

CITY OF HUXLEY

TUESDAY – MAY 28, 2019 – CITY COUNCIL CHAMBERS

AGENDA

CITY COUNCIL MEETING – 6:00 PM

PUBLIC NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL OF THE CITY OF HUXLEY, IOWA, WILL MEET IN THE CITY COUNCIL CHAMBERS 515 N. MAIN AVE., HUXLEY, IOWA, FOR THEIR REGULAR COUNCIL MEETING AT 6:00 PM ON TUESDAY THE 28TH DAY OF MAY, 2019 TO DISCUSS THE MATTERS ENUMERATED IN THE AGENDA LISTED BELOW.

QUORUM PRESENT

- 1.0) COMMENTS FROM THE PUBLIC AND RECEIVING OF PETITIONS AND/OR WRITTEN COMMUNICATIONS TO THE CITY COUNCIL ON AGENDA AND NONAGENDA ITEMS
- 2.00) PRESENTATION(S):
 - 2.01) Holmes and Murphy & Associates – Group Health
- 3.00) PROCLAMATION(S): NONE
- 4.00) PUBLIC HEARING(S): AMENDING THE FY 2019 BUDGET
 - a.) Mayor opens hearing
 - b.) Discussion
 - c.) Motion To Close Hearing
- 5.00) CONSENT AGENDA: ROLL CALL

ALL ITEMS LISTED WITHIN THIS SECTION ARE CONSIDERED TO BE ROUTINE BY THE CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OR ACTION ON THESE ITEMS UNLESS A COUNCIL MEMBER OR CITIZEN SO REQUESTS, IN WHICH EVENT, THE ITEM WILL BE REMOVED FROM THE GENERAL ORDER OF BUSINESS. AND CONSIDERED SEPARATELY.

- 5.01) TO APPROVE THE MINUTES FROM THE FOLLOWING MEETINGS:
 - MAY 14, 2019 -- Regular Council Meeting
- 5.02) TO APPROVE FINANCIAL REPORTS AND PAYMENT OF BILLS.
- 5.03) TO APPROVE BEER, WINE AND LIQUOR LICENSES, CIGARETTE PERMIT RENEWALS.
- 5.04) TO RECEIVE AND FILE ANNEXATION COMMUNICATION
- 5.05) TO APPROVE THE FOLLOWING APPOINTMENTS/REAPPOINTMENTS;
 - a.) APPOINTMENT OF SEANA GODBOLD TREE BOARD

AGENDA ITEMS:

6.00) COMMUNITY BETTERMENT:

- 6.01) DISCUSSION AND POSSIBLE ACTION ON **FIRST READING OF ORDINANCE #495** REGARDING AN ORDINANCE TO CHANGE THE ZONING ON PROPERTY OWNED BY DICKSON AND LUANN JENSEN AND LEGALLY DESCRIBED AS WESTVIEW HEIGHTS PLAT 1.
- 6.02) DISCUSSION AND POSSIBLE ACTION ON **SECOND READING OF ORDINANCE #496** AMENDING THE CODE OF ORDINANCES OF THE CITY OF HUXLEY, IOWA, CHAPTER 166, SUBDIVISION REGULATIONS, TO REQUIRE INSTALLATION OF ADA RAMPS. **WAIVING OF 3RD READING**
- 6.03) DISCUSSION AND POSSIBLE ACTION ON **RESOLUTION NO. 19-062** ON APPROVING PRELIMINARY PLAT FOR WESTVIEW HEIGHTS. **PULLED--NO ACTION WILL BE TAKEN ON THIS AT THIS TIME.**
- 6.05) DISCUSSION AND POSSIBLE ACTION ON **RESOLUTION NO. 19-070** FOR SETTING DATE FOR A PUBLIC HEARING ON URBAN RENEWAL PLAN AMENDMENT FOR THE HUXLEY URBAN RENEWAL AREA.
- 6.06) DISCUSSION AND POSSIBLE ACTION ON **RESOLUTION NO. 19-071** SETTING A DATE OF MEETING AT WHICH IT IS PROPOSED TO APPROVE A DEVELOPMENT AGREEMENT WITH ICWA EARTH WORKS LLC, INCLUDING ANNUAL APPROPRIATION TAX INCREMENT PAYMENTS.

7.00) PUBLIC SAFETY:

- 7.01) DISCUSSION AND POSSIBLE ACTION ON **SECOND READING OF ORDINANCE #497** AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HUXLEY, IOWA, BY AMENDING PROVISIONS OF THE ORDINANCE REGARDING FIREWORKS USE. **WAIVING OF THIRD READING.**

8.00) FINANCE:

- 8.01) DISCUSSION AND POSSIBLE ACTION ON **SECOND READING OF ORDINANCE #498** AMENDING CHAPTER 99 OF THE CITY OF HUXLEY MUNICIPAL CODE CONCERNING SEWER SERVICE CHARGES. **WAIVING OF THIRD READING**
- 8.02) DISCUSSION AND POSSIBLE ACTION ON **SECOND READING OF ORDINANCE #499** AMENDING CHAPTER 92 AND 93 OF THE CITY OF HUXLEY MUNICIPAL CODE CONCERNING WATER METERS AND WATER RATES. **WAIVING OF THIRD READING**
- 8.03) POSSIBLE DISCUSSION AND POSSIBLE ACTION ON **RESOLUTION NO. 19-072** ON APPROVING THE AMENDED FY 2019 BUDGET.
- 8.04) POSSIBLE DISCUSSION AND POSSIBLE ACTION ON **RESOLUTION NO. 19-073** ON APPROVING THE FY 2020 GROUP HEALTH RENEWAL.

9.00) LEISURE ACTIVITIES: NONE

10.00) ADMINISTRATIVE BUSINESS: NONE

COMMENTS FROM STAFF, COUNCIL AND MAYOR.

ADJOURNMENT

POSSIBLE WORKSESSION:

THE CITY COUNCIL WILL MEET FOR AN INFORMAL WORKSESSION TO WORK ON ITEMS AND NOT TAKE ANY ACTION ON THOSE ITEMS DURING THE WORKSESSION.

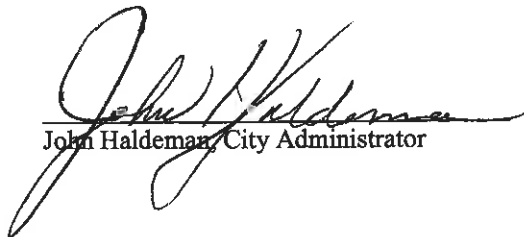
DISCUSSION TOPICS;

THAT THE FOLLOWING TOPICS ARE SUGGESTED AND THEY DO NOT REFLECT ALL THE POSSIBLE ITEMS THAT COULD BE DISCUSSED OR NOT. THE LISTING BELOW DOES NOT NECESSARILY REFLECT THE ORDER IN WHICH THE ITEMS WILL BE DISCUSSED OR IF THEY WOULD BE DISCUSSED AT THIS MEETING.

NO ACTION WILL BE TAKEN ON ANY OF THE ITEMS AND THE LIST MAY CHANGE PRIOR TO OR AT THE MEETING. NO PARTICULAR ORDER AT THIS TIME

- 1) PROPOSAL TO LANDSCAPE A PORTION OF THE AREA NORTH OF THE PARKING LOT AND RETAINING WALL.
- 2) DISCUSSION WITH COUNCIL TO GET AN OK FOR DOT APPLICATION TO PLANT TREES/PRAIRIE GRASSES IN EASEMENT BETWEEN US 69 AND BALLARD PLAZA—PROJECT OF TREE BOARD.
- 3) DISCUSSION ON REQUEST OF COUNCIL TO CHANGE THE CIP PLAN FOR 2019-2020 YEAR OF BY MOVING THE REQUEST FOR BATHROOMS AT LARSON SPORTS FIELDS TO FY2021 AND ADD THE REMOVING AND REPLACING EXISTING TENNIS COURTS/BASKETBALL COURTS AT CENTENNIAL PARK.
- 4) RECEIVE COUNCIL OK TO APPLY TO URBAN RENEWAL AREA PROJECT APPLICATION TO PAVE TRAIL BETWEEN HOINT AND 1ST STREET ON PROPERTY LINE BETWEEN LILLY PAD AND MIKE KAMPS PROPERTY.
- 5.) THE MULTI-AGENCY INFORMATION SECURITY AND EMPLOYEE CONFIDENTIALITY AGREEMENT
THE MULTI-AGENCY SECURITY AUTHORIZATION AGREEMENT
- 6.) DEVELOPMENT

THIS NOTICE IS HEREBY GIVEN AT LEAST 24 HOURS PRIOR TO THE COMMENCEMENT OF THE MEETING SPECIFIED ABOVE. THIS WAS DONE BY ADVISING THE NEWS MEDIA WHO HAVE FILED A REQUEST FOR NOTICE AND BY POSTING THE NOTICE ON THE WINDOW IN THE LOBBY AREA IN CITY HALL THAT IS ACCESSIBLE AND VIEWABLE TO THE PUBLIC. THIS WAS ALL PURSUANT TO CHAPTER 21 OF THE CODE OF IOWA.


John Haldeman, City Administrator

CONSENT AGENDA

Huxley City Council Minutes

Tuesday, May 14, 2019

These minutes are as recorded by the City Clerk and are subject to City Council approval at the next regular council meeting.

COUNCIL MEETING: The Huxley City Council met in a regular council meeting on the above date pursuant to rules of the council, notice posted at City Hall, posted on website and emailed to news media. Mayor Pro Tem Kuhn called the meeting to order at 6:03 pm.

COUNCIL MEMBERS PRESENT: Kuhn, Jensen, Mulder, Roberts, Peterson

CITY STAFF PRESENT: John Haldeman-City Administrator, Jolene Lettow-City Clerk, Gerry Stoll-Police Chief, Kevin Deaton-Asst. Fire Chief, Cathy Van Maanen- Library Director

CONSULTANTS PRESENT: Amy Beattie – city attorney, Forrest Aldrich – city engineer

GUESTS PRESENT: Keith Weggen, Britni Andreassen, Scott Wilson, Phil Brekke, Kristina Brekke, Chris Gardner, Scott Renaud, Roger Wheeler, John Philgreen

COMMENTS FROM PUBLIC:

Jonathan Philgreen asked council if easement could be moved on Lot 21 in Ashwood Estates to accommodate a new house. Vacating easement had already been approved by P & Z; Public Works Director and City Engineer had also reviewed. Property owner would relocate easement at own expense. Mayor Pro Tem asked council to direct staff to move forward to vacate easement.

Scott Wilson, 107 Lynwood, revisited request to have fence put in between his property and 3C's building. Resident requested city to install fence and he will maintain. City will not install fence. Council directed staff to obtain landscape proposals.

Phil Brekke and Kristina Brekke appealed to council to reverse City's ordinance on fireworks usage in Huxley. Asked council to follow State Code. Ms. Brekke submitted petition to legalize fireworks in Huxley. Couple offered free fireworks safety class.

PUBLIC HEARINGS:

Sale of Lots 1& 2 in Huxley Development Corporation Plat 3 in Huxley, Story County, Iowa to Diamond Surface. Mayor Pro Tem opened hearing at 6:36pm. There being no further discussion it was moved by Mulder, seconded by Peterson to close hearing at 6:36pm. 5 ayes. Motion carried.

Proposed Plans, Specifications, Form of Contract and Estimated Cost of Construction of the Huxley Main Avenue Storm Sewer Underground Repairs Project. Mayor Pro Tem opened meeting at 6:37pm. There being no further discussion it was moved by Jensen, seconded by Peterson to close hearing at 6:37pm. 5 ayes. Motion carried.

CONSENT AGENDA:

MOTION- Roberts, Second - Mulder to approve all agenda items as listed:

- April 23rd, 2019 Regular Council Meeting
- Financial Reports and Payment of Bills
- Approve Alcohol and Cigarette Permits for Casey's and Alcohol Permit for Fareway
- Approve the Following Appointments/Reappointments:
Judy Fausch, Shirley Crippen, Kate Ehresman to Library Board. Roger Wheeler to ZBA.
- Approve the Application for Exploding Fireworks (1st Class Consumer Fireworks)

Roll Call: Jensen, Mulder, Kuhn, Roberts, Peterson voted yes. Motion carried.

