY ADDING A CHAPTER CONCERNING THE PLACEMENT OF SHIPPING CONTAINERS ON PROPERTY WITHIN THE CITY OF DALLAS CENTER, IOWA

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF DALLAS CENTER, IOWA:

SECTION 1. The Code of Ordinances of the City of Dallas Center, Iowa, as amended, by adding the following new Chapter 161 to the Code of Ordinances:

CHAPTER 161 SHIPPING CONTAINERS

161.01 DEFINITION. "Shipping Container" is defined as a reusable, rigid, metal box used to transport freight or goods on a truck, railroad, railcar, or ship. Such a container is used to move products and raw materials between locations or countries. Standard shipping containers are usually eight feet wide and 8.6 feet high with twenty and forty-foot lengths being the most common. Such a container might be placed on private property and used for the storage of items.

161.02 RESIDENTIAL PROPERTY. The use of a Shipping Container on property used for residential purposes is prohibited.

161.03 COMMERCIAL PROPERTY. The use of a Shipping Container on property used for commercial purposes is prohibited.

161.04 INDUSTRIAL PROPERTY.

1. The use of a Shipping Container is permissible on an industrial/manufacturing property, provided the Shipping Container is not stored in any driving lane, in any public right-of-way (including streets, sidewalks, and parking), in a public utility easement, in a fire lane, in front of the property, or in any area visible from a public street.

2. The placement of a Shipping Container on an industrial/manufacturing property will require a building permit.
3. Shipping Containers may not be stacked on top of one another, and stacking other materials on top of or around any Shipping Container is prohibited.

161.05 GOOD REPAIR.

1. Shipping Containers must be kept in good repair and be secured against unauthorized entry and comply with any state and local health regulations.
2. A Shipping Container is not in a state of good repair when it is incapable of being moved intact, contains holes in the container due to damage or rust, cannot be secured against unauthorized entry, or has become infested with vermin, insects, or other pests.
3. A Shipping Container that has deteriorated and is no longer in a state of good repair must be removed immediately from the property and from the City.

161.06 RESIDENTIAL USE. A Shipping Container may not be used as a dwelling or living quarters; and may not be used for camping, cooking, or recreational purposes.

161.07 COMPLIANCE. A Shipping Container existing on any property in the City on the effective date of this Ordinance shall either be removed from the property or brought into compliance with the provisions of this Chapter within ninety (90) days of the Ordinance's effective date.

SECTION 2. Repealer. All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed to the extent of such conflict.

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 be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council on the 10th day of December, 2024, and approved this 10th day of December, 2024.

Daniel Beyer, Mayor

ATTEST:

Shellie Schaben, City Clerk

SAMPLE

Agenda Item #19

Discussion and Possible Action:

Resolution #2024-156 Awarding Contract for the Community Engagement Phase of the City's Municipal Building Project to Invision Architecture

Submitted for: **Discussion and Possible Action**

The City of Van Meter has selected Invision Architects to provide services for community and staff engagement to provide documents and images to support the reverse referendum. The work in this phase includes hourly not to exceed \$7,500 per month for reverse referendum services and architectural planning. Standard AIA Contract will be utilized as the form of agreement. Following successful completion of the community engagement phase, the contract will be amended to a fee commensurate with the established project scope. For budgeting purposes, this is estimated to be approximately 6.95% of the estimated construction budget of between \$5-7M. We are awarding the contract in December and authorizing execution of the agreement in January.

Recommendation: **APPROVAL**

Sample Language: **Motion to adopt Resolution #2024-156 Awarding Contract for the Community Engagement Phase of the City's Municipal Building Project to Invision Architecture**

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

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

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

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

Agenda Item #20

Discussion and Possible Action:

Resolution #2024-157 Approving Agreement for Professional Services with Bolton & Menk - Street Concept

Submitted for: **Discussion and Possible Action**

As part of the City's Municipal Building Project, Mayor Herman requested that Invision provide a rendering of a conceptual street connection between Main Street & Grant Street to assist in traffic flow and to assist in conversations with the railroad.

The request is out of the project scope of the Municipal Building Project. However, Bolton & Menk is the civil engineer on the Municipal Building Project. Bolton & Menk requires a separate time & materials agreement to perform the work. This agreement only pertains to the creation of a conceptual drawing and the cost cannot exceed \$3000. If additional action is requested by Council, a different engagement will have to take place.

Mayor Herman will provide additional information.

Recommendation: APPROVAL

Sample Language: **Motion to adopt Resolution #2024-157 Approving Agreement for Professional Services with Bolton & Menk - Street Concept**

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

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

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

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

PROFESSIONAL SERVICES AGREEMENT

Bolton & Menk, Inc.

Date of Agreement: 11/26/2024

430 E Grand Avenue, Suite 101
Des Moines, Iowa 503093
Ph. 515-259-9190 Fax OFFICE FAX

Bolton & Menk Project No: _____
Project Manager (PM): Justin Nickel
PM Phone No. or Ext.: 515-336-4307

(Hereinafter referred to as "BMI")

Client Name: City of Van Meter Phone No: 515-996-2644
Client Address: PO Box 160 Other Phone: _____
Client Address: _____ Email Contact: jdrake@vanmeteria.gov
City: Van Meter State: Iowa Zip: 50261

(Hereinafter referred to as "Client")

Client is Property Owner Client is Agent or Other (Not Property Owner)

Billing Name: _____ Phone No: _____
Billing Address: _____ Other Phone: _____
Billing Address: _____ Email Contact: _____
City: _____ State: _____ Zip: _____

(Insert Billing Address if Different)

Property Owner Name: _____
Property Owner Address: _____
Legal Description (or attach): _____
Scope of Services (or attach): Concept drawing of Grant Street and Virginia Street for discussion with Iowa Interstate RR
Fee Arrangement: Hourly, Not to Exceed
Special Conditions: _____

Payment Due Prior to Release of Deliverables Retainer & Amount \$ 3,000.00

BMI and CLIENT agree to the Terms and Conditions as stated above and on the reverse side of this Agreement, including Limitation of Liability. The undersigned represents that it is the CLIENT and authorized to accept this Agreement. The undersigned accepts full financial responsibility for all services and costs of collection incurred by BMI, including reasonable attorney fees, in the event of CLIENT'S default, unless "Additional Guarantee of Payment" is also executed by a person(s) or firm guaranteeing payment.

CLIENT acknowledges that it is the owner of the property described above or is a legally authorized representative of the property owner with sufficient interest and authority to enter into this agreement for the purposes of making improvements to and upon the property.

OFFERED by Bolton & Menk, Inc.

ACCEPTED by CLIENT:

Justin Nickel/ Project Manager

ELIZABETH LIZ FAUST

Liz Faust/City Administrator

Justin Nickel 11/26/2024
Signature and Date

Elizabeth Faust 25/11/2024
Signature and Date

CREDIT REQUESTED (See Reverse for Terms): I/We authorize BMI to obtain any information necessary to review status of my/our credit for purposes of advancing, at sole discretion of BMI, services to me/us on credit. I/We authorize any credit bureau to release information to BMI regarding my/our credit and any financial institution to provide information to BMI regarding sufficiency of funds in my/our accounts.

Print Name/Title

Signature and Date

ADDITIONAL GUARANTEE OF PAYMENT: I/We accept the Terms and Conditions as stated above and on the reverse side of this Agreement and personally guarantee payment of all obligations for services to be provided by BMI under this Agreement. I/We further agree to pay all costs of collection incurred by BMI, including reasonable attorney's fees.

Print Name/Title

Signature and Date

Terms and Conditions

Bolton & Menk (BMI) shall perform the services outlined in this agreement for the stated fee arrangement.