Claims:

A KING'S THRONE LLC
AFLAC

PORTABLE UNITS
AFLAC

189.90
4.00

ALBAUGH, NATE
 ALLIANT ENERGY
 AMERICAN BUSINESS PHONES
 ANKENY SANITATION
 ARNOLD MOTOR SUPPLY
 BACKFLOW SOLUTIONS, INC.
 BAKER GROUP
 BLM ENTERPRISES
 BRICK GENTRY P.C.
 BUD'S AUTO REPAIR INC
 CAPITAL CITY EQUIPMENT CO.
 CASEY'S GENERAL STORES INC
 CENTRAL IOWA REGIONAL TRAN
 CFI SALES, INC.
 CHITTY GARBAGE SERVICE INC
 CHRIS PHILLIPS
 CINTAS CORPORATION
 CLINTON H. THOMPSON
 COMPASS MINERALS AMERICA
 D & K PRODUCTS
 DARLA HUGABOOM
 DAVID CARLIN
 DELTA DENTAL PLAN OF IOWA
 DEYOUNG, MARK
 DEZURIK, INC.
 DOORS INC.
 EBS
 ED M. FELD EQUIPMENT CO. I
 EDWARD JONES
 EMERGENCY MEDICAL PRODUCTS
 FENCELINE BEER LAB LLC
 FIDELITY SECURITY LIFE
 FIRE SERVICE INSTITUTE
 GENERAL INSURANCE AGENCY
 GREEN ENVIRONMENTAL, LLC
 HACH COMPANY
 HAWKINS, INC.
 HOKEL MACHINE SUPPLY
 HOMES BY ADVANTAGE LLC
 HUXLEY COMMUNICATIONS COOP
 INNOVATIONAL CONCEPTS, INC
 INTEGRATED PRINT SOLUTIONS
 INTERNAL REVENUE SERVICE
 INTERSTATE BATTERIES
 INTERSTATE POWER & LIGHT
 IOWA DOT
 IPERS
 JAYDEN CATTELL
 JERRY'S PAINTING
 KEMPKER'S TRUE VALUE AND R
 KEVIN SCHULZE
 LINCOLN FINANCIAL GROUP
 LOWE'S
 MARTIN MARIETTA MATERIALS
 MASS MUTUAL RETIREMENT SER
 MID-IOWA SOLID WASTE EQUIP
 MOODY ELECTRIC, INC.
 NATHAN STOUDE
 NICK PEARSON
 NICK SWANSON
 OTIS ELEVATOR COMPANY
 OXEN TECHNOLOGY
 P & M APPAREL
 PCC AN AMBULANCE BILLING S
 PEPSI-COLA
 PHILLIPS TRIM CARPENTRY
 POLK COUNTY FIRE CHIEF'S A
 POSTMASTER
 PREMIER OFFICE EQUIPMENT I
 ROUT, DARRELL
 SAFE BUILDING COMPLIANCE &
 SAMANTHA WHEELER
 SPRINGER PROFESSIONAL HOME
 STAPLES BUSINESS CREDIT
 SWANK MOVIE LICENSING USA
 TASC
 TASC - CLIENT INVOICES
 THE SHERWIN-WILLIAMS CO.
 TIM & EMILY LOYNACHAN
 TREASURER, STATE OF IOWA
 USA BLUEBOOK

MOTEL FOR GTSB CONFERENCE	106.70
GAS AND ELECTRIC	9,269.75
INSTALLED HP 24 PORT SWITCH	787.83
CITY BUILDINGS TRASH PICKUP	229.57
FILTERS	282.95
ANNUAL ONLINE SUBSCRIPTION	400.00
MAINTENANCE AGREEMENT	6,682.00
GIS UTILITY UPDATES	1,337.50
DEVELOPMENT	6,291.05
OIL AND FILTER FOR CHARGER	305.10
ELEMENT, CARTRIDGE, FILTER	290.54
GASOLINE	1,272.77
2020 CIRTPA ASSESSMENT	431.00
TIRES	132.80
TRASH PICKUP	21.40
TEXTURE DRYWALL IN NORD KALSEM	550.00
FIRST AID SUPPLIES	87.77
BASKETBALL LEAGUE OFFICIAL	275.00
COARSE SALT	3,535.81
MECAMINE	270.00
SPRING TENNIS PARTICIPANT	57.00
REIMBURSE FOR MAILBOX DAMAGE	35.00
DENTAL INSURANCE	1,472.22
BUILDING PERMIT DEPOSIT REFUND	500.00
VALVE FOR WAS ACTUATOR	495.00
3C'S DOOR REPAIR	70.00
MEDICAL INSURANCE	15,730.15
LOCKERS	8,625.00
IRA	250.00
AMBULANCE SUPPLIES	382.42
FENCELINE BEER LAB LLC	60,000.00
VISION INS	286.33
FIRE CHIEF'S WORKSHOP	25.00
GL AUDIT	1,554.00
NORD KALSEM ASBESTOS REMOVAL	4,800.00
FILTERS, AMMONIA, PH SOLUTION	827.07
WATER CHEMICALS	1,990.00
NYLON LOCK NUTS	8.67
BUILDING PERMIT DEPOSIT REFUND	2,000.00
PHONE, INTERNET, CABLE	1,373.79
HYDRONIC TESTING	125.00
YOUTH SOCCER SHIRTS	886.80
FICA WITHHOLDING	23,964.81
ECONO BATTERY FOR WOOD CHIPPER	40.00
ELECTRIC EXTEN. HUX BUS PARK	0.00
CLUSTER & DEAD END SIGNS	661.14
IPERS PROTECTIVE CLASS	15,761.15
BASKETBALL SCOREKEEPER	120.00
JERRY'S PAINTING	1,238.04
SEE ATTACHED	1,170.04
BASKETBALL OFFICIAL	125.00
DISABILITY INSURANCE	1,115.96
NORD KALSEM RENOVATION SUPPLIE	198.54
1" CLEAN ROCK	1,835.00
DEFERRED COMPENSATION	200.00
STRAPS FOR CRAWLER CAMERA	29.70
SCOREBOARD & CONCESSIONS	85.00
BAM BAM BASEBALL	22.00
BASKETBALL LEAGUE OFFICIAL	250.00
HOTEL ROOMS FOR GTSB CONFERENC	115.18
REPAIR PHONE IN ELEVATOR	600.00
REMOTE LABOR	561.50
UNIFORM PARTS	1,439.50
AMBULANCE BILLING	542.57
VENDING PRODUCT	337.41
PHILLIPS TRIM CARPENTRY	0.00
2019 DUES	25.00
POSTMASTER	976.48
LIBRARY COPIER AGREEMENT	25.00
STUMP GRINDING AT EAST 5TH	70.00
BUILDING INSPECTIONS	7,012.82
SPRING TENNIS PARTICIPANT	57.00
MONTHLY PEST CONTROL	42.00
OFFICE SUPPLIES	256.60
MOVIES FOR MOVIE IN THE PARK	1,205.00
FLEX BENEFIT PLANS	1,116.56
MAY FLEX PLAN ADMIN FEE	139.64
FIELD PAINT AND PAINT GUN FILT	158.57
SPRING TENNIS	51.00
STATE WITHHOLDING	3,771.00
LIQUIFRAM & HEAD ASSEMBLY	558.51

VAN-WALL EQUIPMENT INC.
VEENSTRA & KIMM, INC.
VERIZON WIRELESS
VICKI TENDALL
YOUR LOCAL CONSUMER

BLADE, VBELT, SPRING
KUM & GO SITE PLAN REVIEW
CITY ADMIN CELL PHONE
BUNNY SUIT
AD FOR CITYWIDE GARAGE SALES

489.45
3,841.07
255.84
70.00
99.00

	<u>Fund Expenses</u>	<u>Fund Revenues</u>
001 GENERAL FUND	123,165.98	
002 LIBRARY	6,205.29	38,984.05
003 RECREATION	8,863.67	8,917.73
004 FIRE AND RESCUE	11,405.42	
006 CEMETARY		200.00
014 AMBULANCE	5,376.00	1,685.31
110 STREET	14,062.08	
125 TIF	27,153.50	
340 TRAIL PAVING PROJECT	1,355.00	
402 MAIN AVE STORM SEWER	1,021.07	
600 WATER UTILITY	19,473.02	46,650.39
610 SEWER UTILITY	13,952.44	50,248.80
PAYROLL/MISC	106,607.66	119,439.52
GRAND TOTAL	338,641.13	

MOTION – Peterson, Second – Roberts on Resolution No. 19-059 to Make Final Determination on the Sale of Lots 1 and 2 in Huxley Development Corporation Plat 3 and Authorize Execution of Purchase Agreement By and Between City of Huxley and Diamond Surface Inc. Roll Call: Peterson, Roberts, Kuhn, Mulder, Jensen voted yes. Motion carried.

MOTION – Mulder, Second – Peterson on Second Reading of Ordinance No. 494 to Change Zoning of Property Owned By Leonard and Jaqueline Larson Located at SE Corner of I-35 and Highway 210. Roll Call: Peterson, Roberts, Kuhn, Mulder, Jensen voted yes. Motion carried.

MOTION – Mulder, Second – Peterson to Waive Third Reading of Ordinance No. 494. Approval subject to completion of annexation. Roll Call: Peterson, Roberts, Kuhn, Mulder, Jensen voted yes. Motion carried.

Ordinance 495: Pulled from agenda.

MOTION – Roberts, Second – Peterson on First Reading of Ordinance No. 496 to Amend the Code of Ordinances of the City of Huxley, Iowa, Chapter 166, Subdivision Regulations, to Require Installation of ADA Ramps. Expense of installation to developers. Revisions to language will be submitted in second reading draft. Roll Call: Peterson, Roberts, Kuhn, Mulder, Jensen voted yes. Motion carried.

MOTION - Peterson, Second – Jensen on Resolution No. 19-060 to Approve Plans, Specifications and Form Contract for the Huxley Main Avenue Storm Sewer Underground Repairs Project. City engineer reported that funds for project will come from monies received from lawsuit from original Main Avenue Storm Sewer project. Roll Call: Peterson, Roberts, Kuhn, Mulder, Jensen voted yes. Motion carried.

Motion – Peterson, Second – Mulder on Resolution No. 19-061 to Award the Main Avenue Storm Sewer Underground Repairs Project Contract to OnTrack Construction LLC from Nevada, Iowa for the Sum of \$194,800. Received two bids. Repairs are in several, difficult areas. There won't be one large area under construction at one time. Roll Call: Peterson, Roberts, Kuhn, Mulder, Jensen voted yes. Motion carried.

Resolution No. 19-062 – pulled from agenda.

MOTION – Peterson, Second – Roberts on Resolution No. 19-063 to Approve Site Plan for 1999 Huxley Mini-Storage on East First Street and Pave Approach to North Side of Building. Chris Gardner, property owner, informed council that the property had been platted for 4th building. Storage will be used for existing shop. Will keep existing entrance with access also on south side. Councilman Kuhn expressed concern with lack of pavement inside property and city enforces other properties to follow pavement regulations. Roll Call: Peterson, Roberts, Kuhn, Mulder, Jensen voted yes. Motion carried.

MOTION – Peterson, Second – Kuhn on First Reading of Ordinance No. 497 to Amend the Code of Ordinances for the City of Huxley, Iowa Regarding Fireworks Use. It shall be unlawful to explode fireworks under influence of alcohol or drugs. Roll Call: Peterson, Roberts, Kuhn, Mulder, Jensen voted yes. Motion carried.

MOTION - Jensen, Second – Mulder on Resolution No. 19-064 to Approve Police Chief's Request to Place No Parking Signs and Paint Yellow Lines on Curb at Intersection of Lynwood and Ballard Drive. Roll Call: Peterson, Roberts, Kuhn, Mulder, Jensen voted yes. Motion carried.

MOTION – Peterson, Second – Kuhn on First Reading of Ordinance No. 498 to Amend Chapter 99 of the City of Huxley Municipal Code Concerning Sewer Service Charges. Consumption rate to increase three percent for next three years. Roll Call: Peterson, Roberts, Kuhn, Mulder, Jensen voted yes. Motion carried.

MOTION – Peterson, Second – Kuhn on First Reading of Ordinance No. 499 to Amend Chapter 92 and 93 of the City of Huxley Municipal Code Concerning Water Meters and Water Rates. Purchase of second meters to increase to \$325. Monthly charges to increase dependent on size of meter. Revisions will be made with second reading. Roll Call: Peterson, Roberts, Kuhn, Mulder, Jensen voted yes. Motion carried.

MOTION – Peterson, Second – Roberts on Resolution No. 19-065 to Set Date and Time for Hearing on Amending FY2019 Budget. Hearing scheduled for Tuesday, May 28th at 6:00pm. Roll Call: Peterson, Roberts, Kuhn, Mulder, Jensen voted yes. Motion carried.

MOTION – Peterson, Second – Mulder on Resolution No. 19-066 to Approve Amending Contract with Iowa Power & Light to Extend Services in Huxley Business Park. Roll Call: Peterson, Roberts, Kuhn, Mulder voted yes; Jensen abstained. Motion carried.

MOTION – Peterson, Second – Roberts on Resolution No. 19-067 to Approve Purchase of Vac System from Midwest Underground for the Sum of \$44,100. Roll Call: Peterson, Roberts, Kuhn, Mulder, Jensen voted yes. Motion carried.

MOTION – Roberts, Second – Peterson on Resolution No. 19-068 to Approve Contract for ACCU-JET to Perform the Lining and Maintenance of the City's Sewer Mains for the Sum of \$35,336.10. Roll Call: Peterson, Roberts, Kuhn, Mulder, Jensen voted yes. Motion carried.

Resolution No. 19-069. Pulled from agenda.

Miscellaneous

- Library Director, Cathy Van Maanen, thanked council for approving board members to Library Board.
- Councilman Roberts inquired as to the status of the sidewalk at NE corner of E. 4th and Parkridge.
- Councilman Jensen had following concerns:
 - o Derelict buildings follow-up
 - o Reported that the old bridge near Railroad Park is obsolete and non-functional. Asked to have topic put on future work session agenda
 - o Asked if a joint council meeting could be set up in June with cities of Cambridge and Slater to discuss future ambulance plans
 - o Asked what the process was to approve/not approve the pending comp plan. Council is to review plan by end of month for future work session item.
 - o Garbage service in town: can city go out for bid and choose one carrier for community? Allowing all garbage companies heavy trucks in city can put toll on roads. Current ordinance allows for residents to choose their own service.
- Councilman Kuhn stated Bud Seemann would like to purchase lot behind Jerry's Automotive.
- Councilman Peterson asked status of city administrator's contract. Personnel committee has met and proposal coming at a June meeting.

ADJOURNMENT: Motion – Jensen, second – Peterson to adjourn meeting at 8:16 pm. 5 ayes, 0 nays. Motion carried.

David Kuhn, Mayor Pro Tem

Instructions on the reverse side

For period (MM/DD/YYYY) 07 / 01 / 2019 through June 30, 2020

I/we apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products:

Business Information:

Trade Name/DBA Fareway Stores, Inc. # 155

Physical Location Address 911 Highway 69 City HUXLEY ZIP 50124

Mailing Address 911 Highway 69 City HUXLEY State IA ZIP 50124

Business Phone Number 515 597-3663

Legal Ownership Information:

Type of Ownership: Sole Proprietor ☐ Partnership ☐ Corporation ☒ LLC ☐ LLP ☐

Name of sole proprietor, partnership, corporation, LLC, or LLP Fareway Stores, Inc.

Mailing Address PO Box 70 City Boone State IA ZIP 50036

Phone Number 515-433-5336 Fax Number 515-433-4416 Email twilson@farewaystores.com

Retail Information:

Types of Sales: Over-the-counter ☒ Vending machine ☐

Do you make delivery sales of alternative nicotine or vapor products? (See Instructions) Yes ☐ No ☐

Types of Products Sold: (Check all that apply)

Cigarettes ☒ Tobacco ☒ Alternative Nicotine Products ☒ Vapor Products ☒

Type of Establishment: (Select the option that best describes the establishment)

Alternative nicotine/vapor store ☐ Bar ☐ Convenience store/gas station ☐ Drug store ☐

Grocery store ☒ Hotel/motel ☐ Liquor store ☐ Restaurant ☐ Tobacco store ☐

Has vending machine that assembles cigarettes ☐ Other ☐

If application is approved and permit granted, I/we do hereby bind ourselves to a faithful observance of the laws governing the sale of cigarettes, tobacco, alternative nicotine, and vapor products.

Signature of Owner(s), Partner(s), or Corporate Official(s)

Name (please print) Garrett S Piklapp

Name (please print) _____

Signature *Garrett S. Piklapp*

Signature _____

Date 5/16/19

Date _____

Send this completed application and the applicable fee to your local jurisdiction. If you have any questions contact your city clerk (within city limits) or your county auditor (outside city limits).

FOR CITY CLERK/COUNTY AUDITOR ONLY – MUST BE COMPLETE

- Fill in the amount paid for the permit: \$100.00
- Fill in the date the permit was approved by the council or board: _____
- Fill in the permit number issued by the city/county: 19-003
- Fill in the name of the city or county issuing the permit: City of Huxley
- New ☐ Renewal ☒

Send completed/approved application to Iowa Alcoholic Beverages Division within 30 days of issuance. Make sure the information on the application is complete and accurate. A copy of the permit does not need to be sent; only the application is required. It is preferred that applications are sent via email, as this allows for a receipt confirmation to be sent to the local authority.

- Email: iapledge@iowaabd.com
- Fax: 515-281-7375

5-28-19 Council Claims

	A	B	C
1	VENDOR NAME	DESCRIPTION	GROSS AMOUNT
2	AMERICAN BUSINESS PHONES	POWER ADAPTER FOR PHONE	\$ 17.06
3	ARNOLD MOTOR SUPPLY	VALVE AND VALVE TOOL	\$ 19.27
4	ARNOLD MOTOR SUPPLY	AIR, FUEL, & OIL FILTERS	\$ 97.39
5	AUTOMATIC DOOR GROUP	3C'S DOOR REPAIR	\$ 115.85
6	BAKER & TAYLOR ENTERTAINME	BOOKS	\$ 911.13
7	BIRDSALL FLOORING	NORD KALSEM FLOOR INSTALLATION	\$ 7,350.00
8	BOOK LOOK	BOOKS	\$ 829.41
9	CARDMEMBER SERVICE	SEE ATTACHED	\$ 12,083.06
10	CHRIS PHILLIPS	TRIM WORK AT NORD KALSEM	\$ 1,684.59
11	CLINTON H. THOMPSON	BASKETBALL LEAGUE OFFICIAL	\$ 250.00
12	CONSUMERS ENERGY	ELECTRIC	\$ 9,336.25
13	CUSTOM STEEL SERVICE	SHEETS OF STEEL	\$ 57.11
14	DEMCO	BOOKS	\$ 236.81
15	DOLAN OLSON	REIMBURSEMENT FOR DG PURCHASE	\$ 13.91
16	DOLLAR GENERAL-REGIONS 410	SUPPLIES	\$ 120.50
17	ERICA INGLETT	COACHING REIMBURSEMENT	\$ 100.00
18	GATEHOUSE-DB IOWA HOLDINGS	LEGAL PUBLICATIONS	\$ 639.81
19	HACH COMPANY	PH PROBE & CHEMICALS	\$ 1,539.11
20	HERMANN, RHIANNON	COACHING REIMBURSEMENT	\$ 100.00
21	HOKEL MACHINE SUPPLY	HEX TAPPING SCREWS	\$ 5.17
22	HOMES BY ADVANTAGE LLC	BUILDING PERMIT DEPOSIT REFUND	\$ 1,000.00
23	INTERNAL REVENUE SERVICE	PAYROLL TAXES	\$ 11,960.85
24	INTERSTATE POWER & LIGHT	ELECTRIC EXTENSION AGREEMENT	\$ 3,642.20
25	IOWA DOT	TRIMMER, SIGNS, ETC	\$ 558.27
26	JACOB HANKS	WATER AND WW TEST REIMBURSE	\$ 90.00
27	JAYDEN CATTELL	BASKETBALL LEAGUE SCOREKEEPER	\$ 50.00
28	JEREMY J. ARENDS	FEB, MAR, APR TREASURER REPORT	\$ 240.00
29	KARA BALTES	COACHING REIMBURSEMENT	\$ 75.00
30	KAY PARK-REC CORP.	PICNIC TABLE AT PRAIRIE RIDGE	\$ 968.90
31	KEVIN SCHULZE	BASKETBALL LEAGUE OFFICIAL	\$ 125.00
32	KEYSTONE LABORATORIES	WASTEWATER LABS	\$ 116.00
33	LUKE BROTHERS FLOOR COVERI	CARPET AND INSTALLATION IN LIB	\$ 4,353.60
34	MARCO, INC.	B/W AND COLOR COPIES	\$ 693.29
35	MARTIN MARIETTA MATERIALS	GABION STONE	\$ 151.14
36	METERING & TECHNOLOGY SOLU	METERS, ERTS, FLANGE KITS	\$ 1,034.00
37	MISSY COGDILL	COACHING REIMBURSEMENT	\$ 100.00
38	MOODY ELECTRIC, INC.	CENTENNIAL PARK BATHROOM WORK	\$ 1,769.45
39	MUNICIPAL SUPPLY	METER VALVES & MARKING PAINT	\$ 321.95
40	NCL OF WISCONSIN, INC.	QA/QC STANDARD	\$ 15.13
41	NEW CENTURY FS INC	UNLEADED AND DIESEL FUEL	\$ 1,404.48
42	NICK PEARSON	BASKETBALL LEAGUE OFFICIAL	\$ 125.00
43	NICKOLAY CONSULTING, LLC	MONTHLY IT WORK	\$ 105.00
44	NIKKI FLANDERS	COACHING REIMBURSEMENT	\$ 75.00
45	OFFICE OF AUDITOR OF STATE	FILING FEE FOR AUDIT	\$ 425.00

5-28-19 Council Claims

	A	B	C
46	OTIS ELEVATOR COMPANY	SERVICE CONTRACT	\$ 218.13
47	OXEN TECHNOLOGY	REMOTE IT LABOR	\$ 337.50
48	POSTMASTER	BULK POSTAGE	\$ 355.75
49	PREMIER OFFICE EQUIPMENT I	LIBRARY COPIER CONTRACT	\$ 79.56
50	REESE ELECTRIC	REBUILD BLOWER MOTOR	\$ 136.00
51	SHEPLEY, RENAE	COACHING REIMBURSEMENT	\$ 100.00
52	STORY COUNTY RECORDER	QUIT CLAIM DEED FILING	\$ 12.00
53	STRAUSS SECURITY SOLUTIONS	PADLOCKS	\$ 429.84
54	SYNCB/AMAZON	BOOKS, DVDS, PROGRAM SUPPLIES	\$ 523.56
55	TASC	FLEX BENEFIT PLANS	\$ 558.28
56	THE SHERWIN-WILLIAMS CO.	PAINT FOR SOCCER FIELDS	\$ 705.37
57	TRAVELING LANTERN THEATRE	SUMMER LIBRARY PROGRAM	\$ 395.00
58	TYLER TECHNOLOGIES, INC.	ANNUAL INCODE MAINTENANCE	\$ 12,121.84
59	U.S. BANK EQUIPMENT FINANC	COPIER LEASE	\$ 100.28
60	VAN-WALL EQUIPMENT INC.	HAND HELD BLOWER, TRIMMER, V-BELT	\$ 862.44
61	VERIZON WIRELESS	PD, ADMIN, PW CELL PHONES	\$ 371.89
62	WINDSTREAM IOWA COMMUNICAT	DISPATCH PHONE	\$ 72.96
63	YELLOWBLUE LED	LIGHTING FOR RACQUETBALL COURT AND FIRE STATION	\$ 5,236.96
64	ZIEGLER INC	CUTTING EDGES, BOLTS, NUTS	\$ 357.28
65	Payroll Expense		\$ 53,007.39
66	GRAND TOTAL		\$ 140,887.72
67			
68		FUND TOTALS	
69	001 GENERAL FUND	\$ 33,132.65	
70	002 LIBRARY	\$ 8,581.63	
71	003 RECREATION	\$ 5,556.86	
72	004 FIRE AND RESCUE	\$ 4,700.54	
73	014 AMBULANCE	\$ 480.84	
74	110 ROAD USE TAX	\$ 6,223.12	
75	125 TIF	\$ 3,642.20	
76	319 RECREATION NEW EQUIPMENT	\$ 1,220.00	
77	600 WATER UTILITY	\$ 12,131.34	
78	610 SEWER UTILITY	\$ 12,211.15	
79	01 PAYROLL EXPENSE	\$ 53,007.39	
80	GRAND TOTAL	\$ 140,887.72	

Cardmember Services (Visa)		
Admin	passport camera battery charger, postage,amazon prime	\$ 39.75
Wastewater	papertowels, coffee, cd sleeves, va for uv system, cd cases,	\$ 185.75
Parks	volleyball net, air dryers, spray wand, guage, aerator	\$ 1,276.99
FD	food for county fire chief meeting, cpr cards, cpr, water, ice, gatorade, door panel for fire truck	\$ 624.62
Parks and Rec	urinal cakes, face paint, soccer flags, vending product, basektballs, soccer nets, pickle ball equipment, binding machine,	\$ 2,022.29
Nord Kalsem	flooring	\$ 7,264.75
PD	postage	\$ 26.40
Building & Grounds	background checks	\$ 30.00
Water	hanging folders, latch,	\$ 96.61
Council	memorial flowers (staff paid a portion)	\$ 121.90
P & Z	certified letters for rezoning	\$ 198.90
Ambulance	cpr card	\$ 5.00
Library	fareway, postage, school life, dvds,	\$ 190.10
Total		\$ 12,083.06



HUXLEY

CITY OF HUXLEY

APPLICATION FOR APPOINTMENT TO BOARDS & COMMISSIONS

The City of Huxley appreciates your interest in serving the community and welcomes your application. Please complete all sections of this application. If you have any questions, please contact the City Clerk's Office at (515)597-2561. Additional information may be found on the city web site at www.huxleyiowa.org. The City of Huxley is committed to providing equal opportunity for citizen involvement.

Please indicate the Boards and/or Commissions on which you would be willing to serve or reappointed to by checking below:

<input type="checkbox"/> Library Board of Trustees	<input checked="" type="checkbox"/> Tree Board
<input type="checkbox"/> Zoning Board of Adjustments	<input type="checkbox"/> Parks and Recreation Board
<input type="checkbox"/> Planning & Zoning Commission	<input type="checkbox"/> Huxley Volunteer Fire Department

Is this a reappointment ☐ Yes ☒ No *was on P&Z*

If this application is for reappointment please fill out information to the gray line below. New appointment please fill out entire application.

Name: Godbold Seana K. Date: May 15, 2019
Last First Middle
Address: 311 Centennial Dr. Huxley IA 50124
Street City State Zip
Occupation: Landscape Architect @ Iowa DOT
Employer's Name & Address: S_godbold@hotmail.com

Work Telephone No: (515) 239-1424 Hours you can be reached: 8-4:30 M-F
Home Telephone No: (712) 330-6308 Hours you can be reached: 6-8 M-F
Email: seana.godbold@iowadot.lis (515) 357-1197

How long have you resided in Huxley? 6 years & 1 year about 18 years ago.