Billings and Payments: Invoices for BMI's services shall be submitted, at BMI's option, either upon completion of such services or on a monthly basis. Unless credit to Client is approved, payment is due upon receipt of services and prior to release of deliverables. If, at sole discretion of BMI, credit is advanced to Client, invoices shall be due and payable within 30 days after the invoice date. If the invoice is not paid within 30 days, BMI may, without waiving any claim or right against the Client, and without liability whatsoever to the Client, terminate the performance of its services. BMI reserves the right to withhold any deliverables until all unpaid fees are paid in full. Amount of retainer (if applicable) will be applied to amount owed on final invoice. To pay by credit card, please contact us for project number and/or invoice number and enter into our credit card link at: <https://www.e-billexpress.com/ebpp/BoltonMenk/>

Late Payments: Accounts unpaid 30 days after the invoice date will be subject to a monthly service charge of 1.5% on the unpaid balance. If any portion or all of an account remains unpaid 60 days after billing, the Client shall pay all costs of collection, including reasonable attorney fees.

Access to Site: Unless otherwise stated, Client agrees to provide BMI with access to the site, including adjoining properties, for activities necessary for the performance of services. It is understood that in the normal course of work, unavoidable property damage may occur due to excavations, tree and brush trimming, marking lines, etc. BMI will take reasonable precautions to minimize damage due to its activities. The cost to correct resulting damage has not been included in the fee and the Client agrees to reimburse BMI for any costs associated with required restoration work.

Information from Client: Except as otherwise noted, Client agrees to provide BMI with all site information necessary to complete its services. This information should include current site property descriptions (from abstract, title opinion or title commitment); other legal documents affecting the site; copies of previous surveys, maps, engineering studies and plans; existing or required geotechnical reports; governmental, regulatory and utility reviews and determinations; and all other pertinent information. Client shall promptly inform BMI of any alleged defects in services provided on the project.

Ownership of Documents: All documents or electronic media prepared or furnished by BMI under this agreement shall remain the property of BMI. The Client may make and retain copies for its use in connection with this project. However, such documents may not be reused by the Client for any other project or use by others without the written consent of BMI.

Standard of Care: Professional services provided under this Agreement will be conducted in a manner consistent with that level of care and skill ordinarily exercised by members of BMI's profession currently practicing under similar conditions. **BMI makes no warranties, expressed or implied, or otherwise with respect to any services performed or furnished.**

Project Approvals: Due to site limitations, code interpretations, regulatory reviews, political considerations and Client directed design and improvements; BMI makes no representations as to acceptability or approvability of the project, or, zoning requests, permit applications, site and development plans, plats and similar documents. Payment of fees to BMI is not contingent upon project approval.

Certifications: Any certification provided by BMI is a professional opinion based upon knowledge, information and beliefs available to BMI at the time. Such certifications are not intended and shall not be construed as a guarantee or warranty. BMI shall not be required to certify the existence of conditions whose existence BMI cannot ascertain.

Waiver: To the fullest extent permitted by law, Client and BMI waive against each other, and the other's employees, partners, officers, agents, insurers and subcontractors, any and all claims for or entitlement to special, incidental, indirect, or consequential damages arising out of, resulting from, or in any way related to this Agreement, from any cause or causes.

LIMITATION OF LIABILITY: In recognition of the relative risks, rewards and benefits of the project to both the Client and BMI, the risks have been allocated such that the Client agrees that BMI's total liability to the Client for any and all injuries, claims, losses, expenses, damages or claimed expenses arising out of the performance of this agreement from any cause or causes, shall not exceed total compensation paid to BMI. Such claims include, but are not limited to, BMI's negligence, errors, omissions, strict liability, breach of contract, or breach of warranty.

LIEN RIGHTS - IA: Pursuant to the representations by the CLIENT and to the extent permitted by Iowa Law for the improvements to be made to the project property, BMI reserves the right to file a lien against the project property in the event of delinquent or non-payment of monies owed to BMI by the CLIENT.

Termination of Services: This agreement may be terminated by the Client or BMI should the other fail to perform its obligations hereunder. In the event of termination, the Client shall pay BMI for all services rendered to the date of termination, all reimbursable expenses, and reimbursable termination expenses.

Dispute Resolution: Any claims or disputes made during or after the performance of services between BMI and the Client, with the exception of claims by BMI for non-payment of services rendered, shall first be submitted to mediation for resolution prior to initiating any other legal proceedings.

Agenda Item #21

Discussion:

Master Trails Update

Submitted for: **Discussion**

Parks & Rec Director Chia will provide an update the Master Trails Project.

From: [Jess Drake](#)
To: [Sara Martin](#); [Sam Chia](#)
Cc: [Elizabeth \(Liz\) Faust](#)
Subject: RE: Reminder: Dallas County Foundation Meeting
Date: Thursday, December 5, 2024 9:25:00 AM

Sara –

I just wanted to give you a quick update. As you know the Van Meter Parks & Rec Project for the most recent grant award is for the Master Trails Project – Design Services. In addition to the DCF grant, the City also received a TAP grant which covers the construction of Phase 1. Since the TAP grant is federally backed, the City is required to follow the DOT bid letting schedule and work with the DOT. We were finally assigned a project manager at the DOT and Bolton & Menk (who is performing the design services) has been able to start on the design work. While the project is not going to be complete for some time, this initial design portion will be completed in the near future. As soon as it is, we'll provide another update and send the completed evaluation form.

Let us know if you have any questions.

Jess

Jess Drake
City of Van Meter | City Clerk
515-996-2644 (o) | 515-478-5047 (c)
jdrake@vanmeteria.gov

From: Sara Martin <pmartin6759@gmail.com>
Sent: Monday, November 11, 2024 4:31 PM
To: Deb Bengston <chamber@adelpartners.org>; Sean Hicks <hickelectric@gmail.com>; Rebecca Smith <crisiscanineglory@gmail.com>; Penny Perkins <education@thebrentonarborboretum.org>; Mary Werch <mlwerch@yahoo.com>; Al Lorenzen <Al@godspeedequine.org>; Dawn Carlson <Dawn@RhythmsOfGraceEquine.org>; Patricia Hochstetler <PHochs@aol.com>; Elijah Canfield <Dfd.training.ia@gmail.com>; Carla Heckman <dextercityclerk@gmail.com>; Julie Bishop <juliebishop623@gmail.com>; John Hoy <jkhoy@aol.com>; Jess Drake <jdrake@vanmeteria.gov>; Jonatha Basye <jbasye@vanmeteria.gov>; Rev Cathy Nutting <cathy.nutting@iaumc.net>; Megan Cline <megpcline@gmail.com>; Aubrey Dunbar <aubreydunbar1@gmail.com>
Subject: Reminder: Dallas County Foundation Meeting

Good Afternoon,

Monday, November 18 is next week which means the Dallas County Foundation will be having their monthly meeting. It will be held at the Adel Public Library in the large conference room on the main level as you enter the library on the north side. We will start at 11:30 with the presentations. You may feel free to stay for the presentations or leave after you're done. The board will have their meeting following the presentations.

Your presentation should be 4-6 minutes in length, following the evaluation as your

talking points. We can't wait to hear all about your project and the impact it has or will have in your community. If your project is not completed, we'd like to hear an update.

Remember to bring:

- Completed evaluation form (found on our website) I can help you find it, if needed.
- Copies of your receipts/invoices/purchase orders
- Pictures of your completed project

Please staple these together and one copy for the board is efficient.

If you are unable to attend, please email the requested paperwork to me BY Friday, November 15.

My email address is:

Pmartin6759@gmail.com

If you have already completed the requested paperwork and sent it to me, thank you so much!

See you Monday at 11:30 at the Adel library!