Please list any previous Board membership positions (City, Church, School, Professional, etc.) and dates of service: Huxley P&Z 2014-2017

Ran landscape committee/maintenance - Spirit Lake St. Mary's
Religious Ed - St. Mary's Armstrong 06/97; St. Mary's Spirit Lake 2006-2012
American Society of Landscape Architects Exec. 2003-2007 & 2014-2015

Please indicate below the reasons why you would like to be appointed to a Board or Commission and any specific skills or experience that you believe support your application:

Knowledge & Experience with Visioning Communities &
volunteer groups; Education & experience w/ low
maintenance landscapes.

Please list two references other than a family member:

Name: Kevin Patel Relationship: Past Supervisor Phone: (515) 239-1505
Name: Ladana Sedard Relationship: coworker Phone: (515) 239-1783
Roger Bierbaum Past Board Member

Do you sell to, or are you in any manner a part to, any contract to furnish supplies, material, or labor to the City of Huxley? no If so, please list dates of employment and positions held:

Have you ever been employed by the City? no If so, please list dates of employment and positions held:

Do you have relatives working for the City? no If so, please give name and relationship:

Please mail completed application to the office of the City Clerk at the following address:

City of Huxley
515 N. Main Ave.
Huxley, IA 50124

Mayor Approval: _____

Council Approval Date: _____

Term Start Date: _____ Expiration Date: _____

LEWIS LAW FIRM, P.C.

212 Water Street
PO BOX 289
Cambridge, Iowa 50046

Michael Lewis
Attorney at Law

Telephone: 515-220-4400
Facsimile: 515-220-4402

May 20, 2019

Ms. Jolene Lettow
Huxley City Clerk
515 N. Main Avenue
Huxley, Iowa 50124

RE: Voluntary Annexation – Thorson property

Dear Lucy:

Please find enclosed the Thorson's application for annexation and map of the property and Notice pursuant to Iowa Code Section 368.7(3). You will find the application and legal description attached as Exhibit A and the map as Exhibit B.

Thank you for your attention to this matter and I hope this finds you well.

Sincerely,

/s/ ***Michael Lewis***

Michael Lewis
Attorney at Law
ML

APPLICATION FOR VOLUNTARY ANNEXATION
City of Cambridge, Iowa

The undersigned, Roger and Janet Thorson, owner(s) or authorized representative(s) of the owner(s) of all property legally described in "Exhibit A" attached hereto and by this reference made a part hereof, and as shown on the map "Exhibit B" attached hereto and by this reference made a part hereof, authorized to execute this application on behalf of Roger and Janet Thorson the owner(s) of the property legally described in "Exhibit A", respectfully request the property be annexed and become a part of the City of Cambridge, Iowa.

Property Owner(s): Roger Thorson Date: 1-2-2019
Janet Thorson Date: 1-2-2019

Iowa Code Section 368.7 gives the landowner(s) consenting to voluntary annexation of their land the right to withdraw consent to annexation within three business days after the public hearing on the application to annex land unless this right is waived.

I hereby waive my right to withdraw consent to annexation within three business days after the public hearing on the application as evidenced by my signature below.

Property Owner(s): Roger Thorson Date: 1-2-2019
Janet Thorson Date: 1-2-2019

Attachments: Exhibit A: Legal description of the property;

Exhibit B: Map showing location of the property within the proposed annexation area

**NOTICE OF APPLICATION FOR VOLUNTARY
ANNEXATION OF PROPERTY INTO THE CITY OF CAMBRIDGE
AND CONSIDERATION BY THE CITY COUNCIL**

To Whom It May Concern:

You are hereby given notice that Application for Voluntary Annexation has been filed with the City of Cambridge, Iowa, requesting that the City annex property adjoining the City. The particulars of the Application are as follows:

Roger and Janet Thorson, being the owners of the land in territory adjoining the City of Cambridge in Story County, Iowa, have voluntarily submitted its Application to the City Council requesting the annexation of premises generally described as:

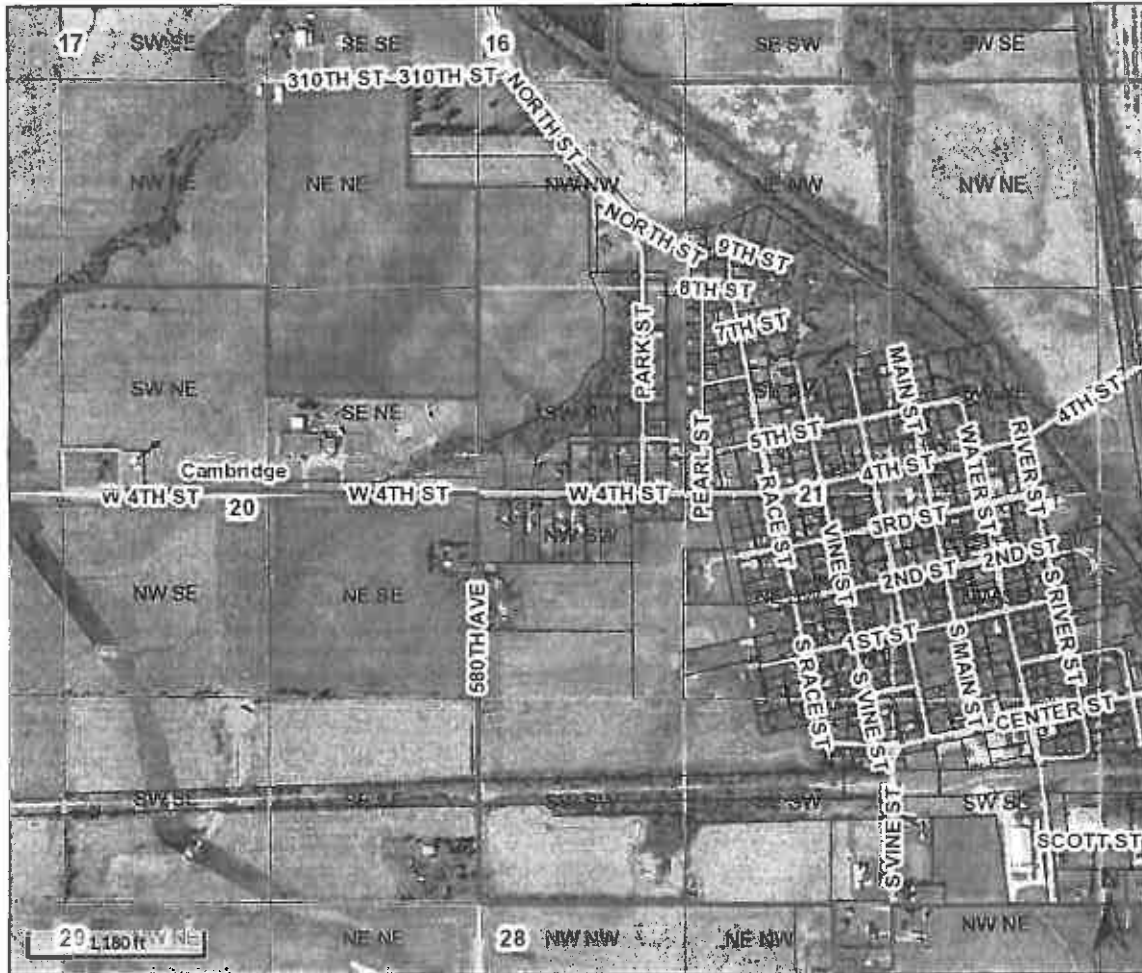
The West Three Hundred Seventy-two (372) feet of the South Two Hundred Fifty-Eight (258) feet of the Southwest Quarter of the Northeast Quarter (SW1/4 NE1/4) of Section Twenty (20), Township Eighty-two (82) North, Range Twenty-three (23) West of the 5th P.M., Story County, Iowa.

You are further notified that said Application will be considered by the City Council of the City of Cambridge, Iowa, at its regular City Council meeting to be conducted on June 3, 2019 at 7:00 o'clock P.M. at the City Council Chambers, City Hall, Cambridge, Iowa. At said time and place, the City Council will consider said Application for Annexation.

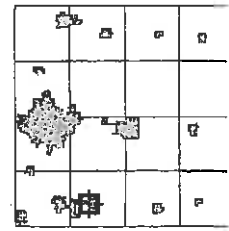
BY ORDER OF THE CITY COUNCIL THIS 20th day of May, 2019.



City Clerk, by
City Attorney, Michael Lewis



Overview



Legend

- ☐ Parcels
- ☐ Lots
- ☐ Townships
- ☐ Sections
- ☐ Quarter Quarters
- ☐ Corporate Limits
- ☐ Road Centerlines

Parcel ID	1420200355	Alternate ID	1420200355	Owner Address	THORSON, ROGER & JANET
Sec/Twp/Rng	20-82-23	Class	R - Residential		57561 W 4TH ST
Property Address	57561 4TH ST	Acreage	1.68		CAMBRIDGE IA 50046
	CAMBRIDGE				
District	63023 - UNION TWP/BALLARD SCH				
Brief Tax Description	SECTION:20 TOWNSHIP:82 RANGE:23 W372' S258' SW NE				
	(Note: Not to be used on legal documents)				

Concerning Assessment Parcels and Platted Lots Within the City of Ames Jurisdiction:

The solid parcel boundary lines represent the legal description as recorded and are not necessarily the official platted lot lines. Dashed lines are official platted lots. If a parcel contains dashed lines, please contact the Ames Planning & Housing Department (515-239-5400) to determine which lines can be recognized for building permit or zoning purposes. If you have questions regarding the legal description or parcel measurements, please contact the Story County Auditor's office (515-382-7210).

Date created: 5/20/2019

Last Data Uploaded: 5/17/2019 11:28:11 PM

Developed by Schneider
GEOSPATIAL

COMMUNITY BETTERMENT

**Change in the agenda;
Westview Plat has been pulled
by request of the developer.**

ORDINANCE NO. 495

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF HUXLEY, IOWA, BY REZONING PROPERTY OWNED BY WESTVIEW HEIGHTS FROM AGRICULTURAL (A-1) TO SINGLE FAMILY RESIDENTIAL DISTRICT (R-1); SINGLE FAMILY AND DUPLEX RESIDENTIAL (R-2); AND SINGLE FAMILY RESIDENTIAL DISTRICT (R-1A) CLASSIFICATION.

WHEREAS, on the 16th day of April 2019, the Planning and Zoning Commission of the City of Huxley, Iowa, recommended to the City Council that the below described property be considered for rezoning from A-1 (Agricultural Holding District) to R-1 (Single Family Residential District); R-2 (Single Family and Duplex Residential) and R-1A (Single Family Residential District); and

WHEREAS, on the 23rd day of April 2019, after due notice and hearing as provided by law, the City Council now deems it reasonable and appropriate to rezone said property.

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

Section 1: That the Municipal Code of the City of Huxley, Iowa, be and it is hereby amended by rezoning from the present A-1 (Agricultural Holding District) to R-1 (Single Family Residential District); R-2 (Single Family and Duplex Residential) and R-1A (Single Family Residential District) for the following described real property:

R-1 ZONING

A PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 14 AND A PART OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 23, ALL IN TOWNSHIP 82 NORTH, RANGE 24 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN THE CITY OF HUXLEY, STORY COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 2, WRIGHT SUBDIVISION, AN OFFICIAL PLAT; THENCE SOUTH 00°02'35" WEST ALONG THE WEST RIGHT OF WAY LINE OF HIGHWAY 69, A DISTANCE OF 435.19 FEET; THENCE NORTH 89°58'02" WEST, 226.25 FEET; THENCE SOUTH 00°01'58" WEST, 291.38 FEET; THENCE NORTH 89°58'02" WEST, 1220.51 FEET; THENCE SOUTH 00°01'58" WEST, 395.00 FEET; THENCE SOUTH 89°58'02" EAST, 1220.43 FEET; THENCE SOUTHERLY ALONG A CURVE CONCAVE WESTERLY WHOSE RADIUS IS 10000.00 FEET, WHOSE ARC LENGTH IS 59.16 FEET AND WHOSE CHORD BEARS SOUTH 00°26'11" WEST, 59.16 FEET; THENCE SOUTH 00°36'21" WEST, 334.05 FEET TO THE SOUTH LINE OF OUTLOT 'E', WESTVIEW HEIGHTS PLAT 1, AN OFFICIAL PLAT; THENCE NORTH 89°24'39" WEST ALONG THE SOUTH LINE OF SAID OUTLOT 'E', 30.00 FEET TO THE SOUTHWEST CORNER OF SAID OUTLOT 'E'; THENCE NORTH 00°36'21" EAST ALONG THE