Sara Martin
Dallas County Board Member

Sent from my iPhone

Agenda Item #22

Discussion:

Municipal Software - Cloud Conversion Issues and Next Steps

Submitted for: **Discussion**

City Clerk Drake will provide additional information.

Agenda Item #23

Staff Reports

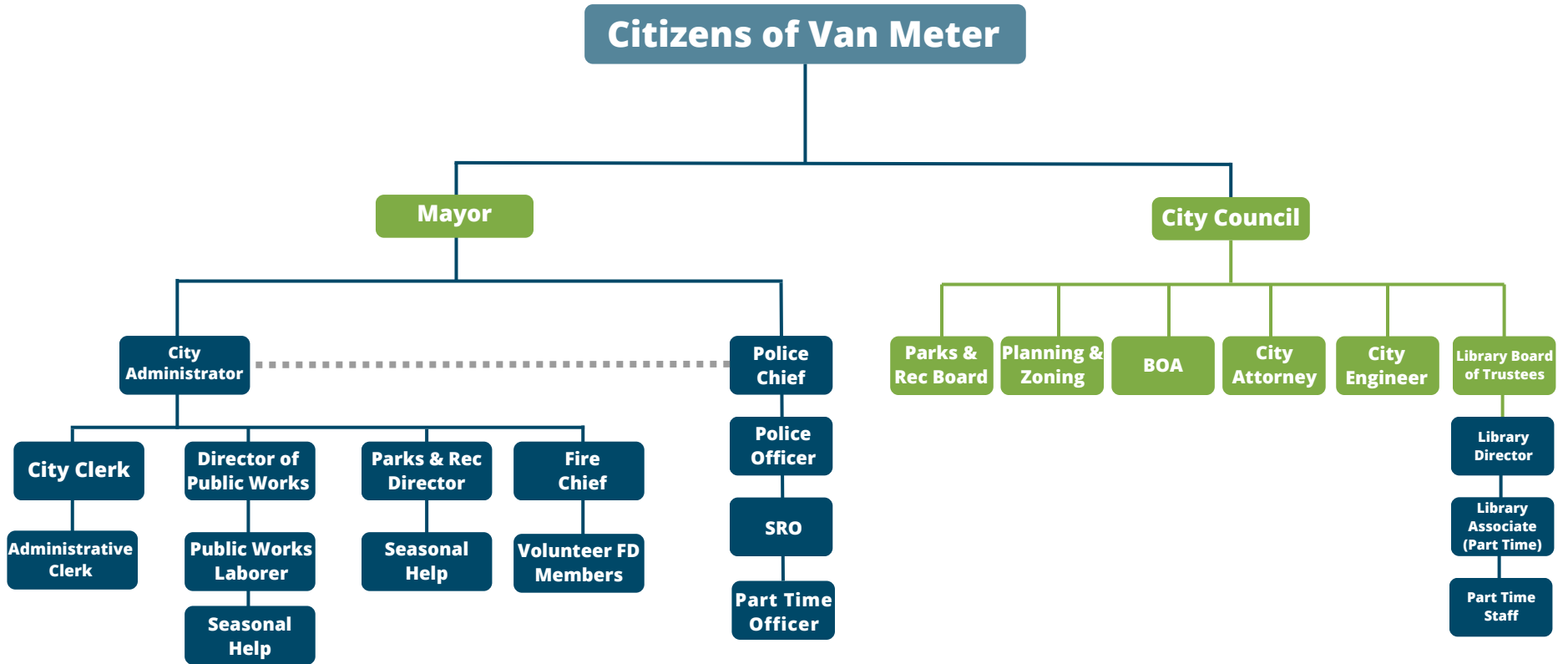
- a. City Administration/City Hall***
- b. Public Works***
- c. Police***
- d. Fire***
- e. Library***
- f. Parks & Rec***
- g. City Engineer***
- h. City Attorney***

1. We continue to meet with Dorsey and Whitney regarding the development agreement with Microsoft.
2. We are also working with bond attorneys and the county deputy auditor regarding urban renewal areas, TIF clean up, water main project, and Arlington Ave Street improvements.
3. We are amending the URA to include the Microsoft site and 601 Main St. We continue to work with John Danos and Amy Bjork on that.
4. We are exchanging emails with Invision regarding 601 Main to determine the next steps and to develop a more accurate timeline. A survey of the property has been scheduled.
5. Budget preparation continues. Jess and Liz attended a budget workshop. Jess plans to continue meeting with department heads.
6. Jess also is working on a budget amendment for this FY.
7. Liz made the approved fund balance transfers before YE.
8. Yearend preparation is also happening. W2 and other related forms were ordered.
9. Jess completed and submitted the AFR, SFR, and AUR.
10. Auditors will be in the office Dec 9 – Dec 13. We spent time preparing documents for them and setting up a workstation in the basement.
11. Liz continues to have regular meetings with Microsoft. She also met with the Senior Community Affairs Manager. They will maintain a regular meeting schedule. The next meeting with community affairs will be with Deron at the school. They are eager to connect with him.
12. Employee Evaluations are complete. Comments from council members regarding the forms and scoring will likely result in a different form next year. The input and discussion about when to increase pay provided the information needed to develop the schedule for the coming years.
13. Liz & Sam met with ICON (Iowa Confluence Water Trails) members and City of Adel staff to consider the benefits of becoming members of ICON. Major benefits are as follows: Planning and Infrastructure – site design, signage, and collaborative planning; Funding – resources, grants, and additional capital assistance; Centralized Maintenance – on-water upkeep and staffing; Marketing & Communications – strategic branding, public relations, and promotions. ICON Water Trails objective is to connect water, communities, and people.
14. The condemned apartment building at 315 - 2nd Ave has been vacated. There will be a court hearing on December 27.
15. There are a handful of rental homes/apartments that are scheduled to be reinspected. The inspection process has been successful thus far.

16. The gWorks saga continues as we are due to renew our license with them. They intend to invoice us for the cloud-based service that they have not provided, nor do we foresee it being provided anytime soon.
17. We switched back to MediaCom for internet services because of issues with Dallas County Data becoming unreliable. Staff needs to gain additional information from the 505 Building to see if they are going to continue using Dallas Co Data. Council will need to determine if the water lease with trade for services instead of rent should be renegotiated.
18. The last of the lien against Fat Randi's was paid. That account is closed and has a zero balance.
19. Iowa Code Enforcement is transferring to a different enforcement agent. Staff is meeting with Iowa Code Enforcement agent by end of year to determine if there will be a recommendation coming forward to Council.
20. Planning & Zoning is reviewing a potential PUD for the C1 Downtown Zoning District. In addition, the Zoning Administrator is reviewing all uses in the C1 District to determine a path forward with non-conforming use cases.
21. Planning & Zoning update: Microsoft submitted their first site plan submission. The School is submitting their 3rd phase site plan for review.
22. Staff will be bringing forward the following handbooks for review & approval in January:
 - Volunteer Fire Handbook
 - Board & Commission Handbook
 - Updated Employee Handbook - will also include the updated org chart (included)

Van Meter

tradition with a vision



---- Chapter 21.02 Administrative Responsibility- The City Administrator is directly responsible to the Mayor and the City Council for the administration of municipal affairs as directed by that body. All departments of the City, except the City Attorney and Police Chief, shall report and be responsible to the City Administrator. The Police Chief shall report to the Mayor, and the City Administrator shall supervise and direct the daily operations of the Police Department as delegated by the Mayor. All departmental activity requiring the attention of the Council shall be brought before the Council by the City Administrator and all Council policy concerning administration shall be coordinated through the City Administrator.

- Roles in green indicate elected and/ or appointed positions.
- Roles in dark blue indicate paid employees.