WEST LINE OF SAID OUTLOT 'E', 181.92 FEET TO THE NORTHWEST CORNER OF SAID OUTLOT 'E'; THENCE NORTH 89°18'39" WEST ALONG THE NORTH LINE OF LOTS 3 THROUGH 11, SAID WESTVIEW HEIGHTS PLAT 1, A DISTANCE OF 753.96 FEET TO THE NORTHWEST CORNER OF SAID LOT 11; THENCE SOUTH 00°00'52" WEST ALONG THE WEST LINE OF SAID LOT 11, A DISTANCE OF 183.24 FEET TO THE SOUTHWEST CORNER OF SAID LOT 11; THENCE NORTH 89°24'39" WEST ALONG THE EASTERLY LINE OF OUTLOT 'A', SAID WESTVIEW HEIGHTS PLAT 1, A DISTANCE OF 70.00 FEET; THENCE SOUTH 00°05'25" WEST CONTINUING ALONG SAID EASTERLY LINE, 35.36 FEET; THENCE SOUTHERLY CONTINUING ALONG SAID EASTERLY LINE AND A CURVE CONCAVE WESTERLY WHOSE RADIUS IS 965.00 FEET, WHOSE ARC LENGTH IS 34.64 FEET AND WHOSE CHORD BEARS SOUTH 01°07'08" WEST, 34.64 FEET; THENCE NORTH 89°24'39" WEST CONTINUING ALONG SAID EASTERLY LINE AND THE WESTERLY EXTENSION THEREOF, 313.55 FEET; THENCE SOUTHWESTERLY ALONG A CURVE CONCAVE SOUTHEASTERLY WHOSE RADIUS IS 25.00 FEET, WHOSE ARC LENGTH IS 36.86 FEET AND WHOSE CHORD BEARS SOUTH 48°21'21" WEST, 33.61 FEET; THENCE SOUTHERLY ALONG A CURVE CONCAVE WESTERLY WHOSE RADIUS IS 830.00 FEET, WHOSE ARC LENGTH IS 11.88 FEET AND WHOSE CHORD BEARS SOUTH 06°31'57" WEST, 11.88 FEET; THENCE NORTH 83°03'27" WEST, 60.00 FEET; THENCE NORTHWESTERLY ALONG A CURVE CONCAVE SOUTHWESTERLY WHOSE RADIUS IS 25.00 FEET, WHOSE ARC LENGTH IS 42.04 FEET AND WHOSE CHORD BEARS NORTH 41°14'03" WEST, 37.26 FEET; THENCE NORTH 00°35'21" EAST, 70.00 FEET; THENCE SOUTH 89°24'39" EAST, 4.25 FEET; THENCE NORTHEASTERLY ALONG A CURVE CONCAVE NORTHWESTERLY WHOSE RADIUS IS 25.00 FEET, WHOSE ARC LENGTH IS 39.51 FEET AND WHOSE CHORD BEARS NORTH 45°18'40" EAST, 35.53 FEET; THENCE NORTH 00°01'58" EAST, 158.80 FEET TO THE SOUTH LINE OF SAID SOUTH HALF OF THE SOUTHWEST QUARTER; THENCE NORTH 89°18'39" WEST ALONG SAID SOUTH LINE, 1101.38 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 14; THENCE NORTH 00°04'22" EAST ALONG THE WEST LINE OF SAID SOUTH HALF OF THE SOUTHWEST QUARTER, 1326.56 FEET TO THE NORTHWEST CORNER OF SAID SOUTH HALF OF THE SOUTHWEST QUARTER; THENCE SOUTH 89°30'36" EAST ALONG THE NORTH LINE OF SAID SOUTH HALF OF THE SOUTHWEST QUARTER, 1340.07 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 14; THENCE SOUTH 89°30'36" EAST CONTINUING ALONG SAID NORTH LINE, 1237.22 FEET TO THE POINT OF BEGINNING AND CONTAINING 65.84 ACRES (2,867,980 SQUARE FEET).

R-2 ZONING

A PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 14 AND A PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 23, ALL IN TOWNSHIP 82 NORTH, RANGE 24 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN THE CITY OF HUXLEY, STORY COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 2, WRIGHT SUBDIVISION, AN OFFICIAL PLAT; THENCE SOUTH 00°02'35" WEST ALONG THE WEST RIGHT OF WAY LINE OF HIGHWAY 69, A DISTANCE OF 435.19 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00°02'35" WEST ALONG SAID WEST RIGHT OF WAY LINE, 901.62 FEET TO THE NORTHEAST CORNER OF LOT 1, WESTVIEW HEIGHTS PLAT 1, AN OFFICIAL PLAT; THENCE SOUTH 00°08'31" EAST CONTINUING ALONG SAID WEST RIGHT OF WAY LINE, 180.48 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE NORTH 89°19'43" WEST ALONG THE SOUTH LINE OF LOTS 1 AND 2, SAID WESTVIEW HEIGHTS PLAT 1, 200.49 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2; THENCE NORTH 89°24'39" WEST ALONG THE

NORTH LINE OF LOT 'A', SAID WESTVIEW HEIGHTS PLAT 1, A DISTANCE OF 30.00 FEET; THENCE NORTH 00°36'21" EAST, 334.05 FEET; THENCE NORTHERLY ALONG A CURVE CONCAVE WESTERLY WHOSE RADIUS IS 10000.00 FEET, WHOSE ARC LENGTH IS 100.02 FEET AND WHOSE CHORD BEARS NORTH 00°19'09" EAST, 100.02 FEET; THENCE NORTH 00°01'58" EAST, 645.52 FEET; THENCE SOUTH 89°58'02" EAST, 226.25 FEET TO THE POINT OF BEGINNING AND CONTAINING 5.63 ACRES (245,225 SQUARE FEET).

R-1A ZONING

A PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 82 NORTH, RANGE 24 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN THE CITY OF HUXLEY, STORY COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 2, WRIGHT SUBDIVISION, AN OFFICIAL PLAT; THENCE SOUTH 00°02'35" WEST ALONG THE WEST RIGHT OF WAY LINE OF HIGHWAY 69, A DISTANCE OF 726.57 FEET; THENCE NORTH 89°58'02" WEST, 226.19 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00°01'58" WEST, 354.14 FEET; THENCE SOUTHERLY ALONG A CURVE CONCAVE WESTERLY WHOSE RADIUS IS 10000.00 FEET, WHOSE ARC LENGTH IS 40.86 FEET AND WHOSE CHORD BEARS SOUTH 00°08'59" WEST, 40.86 FEET; THENCE NORTH 89°58'02" WEST, 1220.43 FEET; THENCE NORTH 00°01'58" EAST, 395.00 FEET; THENCE SOUTH 89°58'02" EAST, 1220.51 FEET TO THE POINT OF BEGINNING AND CONTAINING 11.07 ACRES (482,100 SQUARE FEET).

Section 2: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3: This ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

PASSED AND APPROVED this _____ day of _____, 2019.

Craig Henry, Mayor

ATTEST:

Jolene Lettow, City Clerk

ORDINANCE NO. 496

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE
CITY OF HUXLEY, IOWA, CHAPTER 166, SUBDIVISION
REGULATIONS, TO REQUIRE INSTALLATION OF ADA RAMPS**

Be It Ordained By The City Council Of The City Of Huxley, Iowa:

Section 1. The Code of Ordinances of the City of Huxley, Iowa, is hereby amended in Section 166.10, Minimum Improvements, by adding the underlined language as follows:

5. Sidewalks. The developer of land shall install sidewalks to current City standards (SUDAS) with a minimum width of five (5) feet at his or her expense where the fronts, rears or sides of lots front an existing or platted street adjacent to or within the proposed plat as well as within parks and open spaces as directed by the City. The sidewalk shall be extended to the part or open space boundary through the developable subdivided areas to a proposed or existing street right-of-way as directed by the City. The sidewalk shall include ADA ramps at the corners and shall be designed by the developer, installed by the developer and then surveyed by the developer so as to provide an as-built survey to verify compliance with the Americans with Disabilities Act at the same as the adjacent street is intalled. Each individual lot developer contained within the subdivision plat shall install all other sidewalks within the subdivision as required by this Code of Ordinances. As a condition for approval of the plat, installation of a sidewalk wider than five (5) feet may be necessary to complete the City Trails system as it relates to both the area being platted and other areas. In such event the City will pay the sub-divider or developer the cost of the additional sidewalk width above the required five- foot minimum. The sidewalk shall, upon final observation, approval and acceptance by the City, become the property of the City. All work shall be completed prior to the issuance of any certificate of occupancy. All sidewalks on vacant lots in a subdivision shall be installed within eight (8) years of final plat approval.

Section 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. This ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

PASSED and approved this ____ day of _____ 2019.

Craig D. Henry, Mayor

ATTEST:

Jolene Lettow, City Clerk

RESOLUTION NO. 19-070

**RESOLUTION SETTING DATE FOR PUBLIC HEARING ON URBAN
RENEWAL PLAN AMENDMENT FOR THE HUXLEY URBAN RENEWAL
AREA**

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

WHEREAS, an amendment to the Plan has been prepared which would facilitate the undertaking of a new urban renewal project in the Urban Renewal Area consisting of providing tax increment financing support to Iowa Earth Works LLC (the "Company") in connection with the construction of a new commercial workshop building for use in the Company's business operations, and it is now necessary that a date be set for a public hearing on that plan amendment;

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

Section 1. This City Council shall meet on June 25, 2019, at 6 o'clock p.m., at the Huxley City Hall, in the City of Huxley, at which time and place it will hold a public hearing on the proposed amendment to the Plan for the Urban Renewal Area.

Section 2. The City Clerk shall publish notice of said hearing, the same being in the form attached hereto, which publication shall be made in a legal newspaper of general circulation in the City, 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 is hereby designated as the City's representative in connection with the consultation process which is required under that section of the urban renewal law. It is hereby directed that representatives of Story County and the Ballard Community School District be invited to participate in the consultation.

NOTICE OF PUBLIC HEARING ON PROPOSED URBAN RENEWAL PLAN AMENDMENT

Notice Is Hereby Given: The City Council of the City of Huxley, Iowa, will meet at the Huxley City Hall, on June 25, 2019, at 6 o'clock pm, at which time the City Council of the City of Huxley, Iowa, will hold a public hearing on the question of amending the urban renewal plan for the Huxley Urban Renewal Area to facilitate the undertaking of a new urban renewal project in the Huxley Urban Renewal Area consisting of providing tax increment financing support to Iowa Earth Works LLC (the "Company") in connection with the construction of a new commercial workshop building for use in the Company's business operations. A copy of the amendment is on file for public inspection in the office of the City Clerk.

At said hearing any interested person may file written objections or comments and may be heard orally with respect to the subject matters of the hearing.

Jolene Lettow
City Clerk

Roll Call	Aye	Nay	Absent
Rick Peterson	_____	_____	_____
Greg Mulder	_____	_____	_____
Dave Kuhn	_____	_____	_____
Tracey Roberts	_____	_____	_____
David Jensen	_____	_____	_____

PASSED, ADOPTED AND APPROVED this ____ day of May, 2019.

APPROVAL BY MAYOR

I hereby approve the foregoing **Resolution No. 19-070** by affixing below my official signature as Mayor of the City of Huxley, Iowa, this _____ day of May, 2019.

Craig D. Henry, Mayor

ATTEST:

Jolene Lettow, City Clerk

CITY OF HUXLEY, IOWA
URBAN RENEWAL PLAN AMENDMENT
HUXLEY URBAN RENEWAL AREA

June, 2019

The Urban Renewal Plan (the “Plan”) for the Huxley Urban Renewal Area (the “Urban Renewal Area”) is being amended for the purpose of identifying a new urban renewal project to be undertaken in the Urban Renewal Area.

1) 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 description:

Name of Project: Iowa Earth Works LLC Development Project

Name of Urban Renewal Area: Huxley Urban Renewal Area

Date of Council Approval of Project: June 25, 2019

Description of Project and Project Site: Iowa Earth Works LLC (the “Company”) has proposed to undertake the construction of a new commercial workshop building (the “Project”) on certain real property (the “Property”) situated on Lots Nine (5) and Ten (10) in the Huxley Business Park in the Urban Renewal Area.

It has been requested that the City provide tax increment financing assistance to the Company in support of the efforts to complete, operate and maintain the Project.

The costs incurred by the City in providing tax increment financing assistance to the Company will include legal and administrative fees (the “Admin Fees”) in an amount not to exceed \$6,000.

Description of Public Infrastructure to be Constructed in Connection with the Project: It is not anticipated that the City will undertake any public infrastructure improvements in connection with the Project.

Description of Properties to be Acquired in Connection with the Project: It is not anticipated that the City will acquire real property in connection with the Project.

Description of Use of TIF for the Project: The City intends to enter into a Development Agreement with the Company with respect to the construction and use of the completed Project and to provide annual appropriation economic development payments (the “Payments”) to the Company thereunder. The Payments will be funded with incremental property tax revenues to be derived from the Property. It is anticipated that the City’s total commitment of incremental property tax revenues will not exceed \$34,000, plus the Admin Fees.

2) 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>\$14,379,305</u>
Outstanding general obligation debt of the City:	<u>\$ 8,157,500</u>
Proposed debt to be incurred under the June, 2019 Amendment*:	<u>\$ 40,000</u>

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

Prepared by John Danos, Dorsey and Whitney, City Bond Counsel and Reformatted by John Haldeman, City Administrator, for the City Council meeting to be held on the 28th Day of May, 2019.