From: [John F. Fatino](#)
To: [Jess Drake](#)
Cc: [Elizabeth \(Liz\) Faust](#); [Samuel "Luke" Craven](#)
Subject: Audit Ltr 3.08.23(1518510.2)
Date: Tuesday, November 26, 2024 3:23:48 PM
Attachments: [image001.png](#)
[Audit Ltr 3.08.23\(1518510.2\).pdf](#)

Jess

In response to the audit question, I always go back and look at the last letter as a starting point. We have not received any more information about the Morrow claim. We disclaim municipal infractions and citations from our response. I can speculate about a couple of issues that could become a claim someday but no actual other litigation at moment. As I recall, we are switching to Denman but in the past we usually get a letter as well asking for specific cash positions on a given date. This should be enough to get started with the auditor. Call if you have questions.



John F. Fatino

Attorney at Law

Whitfield & Eddy, P.L.C.

699 Walnut Street, Suite 2000, Des Moines, Iowa 50309

D: (515) 246-5545

P: (515) 288-6041 F: (515) 246-1474

E: Fatino@whitfieldlaw.com | [Bio](#) | [Map](#) | [Website](#)

Public Works Report

December 2024

- 1: One of the electric drive motors for the pump # 1 at the booster station burnt up. Had a spare motor on hand. Electric pump removed the old motor and installed the new motor. The old motor is beyond repair and a new motor has been ordered.
- 2: Well #2 has quit pumping and is currently being looked at by Northway Well Company. Hope to have resolved soon.
- 3: Went through 601 Main with Joe to look at beginning demo on the building and throwing away certain items.
- 4: Installed Christmas lights in various locations around town
- 5: Did some rehabilitation work on the lighted tree on the water tower.
- 6: Passed Grade 2 water treatment and distribution test. I am now a state certified water operator.
- 7: Had our first snow event. Everything went fine.
- 8: Received bids for water rehab project. United Utilities and Excavation was the low bid.
- 9: Performed annual reviews on PW employees
- 10: Installed meters in various locations throughout the city
- 11: Removed flags from poles throughout town.
- 12: Started backfilling new asphalt at the cemetery.
- 13: Filled potholes around town
- 14: Completed outflow of lagoons
- 15: Did walk through on Hudson Heights 2. Punch list is quite extensive. Still have not receive word on when a second walk through will take place.
- 16: Replaced close to 70 endpoints for meter reading in the Crestview neighborhood
- 17: Received bid to rebuild the electric panel at the booster station from C&K Electric. The panel at some point in the past has gotten too hot and has quite a few burnt components.
- 18: Had 4 residents to do water disconnect due to non-payment
- 19: Rewired a new timer for the lighted tree on the water tower. Old one was not functioning.
- 20: Had multiple Iowa One Call locate tickets to complete.
- 21: Moved Fire & Rescue Department boats from one side of 604 Main to the other side to make room for Sips & Snacks event.

Year to Date Statistics

01/01/2024

	<u>Total Calls:</u>	<u>Traffic Stops:</u>
<u>Y2D:</u>	1,353	674

November Statistics

	<u>Total Calls:</u>	<u>Traffic Stops:</u>
<u>Month:</u>	179	108

Training/ Updates

Another month in the books and another step closer to the new year. We look forward to the holidays ahead of us with family and friends.

The Sheriffs office quarterly meeting went well and all departments in attendance were introduced to the new Dallas County Attorney Matt Schultz. We will have some changes in the future regarding processes with the Attorney's office.

Officer Cooper completed training through Axon to take over as the taser instructor for the department.

We did participate in a multi-agency project with ISP on the 18th resulting in 23 traffic stops, and 1 arrest.

Additionally, GTSB projects have resulted in 1 OWI arrest as well.

Please feel free to reach out to any of us if there is anything you have questions or concerns about, thank you all.

Van Meter Fire Department

Fire Chief Mark Schmitt



Monthly Report to Council

November 2024

Training

November training was ground ladder training, ff applied their skills in setting a ladder up against a building, raising, securing, and climbing it properly.