RESOLUTION NO. 19-071

**RESOLUTION SETTING A DATE OF MEETING AT WHICH IT IS
PROPOSED TO APPROVE A DEVELOPMENT AGREEMENT WITH
IOWA EARTH WORKS LLC, INCLUDING ANNUAL APPROPRIATION
TAX INCREMENT PAYMENTS**

WHEREAS, the City of Huxley, Iowa (the "City"), pursuant to and in strict compliance with all laws applicable to the City, and in particular the provisions of Chapter 403 of the Code of Iowa, has adopted an Urban Renewal Plan for the Huxley Urban Renewal Area (the "Urban Renewal Area"); and

WHEREAS, this City Council has adopted an ordinance providing for the division of taxes levied on taxable property in the Urban Renewal Area pursuant to Section 403.19 of the Code of Iowa and establishing the fund referred to in Subsection 2 of Section 403.19 of the Code of Iowa, which fund and the portion of taxes referred to in that subsection may be irrevocably pledged by the City for the payment of the principal of and interest on indebtedness incurred under the authority of Section 403.9 of the Code of Iowa to finance or refinance in whole or in part projects in the Urban Renewal Area; and

WHEREAS, the City proposes to enter into a certain development agreement (the "Development Agreement") with Iowa Earth Works LLC (the "Company") in connection with the construction by the Company of a new commercial workshop building in the Huxley Business Park for use in its business operations in the Urban Renewal Area; and

WHEREAS, the Development Agreement would provide financial incentives to the Company in the form of annual appropriation incremental property tax payments in an amount not to exceed \$34,000 under the authority of Section 403.9(1) of the Code of Iowa; and

WHEREAS, it is necessary to set a date for a public hearing on the Development Agreement, pursuant to Section 403.9 of the Code of Iowa;

NOW THEREFORE, IT IS RESOLVED by the City Council of the City of Huxley, Iowa, as follows:

Section 1. This City Council shall meet on June 25, 2019, at 6 o'clock p.m., at the Huxley City Hall, in the City of Huxley, at which time and place proceedings will be instituted and action taken to approve the Development Agreement and to authorize the annual appropriation incremental property tax payments.

Section 2. The City Clerk is hereby directed to give notice of the proposed action, the time when and place where said meeting will be held, by publication at least once not less than four days and not more than twenty days before the date of said meeting in a legal newspaper of general circulation in the City. Said notice shall be in substantially the following form:

***NOTICE OF MEETING FOR APPROVAL OF DEVELOPMENT AGREEMENT WITH
IOWA EARTH WORKS LLC AND AUTHORIZATION OF ANNUAL APPROPRIATION
TAX INCREMENT PAYMENTS***

The City Council of the City of Huxley, Iowa, will meet at the Huxley City Hall, on June 25, 2019, at 6 o'clock pm., at which time and place proceedings will be instituted and action taken to approve a Development Agreement between the City and Iowa Earth Works LLC (the "Company") in connection with the construction by the Company of a new commercial workshop building and in the Huxley Business Park for use in its business operations in the Huxley Urban Renewal Area, which Agreement provides for certain financial incentives in the form of incremental property tax payments to the Company in a total amount not exceeding \$34,000 as authorized by Section 403.9 of the Code of Iowa.

The Agreement to make incremental property tax payments to the Company will not be a general obligation of the City, but will be payable solely and only from incremental property tax revenues generated within the Huxley Urban Renewal Area. Some or all of the payments under the Development Agreement may be made subject to annual appropriation by the City Council.

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

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

Jolene Lettow
City Clerk

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

Section 4. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Roll Call	Aye	Nay	Absent
Rick Peterson	_____	_____	_____
Greg Mulder	_____	_____	_____
Dave Kuhn	_____	_____	_____
Tracey Roberts	_____	_____	_____
David Jensen	_____	_____	_____

PASSED, ADOPTED AND APPROVED this ____ day of May, 2019.

APPROVAL BY MAYOR

I hereby approve the foregoing **Resolution No. 19-071** by affixing below my official signature as Mayor of the City of Huxley, Iowa, this ____ day of May, 2019.

Craig D. Henry, Mayor

ATTEST:

Jolene Lettow, City Clerk

• • • •

DEVELOPMENT AGREEMENT

This Agreement is entered into between the City of Huxley, Iowa (the "City") and Iowa Earth Works LLC (the "Company"), as of the ____ day of _____, 2019 (the "Commencement Date").

WHEREAS, the City has established the Huxley Urban Renewal Area (the "Urban Renewal Area"), and has adopted a tax increment ordinance for the Urban Renewal Area; and

WHEREAS, the Company has proposed to acquire certain real property which is situated in the City and lies within the Urban Renewal Area and is more specifically described on Exhibit A hereto (the "Property"); and

WHEREAS, the Company has proposed to undertake the construction of a new commercial workhouse building on the Property (the "Project") for use in the Company's business operations; and

WHEREAS, the Company has requested that the City provide financial assistance in the form of incremental property tax payments to be used by the Company in paying the costs of constructing and maintaining the Project; and

WHEREAS, the base valuation of the Property for purposes of calculations of Incremental Property Tax Revenues (as hereinafter defined) under Section 403.19 of the Code of Iowa and this Agreement is \$ _____ (the "Base Valuation"); and

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

NOW THEREFORE, the parties hereto agree as follows:

A. Company's Covenants

1. **Project Construction.** The Company agrees to acquire the Property, cause the construction of the Project thereon and to maintain and use the completed Project as part of its business operations throughout the Term, as hereinafter defined. The Company agrees to submit a detailed site plan (the "Site Plan") for the development of the Project to the City Council for approval. Upon approval by the City Council, the Site Plan shall be attached hereto as Exhibit B. The Company agrees to construct the Project in accordance with the Site Plan and to substantially complete such construction by no later than _____, 2019.

2. **Property Taxes.** The Company agrees to make or ensure timely payment of all property taxes as they come due with respect to the Property with the completed Project thereon throughout the Term, as hereinafter defined, and to submit a receipt or cancelled check in evidence of each such payment.

3. **Company's Certifications.** The Company agrees to submit documentation to the satisfaction of the City by no later than October 15 of each year during the Term, as hereinafter defined, commencing October 15, 2020, demonstrating that the completed Project is being used in the operation of the Company's business operations.

4. **Property Tax Payment Certification.** Furthermore, the Company agrees to certify to the City by no later than October 15 of each year during the Term, as hereinafter defined, commencing October 15, 2020, an amount (the "Company's Estimate") equal to the estimated Incremental Property Tax Revenues anticipated to be paid in the fiscal year immediately following such certification with respect to the taxable valuation of the Property factored by the forty-five percent (45%) (the "Annual Percentage"). In submitting each such Company's Estimate, the Company will complete and submit the worksheet attached hereto as Exhibit C. The City reserves the right to review and request revisions to each such Company's Estimate to ensure the accuracy of the figures submitted. For purposes of this Agreement, Incremental Property Tax Revenues are calculated by: (1) determining the consolidated property tax levy (city, county, school, etc.) then in effect with respect to taxation of the Property; (2) subtracting (a) the debt service levies of all taxing jurisdictions, (b) the school district instructional support and physical plant and equipment levies, and (c) any other levies which may be exempted from such calculation by action of the Iowa General Assembly; (3) multiplying the resulting modified consolidated levy rate times any incremental growth in the taxable valuation of the Property, as shown on the property tax rolls of Story County, above and beyond the Base Valuation; and (4) deducting any property tax credits which shall be available with respect to taxable incremental valuation of the Property.

Upon request, the City staff shall provide reasonable assistance to the Company in completing the worksheet required under this Section A.4.

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

- a) Failure by the Company to commence and complete construction of the Project pursuant to the terms and conditions of this Agreement.
- b) Failure by the Company to fully and timely remit payment of property taxes when due and owing.
- c) Failure by the Company to keep the completed Project in service as part of its business operations on the Property throughout the Term, as hereinafter defined.
- d) Failure by the Company to comply with Sections A.2, A.3 or A.4 of this Agreement.

Whenever any event of default described in this Agreement occurs, the City shall provide written notice to the Company describing the cause of the default and the steps that must be taken by the Company in order to cure the default. The Company shall have thirty (30) days after receipt of the notice to cure the default or to provide assurances satisfactory to City that the default will be cured as soon as reasonably possible. If the Company fails to cure the default or provide assurances, the City shall then have the right to:

- a) Pursue any action available to it, at law or in equity, in order to enforce the terms of this Agreement.
- b) Withhold any future Payments provided for under Section B.1 below.

6. **Legal Fees.** The Company hereby acknowledges that the City will cover the initial payment of legal fees and administrative costs (the “Actual Admin Costs”) incurred by the City in connection with the drafting, negotiation and authorization of this Agreement, including the necessary amendment to the Urban Renewal Area. Furthermore, the Company agrees that the City shall withhold an amount (the “Admin Withholding Amount”) equal to the lesser of (1) \$6,000 or (2) the Actual Admin Costs from the initial Payments, as hereinafter set forth in order to recover some or all of the Actual Admin Costs.

B. City’s Obligations

1. **Payments.** In recognition of the Company’s obligations set out above, the City agrees to make five (5) annual economic development tax increment payments (the “Payments” and individually each a “Payment”) to the Company during the Term, as hereinafter defined, of this Agreement, pursuant to Chapters 15A and 403 of the Code of Iowa, provided however that the aggregate, total amount of the Payments shall not exceed \$34,000 (the “Maximum Payment Total”), and all Payments under this Agreement shall be subject to annual appropriation by the City Council, as provided hereunder.

The Payments shall not constitute general obligations of the City, but shall be made solely and only from Incremental Property Tax Revenues received by the City from the Story County Treasurer attributable to the taxable valuation of the Property.

Each Payment shall not exceed an amount which represents the Annual Percentage of Incremental Property Tax Revenues available to the City with respect to the Property during the twelve (12) months immediately preceding each Payment date.

Prior to funding any Payments hereunder, the City shall retain an amount equal to the Admin Withholding Amount from the Incremental Property Tax Revenues received with respect to the Property. Once such amount has been withheld, the Payments shall be funded as described herein.

It is anticipated that new incremental property valuation relative to the Project will go on the property tax rolls as of January 1, 2020. Accordingly, Payments will be made on June 1 of each fiscal year, beginning June 1, 2022, and continuing through and including June 1, 2026, or until such earlier date upon which total Payments equal to the Maximum Payment Total have been made.

2. **Annual Appropriation.** Each Payment shall be subject to annual appropriation by the City Council. Prior to December 1 of each year during the Term, as hereinafter defined, of this Agreement, commencing in the 2020 calendar year, the City Council of the City shall consider the question of obligating for appropriation to the funding of the Payment due in the following fiscal year, an amount (the "Appropriated Amount") of Incremental Property Tax Revenues to be collected in the following fiscal year equal to or less than the most recently submitted Company's Estimate.

In any given fiscal year, if the City Council determines to not obligate the then-considered Appropriated Amount, then the City will be under no obligation to fund the Payment scheduled to become due in the following fiscal year, and the Company will have no rights whatsoever to compel the City to make such Payment or to seek damages relative thereto or to compel the funding of such Payment in future fiscal years. A determination by the City Council to not obligate funds for any particular fiscal year's Payment shall not render this Agreement null and void, and the Company shall make the next succeeding submission of the Company's Estimate as called for in Section A.4 above, provided however that no Payment shall be made after June 1, 2026.

3. **Payment Amounts.** Each Payment shall be in an amount equal to the corresponding Appropriated Amount (for example, for the Payment due on June 1, 2022, the amount of such Payment would be determined by the Appropriated Amount determined for certification by December 1, 2020), provided, however, that no Payment shall exceed the amount of Incremental Property Tax Revenues received by the City from the Story County Treasurer attributable to the taxable valuation of the Property with the Project thereon.

4. **Certification of Payment Obligation.** In any given fiscal year, if the City Council determines to obligate the then-considered Appropriated Amount, as set forth in Section B.2 above, then the City Clerk will certify by December 1 of each such year to the Story County Auditor an amount equal to the most recently obligated Appropriated Amount.

C. **Administrative Provisions**

1. **Amendment and Assignment.** Neither party may cause this Agreement to be amended, assigned, assumed, sold or otherwise transferred without the prior written consent of the other party. However, the City hereby gives its permission that the Company's rights to receive the Payments hereunder may be assigned by the Company to a private lender, as security on a credit facility taken with respect to the Project, without further action on the part of the City.

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

3. **Term.** The term (the "Term") of this Agreement shall commence on the Commencement Date and end on June 1, 2026 or on such earlier date upon which the aggregate sum of Payments made to the Company equals the Maximum Payment Total.

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

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

CITY OF HUXLEY, IOWA

By: _____
Craig D. Henry, Mayor

Attest:

Jolene Lettow, City Clerk

IOWA EARTH WORKS LLC

By: _____
Its: _____

EXHIBIT A
LEGAL DESCRIPTION OF THE PROPERTY

Certain real property in the City of Huxley, Story County, State of Iowa more particularly described as follows:

Lots 9 and 10, Huxley Business Park, City of Huxley, Story County, Iowa.

EXHIBIT B
SITE PLAN

EXHIBIT C
COMPANY'S ESTIMATE WORKSHEET

- (1) Date of Preparation: October ____, 20__.
- (2) Assessed Valuation of Property as of January 1, 20__:
\$ _____.
- (3) Base Taxable Valuation of Property:
\$ _____.
- (4) Incremental Taxable Valuation of Property (2 minus 3):
\$ _____ (the "TIF Value").
- (5) Current City fiscal year consolidated property tax levy rate for purposes of calculating Incremental Property Tax Revenues (the "Adjusted Levy Rate"):
\$ _____ per thousand of value.
- (6) The TIF Value (4) factored by the Adjusted Levy Rate (5).
\$ _____ x \$ _____ /1000 = \$ _____ (the "TIF Estimate")
- (7) TIF Estimate (\$ _____ x .45 (45%) = Company's Estimate (\$ _____).

PUBLIC SAFETY

ORDINANCE NO. 497

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF
THE CITY OF HUXLEY, IOWA, BY AMENDING PROVISIONS
OF THE ORDINANCE REGARDING FIREWORKS USE**

Be It Enacted by the City Council of the City of Huxley, Iowa:

SECTION 1. Section 41.14, Fireworks, is hereby amended in 41.14(2) Regulations by adding the following underlined language:

2. Regulations.

(d) It shall be unlawful for any person to use or explode any Consumer Fireworks or other fireworks within the corporate limits while under the influence of alcohol, narcotics, or drugs that could adversely affect judgement, movement or stability.

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

SECTION 3. This ordinance shall be effective upon its passage, approval and publication as provided by law.

PASSED and approved this ____ day of _____ 2019.

Craig D. Henry, Mayor

ATTEST:

Jolene Lettow, City Clerk

FINANCE

ORDINANCE NO. 498

AN ORDINANCE AMENDING CHAPTER 99 OF THE CITY OF HUXLEY MUNICIPAL CODE CONCERNING SEWER SERVICE CHARGES.

Section 1. Be it ordained by the City Council of the City of Huxley, Iowa that Chapter 99 is hereby amended in Section 99.01 by deleting the stricken language and adding the underlined language as follows:

99.01 SEWER SERVICE CHARGES REQUIRED. Each customer shall pay sewer service charges for the use of and for the service supplied by the municipal sanitary sewer system in accordance with the following:

~~On January 1, 2017, the rates shall automatically increase to the following amounts:~~

1. Basic User Fee ~~shall increase to~~ of \$25.00 per month.
2. Usage Rate ~~shall increase to~~ is \$4.45 per 1,000 gallons of water used per month and shall increase 3% annually on July 1, 2019, July 1, 2020 and July 1, 2021.
3. ~~Debt Service Levy. Beginning with the Fiscal Year 2013 Budget, a Debt Service Levy of \$2.55 per \$1,000 taxable valuation was put in place as part of the City's tax levy and it was to be used toward the retirement of general obligation bond payments sold for payment of a new wastewater facility. With this ordinance this section remains in force.~~
4. Second Water Meter. There shall be no sewer charges ~~related to~~ for a second water meter. Sewer charges for a primary meter shall be calculated only after deduction of second meter water usage.
5. Surcharge for Prohibited Hookups. In addition to any other remedy available by law, there is imposed a surcharge of \$250.00 per quarter for each quarter a user maintains a hookup prohibited by Section 95.04(2) after having been given notice and sufficient time to remove said hookup.

Section 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. This ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

ORDINANCE NO. 499

AN ORDINANCE AMENDING CHAPTER 92 CONCERNING WATER METERS AND CHAPTER 93 OF THE CITY OF HUXLEY MUNICIPAL CODE CONCERNING WATER RATES.

Section 1. Be it ordained by the City Council of the City of Huxley, Iowa that Chapter 92 is hereby amended by deleting the stricken language and adding the underlined language as follows:

92.13 SECOND WATER METERS. Each property owner in the City may have a second water meter installed to measure water that is used for watering lawns and gardens and not discharged into the sanitary sewer system. The ~~fee~~price charged for ~~such meters~~the second meter shall be set by resolution. No sewer service charge shall be made for water so used. The Superintendent shall be permitted to complete an annual inspection of all second water meters.

92.14 SECOND WATER METER MINIMUM CHARGES. Each customer shall be billed a minimum monthly charge based on the size of the second meter at each location, as follows:

Size of Meter Minimum Monthly Charge

5/8-inch or 5/8" x 3/4"	\$6.00
3/4-inch	\$4.25
1-inch	\$6.00
1 1/2-inch	\$8.25
2-inch	\$11.00
3-inch	\$14.25
4-inch	\$17.75
6-inch	\$21.25
8-inch	\$24.75
10-inch	\$28.25

The minimum monthly charge for water usage through the second meter shall increase 20% on July 1, 2019.

Section 2. Be it ordained by the City Council of the City of Huxley, Iowa that Chapter 93 is hereby amended by deleting the stricken language and adding the underlined language as follows:

93.02 RATES FOR SERVICE. Water service shall be furnished at the following monthly rates within the City:

~~On January 1, 2017, the rates shall automatically increase to the following amounts:~~

1. Basic User Fee ~~shall increase to is~~ \$17.15 per month.
2. Usage Rate ~~shall remain at is~~ \$4.45 per 1,000 gallons of water used per month and shall increase 6% annually on July 1, 2019, July 1, 2020 and July 1, 2021.

Section 3. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4. This ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

PASSED at Huxley, Iowa, this _____ day of _____, 2019.

Craig Henry, Mayor

Attest:

Jolene Lettow, City Clerk

First Consideration: _____
Second Consideration: _____
Third Consideration: _____

Published in the _____ the _____ day of _____, 2019.

RESOLUTION NO. 19-072

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

WHEREAS, the Iowa Legislature adopted legislation that mandates that a city shall prepare and adopt a budget and shall certify taxes; and

WHEREAS, the Iowa Legislature requires each city to conduct a public hearing on the amending budget prior to adoption; and

WHEREAS, the City Clerk has published the budget amendments and notice of hearing no less than ten (10) days and no more than twenty (20) days prior to the date of the hearing; and.

WHEREAS, the Huxley City Council conducted said hearing on May 28, 2019 and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF HUXLEY, IOWA, that the Huxley City Council approves the amendments to the **FY 2019 Budget** as attached and directs the City Clerk to submit said budget amendments and all the required prepared work to the appropriate agencies.

Roll Call	Aye	Nay	Absent
David Jensen	_____	_____	_____
David Kuhn	_____	_____	_____
Greg Mulder	_____	_____	_____
Rick Peterson	_____	_____	_____
Tracey Roberts	_____	_____	_____

PASSED, ADOPTED AND APPROVED this ____th day of May, 2019

APPROVAL BY MAYOR

I hereby approve the foregoing **Resolution No. 19-073** by affixing below my official signature as Mayor of the City of Huxley, Iowa, this ____th day of May, 2019.

Craig D. Henry, Mayor

ATTEST:

Jolene Lettow, City Clerk

85-816

CITY BUDGET AMENDMENT AND CERTIFICATION RESOLUTION - FY 2019 - AMENDMENT #1

To the Auditor of STORY County, Iowa:

The City Council of Huxley in said County/Counties met on 05/28/2019, at the place and hour set in the notice, a copy of which accompanies this certificate and is certified as to publication. Upon taking up the proposed amendment, it was considered and taxpayers were heard for and against the amendment.

The Council, after hearing all taxpayers wishing to be heard and considering the statements made by them, gave final consideration to the proposed amendment(s) to the budget and modifications proposed at the hearing, if any, thereupon, the following resolution was introduced.

RESOLUTION No. 19-073

A RESOLUTION AMENDING THE CURRENT BUDGET FOR THE FISCAL YEAR ENDING JUNE : 2019
(AS AMENDED LAST ON N/A.)

Be it Resolved by the Council of the City of Huxley

Section 1. Following notice published 05/17/2019

and the public hearing held, 05/28/2019 the current budget (as previously amended) is amended as set out herein and in the detail by fund type and activity that supports this resolution which was considered at that hearing:

		Total Budget as certified or last amended	Current Amendment	Total Budget after Current Amendment
Revenues & Other Financing Sources				
Taxes Levied on Property	1	1,293,166	0	1,293,166
Less: Uncollected Property Taxes-Levy Year	2	0	0	0
Net Current Property Taxes	3	1,293,166	0	1,293,166
Delinquent Property Taxes	4	0	0	0
TIF Revenues	5	2,617,542	0	2,617,542
Other City Taxes	6	575,607	0	575,607
Licenses & Permits	7	100,700	0	100,700
Use of Money and Property	8	16,500	115,000	131,500
Intergovernmental	9	510,415	0	510,415
Charges for Services	10	1,746,817	100,000	1,846,817
Special Assessments	11	0	0	0
Miscellaneous	12	31,000	0	31,000
Other Financing Sources	13	2,514,278	0	2,514,278
Transfers In	14	4,197,472	0	4,197,472
Total Revenues and Other Sources	15	13,603,497	215,000	13,818,497
Expenditures & Other Financing Uses				
Public Safety	16	670,944	65,000	735,944
Public Works	17	460,572	18,900	479,472
Health and Social Services	18	15,000	0	15,000
Culture and Recreation	19	513,300	45,000	558,300
Community and Economic Development	20	990,497	236,000	1,226,497
General Government	21	386,503	0	386,503
Debt Service	22	2,312,194	0	2,312,194
Capital Projects	23	0	50,000	50,000
Total Government Activities Expenditures	24	5,349,010	414,900	5,763,910
Business Type / Enterprises	25	1,333,047	36,000	1,369,047
Total Gov Activities & Business Expenditures	26	6,682,057	450,900	7,132,957
Transfers Out	27	2,514,278	0	2,514,278
Total Expenditures/Transfers Out	28	9,196,335	450,900	9,647,235
Excess Revenues & Other Sources Over (Under) Expenditures/Transfers Out Fiscal Year	29	4,407,162	-235,900	4,171,262
Beginning Fund Balance July 1	30	4,197,472	0	4,197,472
Ending Fund Balance June 30	31	8,604,634	-235,900	8,368,734

Passed this 28th day of May 2019
(Day) (Month/Year)

Signature
City Clerk/Finance Officer

Signature
Mayor

RESOLUTION NO. 19- 073

**RESOLUTION APPROVING HEALTH CARE PLAN RENEWAL AS PRESENTED
FROM HOLMES MURPHY BUSINESS INSURANCE AND FINANCIAL SERVICES
THE ACTING AGENT ON BEHALF OF THE CITY OF HUXLEY**

WHEREAS, the City of Huxley was desirous to review the health care offerings to its employees;
and

WHEREAS, Holmes Murphy Insurance and Financial Services reviewed our plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF HUXLEY, IOWA,
that the City Council of the city of Huxley, Iowa has reviewed the proposal from Holmes Murphy Insurance
and Financial Services and renews the City's plan as of July 1, 2019 for twelve (12) months with IGHCP
Trust with Wellmark Blue Choice.

Roll Call	Aye	Nay	Absent
David Jensen	_____	_____	_____
David Kuhn	_____	_____	_____
Greg Mulder	_____	_____	_____
Rick Peterson	_____	_____	_____
Tracey Roberts	_____	_____	_____

PASSED, ADOPTED AND APPROVED this 28th day of May, 2019

APPROVAL BY MAYOR

I hereby approve the foregoing **Resolution No. 19-073** by affixing below my official signature
as Mayor of the City of Huxley, Iowa, this 28th day of May, 2019.

Craig D. Henry, Mayor

ATTEST:

Jolene Lettow, City Clerk



HUXLEY

CITY OF HUXLEY

515 North Main Avenue
Huxley, Iowa 50124

Memorandum

Date: May 22, 2019
To: Council
From: Lisa
Subject: Medical Insurance Renewal

The City's Medical insurance is up for renewal on 7/1/19. I am requesting Council to approve renewing with IGHCP (Iowa Governmental Health Care Plan) Trust. IGHCP will be renewing with Wellmark Blue Choice. The good news is that the renewal is only a 4.7 increase!! Jeff Clayton and Joe Langel, the City's Account Executives from Holmes Murphy & Associates have provided a spreadsheet for your review. They will be present at the City Council meeting to discuss how the plan works and how beneficial it has been for the City to be a member of the Trust.

WORKSESSION



Iowa Department of Transportation

APPLICATION AND PERMIT TO SPONSOR
HIGHWAY PLANTING

Date 5/16/19

Highway Number 69

County STORY

APPLICANT:

Huxley Parks & Recreation — Heather Denger

Name of Applicant (Organization, Group or Individual)

515 N. main Ave Huxley IA 50124

Mailing Address (Street, P.O. Box, City, State, Zip Code)

The proposed work is located in Sec. _____ Twp. _____ Rge. _____ on Highway 69, located
.05 (miles) NW to SE (direction) from Ballard Plaza (in Huxley)

(place, town, etc.) and further located on the East (side), from station _____ station _____
to milepost _____ milepost _____

The planting will be done in accordance with the approved plans and the Roadside Planting Sponsorship Criteria, dated August, 2003. This planting will consist of the following materials and as shown on the attached sketch.