Significant Calls

For the month of November we had our busiest month of the year so far with 42 total calls, the breakdown of the calls is at the end of this report.

A couple of interesting calls this past month, the first picture is of a car that hit another car and flipped itself over onto its top, no injuries to the occupant. The 2nd picture is of a passenger bus that was thankfully empty but for the driver, that went off the road and down into the ditch a significant distance and ended up having a small engine fire. No injuries in that accident as well.



Projects, Activities, & Special Events

November was a quite month for any projects, activities or special events for the Van Meter Fire Department.

Boards, Groups, and Associations

5 members of the Van Meter Fire Department attended the Dallas County EMS association meeting in Adel on Thursday Nov 21st.

For the good of the Department

We have 2 new applicants that applied for the department in October, and should get them approved in Nov.

Monthly Call Report

<i>October 2024</i>	<i>Total</i>	<i>Responded</i>	<i>No Response</i>	<i>Fire</i>	<i>EMS</i>
<i>De Soto</i>	20	14	6	6	14
<i>Van Meter</i>	22	19	3	11	11
<i>Mutual aid</i>					
<i>Total</i>	42	33	9	17	25

Of the 9 no response calls, 4 were EMS calls to DeSoto, 2 fire call to DeSoto, and 3 were EMS calls in Van Meter.



Director's Report
 Submitted by Jonatha Basye, December 4th, 2024

Statistics for November 2024

	This Month	Year to Date	Last Year to Date
VISITORS	314	2623	1898
CIRCULATION			
Books- Adult	175	1058	534
Books- Teen	13	146	100
Books- Juvenile	601	3739	2888
Misc	38	258	109
DVD	50	269	255
E-Books & Audio Books	497	2148	1642
Total Circulation	1374	7618	5528
PROGRAMMING			
Juvenile Programs Offered	13	51	43
Juvenile Program Attendance	234	708	634
Adult Programs Offered	2	8	0
Adult Program Attendance	12	40	0
Total Attendance	246	748	634
OTHER SERVICES			
Reference Questions	41	341	272
Wireless Usage	125	454	337
Computer Usage	14	55	67
MATERIALS			
Items Added	83	541	195
Items Deleted	20	172	67



Work reflected took place between November 7th and December 4th

- November 7th--Joan attended her second to last library assistant certification class through the State Library of Iowa
- November 8th--Iowa Library Association Foundation Meeting
- November 11th--Closed; City Council Meeting
- November 12th--Meeting with Tara Painter @ Glenwood Public Library
- November 13th--Sam Helmick, American Library Association President Elect, visited VMPL; Library Board Meeting
- November 18th--Dallas County Foundation Grant Presentation; Pokemon Card Swap; Books & Banter
- November 19th--AM Storytime; Chick-Fil-A Food Truck; Meeting with Kaitlyn from Heartcorps
- November 21st--University Kids Outreach; Books & Banter
- November 22nd--Kids Care Outreach; Inspired Kids Outreach
- November 25th--City Council Meeting
- November 26th--Pop YS: Science of Reading Webinar through the State Library of Iowa; November Check It Out Webinar through the State Library of Iowa
- November 27th--Furniture delivery
- November 28th-30th--Closed for Thanksgiving

All new furniture purchased with grant monies and building funds has been installed in the library! The library is more inviting now, and allows us to more easily configure our space for programming. We are excited to show off our space during Sips and Snacks.

Patron traffic in the library has slowed down, but checkouts are still high, especially via Libby and Hoopla. November was our highest month for e-book and e-audio checkouts. I believe this will only continue to grow throughout the new year.

We are working on budget numbers for FY26, and have already started planning for Summer Reading 2025. As always, we continue to strive to be a safe space for all community members. We are always grateful for the support of city staff, our council members, mayor and community.

Agenda Item #24

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.*