9-11 Deadwood Trees
8' x 250' of Prairie Grasses (map attached)

AGREEMENTS:

The applicant agrees that the following stipulations shall apply:

1. This permit shall be approved prior to beginning any operations.
2. The applicant shall indemnify and save harmless the State of Iowa, its agencies and employees, from any and all causes of actions, suits at law or inequity, for losses, damages, claims or demands, and from any and all liability and expense of whatsoever nature, arising out of or in connection with the applicant's use or occupancy of the public highway right-of-way.
3. The applicant agrees to give the Department forty-eight hours notice of intention to begin work within the right-of-way. Notification shall be given to:

Authorized Highway District Representative

Telephone Number

Address

4. Access to the work site on primary highways will, where possible, be obtained from private property or other roadways and not from the mainline or shoulders of the primary highway.

5. Access to the work site on controlled access facilities shall only be made from sideroads at grade separations and interchanges or from temporary breaks in the access control fence by the adjacent property owner or through an agreement with the adjacent property owner. No access will be allowed from the mainline or ramps.
6. The applicant shall carry on the work as required and authorized by this agreement with serious regard for the safety of the traveling public, adjacent property owners and volunteers or employees of the applicant. Traffic control, when deemed necessary by the Department, shall be in accordance with Part VI of the current Manual on Uniform Traffic Control Devices for Streets and Highways.
7. All work performed in the right-of-way shall be restricted to a time frame of 30 minutes after sunrise to 30 minutes before sunset.
8. Work shall be performed in a satisfactory, safe and professional manner in accordance with the Department's Roadside Planting Sponsorship Guidelines and good construction practices.
9. Applicant(s) will provide adult supervision at the work site when volunteers or employees are 15 years of age or younger.
10. The Department reserves the right to terminate this agreement when, in the sole judgement of the Department, it is found that the applicant has not met its terms and conditions.
11. Applicant agrees to maintain the planting until December 31, 2021
2 Years Minimum (Year)

APPLICANT Heather Denger / Huxley P-R By Heather Denger
Signature
Address 515 N. Main Ave Huxley, IA Date 5/16/19
Telephone (515) 597-2515 (Days) () (Evenings)

APPROVAL OF CITY (if proposed work is within an incorporated town or city, the city, the Council or other governing authority of the town or city must grant approval of this request prior to submission to the Department.)

"The undersigned city or town hereby approves the above application to sponsor highway planting within its corporate limits."

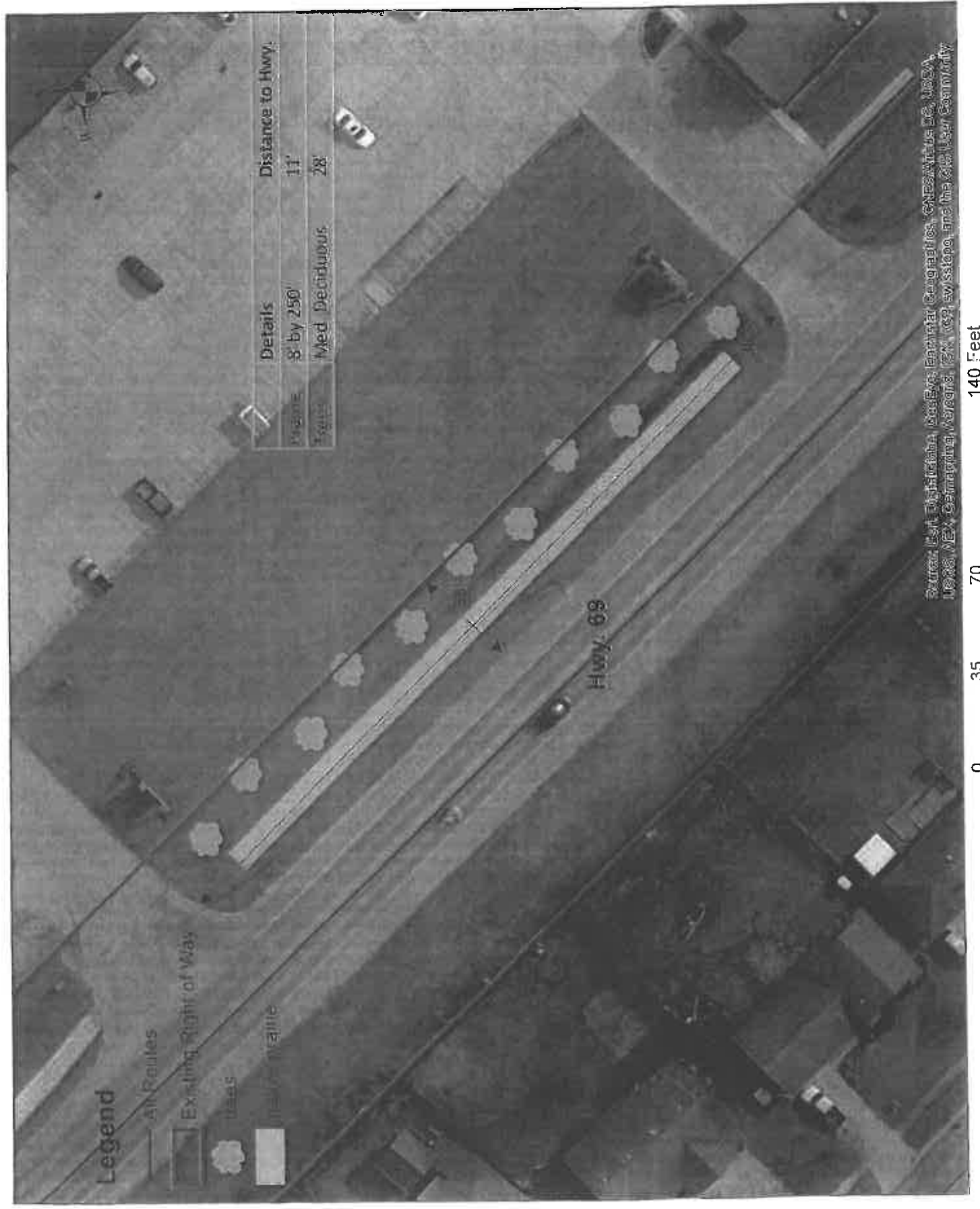
By _____ (Title) _____ Date _____

DEPARTMENT OF TRANSPORTATION APPROVAL

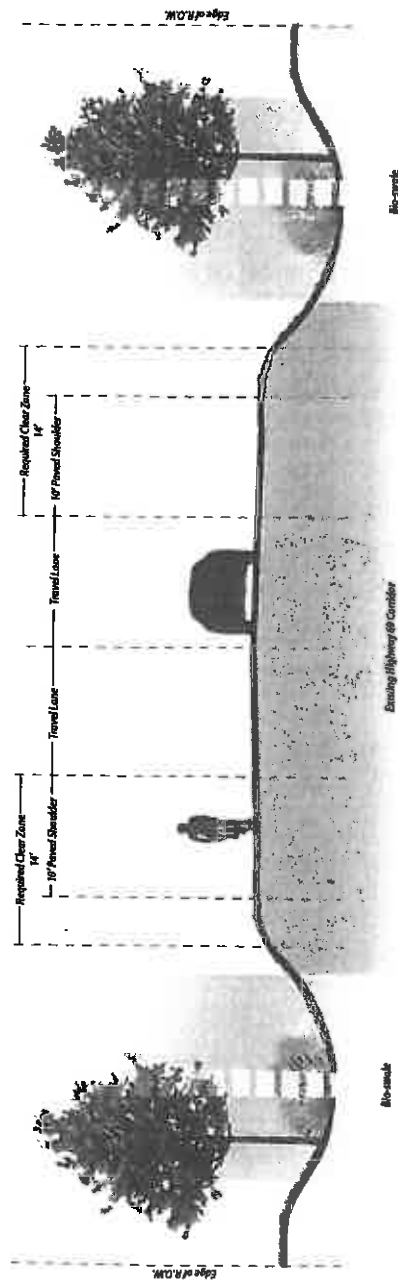
☐ Reviewed by Roadside Development Section, Office of Design

Approved _____ Date _____
Authorized Highway District Representative

PROPOSED DIVERSION PROJECT Huxley, IA



Source: East Moline, Illinois, Southern Railway Corporation, CNESSA, Inc., 1998. Map, Huxley, Illinois, 1998. Map, Huxley, Illinois, 1998. Map, Huxley, Illinois, 1998.

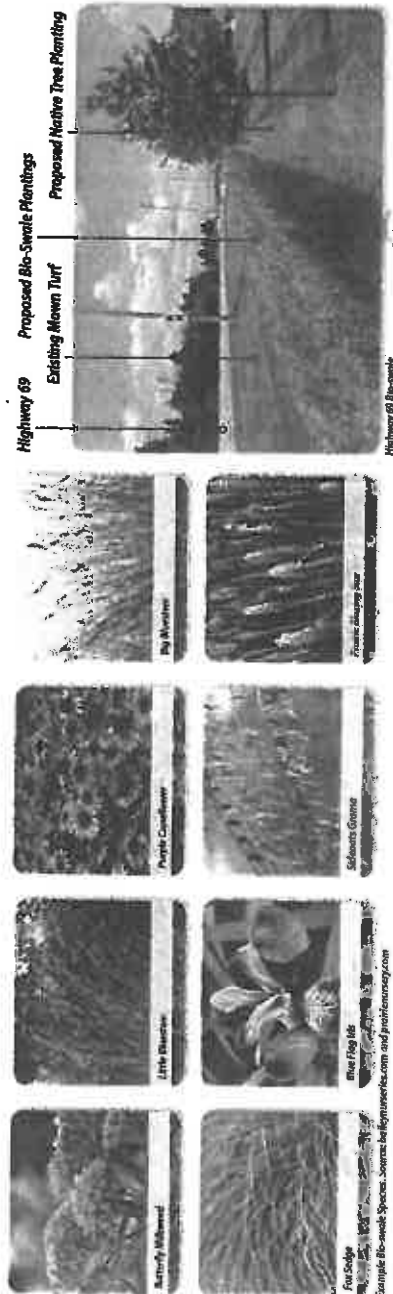


Storm-water Management

Landscape improvements along the Highway 69 corridor will add visual interest and appeal for both motorists and pedestrians. The design team worked with community members during the community tour and design workshop to develop concepts for the corridor. The existing swale conditions provide a unique opportunity to employ native vegetation to improve storm-water quality. These plant species' root systems improve water infiltration and reduce pollution that would otherwise run into waterways. Native vegetation also improves erosion control and will reduce long-term maintenance costs associated with mowing, fertilizing and spraying these areas in their current condition.

Native plantings will enhance the community's prairie identity and provide habitat for birds, butterflies, and other pollinators. The plan below highlights the primary area of focus for bio-swale plantings. This concept could be phased along the entire corridor.

Highway 69 Section



Huxley

Highway 69 Improvements

Landscape Architects: Casey Byers, PLA & Josh Shields, PLA - Bolton & Menk

LA Intern: Amber Gable - Bolton & Menk

Iowa Department of Transportation

Trees Forever

ISU Landscape Architecture Extension

ISU Extension Community and Economic Development



Highway 69 Bio-swale Priority Area

Highway 69 Bio-swale

Example Bio-swale Species. Source: belgarden.com and prairiecountry.com

FY19/20 Capital Improvement Projects						
Projects	General Fund	Street	Water	Wastewater		
Fire Dept. Emergency Equipment	108,330					
Fire Dept. Pagers	26,000					
Police Dept. Portable Radios	36,110					
Police Dept. Patrol Unit Mobile Radios	12,900					
Police Dept. Record Management	43,332					
Police Dept. Rifles	1,200					
Police Dept. Ballistic Shield	1,800					
Larson Sports Complex Bathroom	150,000					
Fire Dept. Bedroom Renovation	30,000					
Administration Financial Software Upgrade	5,000					
Administration Computer Server	7,500					
Administration Office Renovation	30,000					
3C's Building Soffitt Repairs	43,300					
Fabricate & Install Metal Over Beam Above Soffitt Areas	5,700					
Sidewalk Expansion	50,000					
Maple Dr. 2" Mill and Overlay from Oak Blvd. to Timberlane		40,000				
Central Ave. 2" Mill and Overlay from E. 3rd to E. 4th Street		25,000				
N. 1st Ave. 2" Mill and Overlay from E. 3rd to E. 4th Street		25,000				
Lynwood Drive 2" Mill and Overlay from Main Ave. to N. 5th Ave.		50,000				
Engineering		10,000				
Plow Truck		180,000				
Replace Iron Filter Media			75,000			
Engineering			5,000			
Expanded Water Plant Engineering			150,000			
Emergency Hookup			100,000			
Paint Above Ground Storage Tanks			180,000			
Repair Roof at Old Wastewater Plant				25,000		
Generator Install & Transfer Switch at Oak Blvd Lift Station				40,000		
Upgrade Control Panels at 601 Oak Blvd and North Lift Stations				50,000		
Contract for I and I with Lateral Launching				40,000		
Generator Replacement at Old Wastewater Plant/601 Oak Blvd.				40,000		
Utility Truck Replacement				75,000		
Camera Trailer Upgrade				211,000		
Install Shelter over UV Panel				10,000		
Vactor				50,000		
CIP TOTALS	551,172	330,000	510,000	541,000		
	General	Street	Water	Wastewater		