

# CITY OF HUXLEY

TUESDAY – JUNE 11, 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 11TH DAY OF JUNE, 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.
  - a.) Matt Eller --- Pro Commercial
  - b.) Ryan Jimenez – City PowerSports
  - c.) Kristina Brekke – Bomber Fireworks
- 2.00) PRESENTATION(S): NONE
- 3.00) PROCLAMATION(S): NONE
- 4.00) PUBLIC HEARING(S): NONE
- 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 28, 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 APPROVE AMENDED AND SUBSTITUTED RESOLUTION MAKING FINAL DETERMINATION ON THE SALE OF LOTS 1 AND 2 IN HUXLEY DEVELOPMENT CORPORATION PLAT 3 AND AUTHORIZING THE EXECUTION OF PURCHASE AGREEMENT BY AND BETWEEN THE CITY OF HUXLEY AND DSI PROPERTIES IOWA LLC. **RESOLUTION 19-080.**

### AGENDA ITEMS:

- 6.00) COMMUNITY BETTERMENT:
  - 6.01) DISCUSSION AND POSSIBLE ACTION ON **THIRD 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 **RESOLUTION NO. 19-074** ON APPROVING SETTLEMENT FROM HALBROOK FOR THE 2015 US 69/TIMBERLANE DRIVE WATER MAIN IMPROVEMENT PROJECT

- 6.03) DISCUSSION AND POSSIBLE ACTION ON **RESOLUTION NO. 19-075** ON CONDITIONALLY APPROVING RURAL RESIDENTIAL SUBDIVISION FINAL PLAT FOR THOMPSON FARM SUBDIVISION.
- 6.04) DISCUSSION AND POSSIBLE ACTION ON **RESOLUTION NO. 19-076** ON CONDITIONALLY APPROVING RURAL RESIDENTIAL SUBDIVISION FINAL PLAT FOR WUEBKER DEERFIELD SUBDIVISION 2<sup>ND</sup> ADDITION.
- 6.05) DISCUSSION AND POSSIBLE ACTION ON **RESOLUTION NO. 19-077** PLACING SHRUBS, LANDSCAPING PLANTINGS OR FENCE ALONG NORTH EDGE OF PARKING LOT AT THE 3CS.

**7.00) PUBLIC SAFETY:**

- 7.01) DISCUSSION AND POSSIBLE ACTION ON **RESOLUTION NO. 19-078** ON APPROVING THE PUBLIC SAFETY NETWORK CONTRACT.

**8.00) FINANCE:**

- 8.01) DISCUSSION AND POSSIBLE ACTION ON **RESOLUTION NO. 19-079** ON APPROVING CITY'S SHARE OF THE STORY COUNTY HOUSING TRUST FUND.

**9.00) LEISURE ACTIVITIES: NONE**

**10.00) ADMINISTRATIVE BUSINESS:**

- 10.01) POSSIBLE ACTION ON **MOTION** TO APPROVE REPRESENTATIVES TO THE STORY COUNTY ECONOMIC DEVELOPMENT GROUP.

***COMMENTS FROM STAFF, COUNCIL AND MAYOR.***

**CLOSED SESSION :** *A MOTION TO HOLD A CLOSED SESSION UNDER IOWA CODE SECTION CHAPTER 21.5 (J) TO EVALUATE THE PROFESSIONAL COMPETENCY OF AN INDIVIDUAL WHOSE APPOINTMENT, HIRING, PERFORMANCE OR DISCHARGE IS BEING CONSIDERED WHEN NECESSARY TO PREVENT NEEDLESS AND IRREPARABLE INJURY TO THAT INDIVIDUAL'S REPUTATION THAT INDIVIDUAL REQUEST A CLOSED SESSION.*

*COME OUT OF THE CLOSED SESSION.*

**ADJOURNMENT**

**POSSIBLE WORKSESSION:**

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.) DEVELOPMENT/INCENTIVES

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

# DEPARTMENT REPORTS

**Huxley Police Department  
City of Huxley  
Monthly Report for May 2019**

May 3<sup>rd</sup>, 2019, 5:20 PM Officer responded to a possible Criminal Mischief complaint at the 1300 block of Sand Cherry. A vehicle operated by a Huxley man had a front driver's side wheel come off while on Highway 210. Uncertain if the lug nuts had been tampered with or not at this time.

May 3<sup>rd</sup>, 2019 10:15 PM Officer stopped a vehicle for a traffic violation on Highway 210 near 560<sup>th</sup>. The driver of the vehicle, a 23-year-old Ankeny man, was suspended from driving. He was cited and released with a court date for Driving While License Suspended.

May 5<sup>th</sup>, 2019 11:15 AM Officer received found property from a business at the 900 block of North Highway 69. The property was taken and returned to a Norwalk man.

May 8<sup>th</sup>, 2019 5:30 PM Officer responded to a requested welfare check at the 500 block of E 4<sup>th</sup> Street. Contact was made with a Huxley juvenile who was transported to the hospital for treatment.

May 10<sup>th</sup>, 2019 7:38 PM Officer arrested a 35-year-old Ankeny man for Possession of Paraphernalia after a traffic stop on Highway 69 and National Drive.

May 11<sup>th</sup>, 2019 9:45 PM Officer responded to a domestic disturbance at the 500 block of E 1<sup>st</sup> Street involving juveniles. The situation was resolved, and all parties agreed that they could cohabitate for the remainder of the night with no further problems.

May 11<sup>th</sup>, 2019 8:28 PM Officer received a theft complaint at a business on the 500 block of E 1<sup>st</sup> Street. A folding knife valued at \$17.99 was taken from the store by an unknown male. Surveillance was gathered and posted on the PD Facebook for possible identification.

May 14<sup>th</sup>, 2019 4:50 PM Officer received a harassment complaint at the 500 block of E 1<sup>st</sup> Street. The issue was a civil matter involving money between two parties. Therefor, the communication was appropriate. Offending party was advised to pursue losses in civil court.

May 12<sup>th</sup>, 2019 9:00 PM Officer responded to a domestic disturbance at the 200 block of N 3<sup>rd</sup>. A Des Moines man and Huxley woman were in a heated argument regarding their shared daughter. The male half elected to leave the property.

May 16<sup>th</sup>, 2019 4:30 PM Officer received a harassment complaint at the 500 block of E 1<sup>st</sup> Street. After investigation, an 18-year-old Maxwell man was arrested for harassment 3<sup>rd</sup>. He was cited into court for the offense.

May 17<sup>th</sup>, 2019 7:01 PM Officer stopped a vehicle for a traffic violation on Highway 69 near National Drive. The driver of the vehicle, a 40-year-old Dows, IA man, had a nationwide warrant for his arrest out of the State of Texas. He was taken into custody and transported to the Story County Jail in Nevada.

May 19<sup>th</sup>, 2019 6:39 PM Officer responded to a single vehicle accident on Interstate 35 near the 104 Mile Marker. A vehicle operated by a Des Moines man lost control and went into the ditch causing minimal damage and no injuries.

May 22<sup>nd</sup>, 2019 11:45 AM Officer received an Indecent Exposure complaint at the 500 block of E 4<sup>th</sup> Street. An unknown male was confronted for the behavior in an apartment parking lot and quickly left the area on foot. The male was not seen again, and the officer was unable to find the male. No positive identification could be made on the suspect.

May 22<sup>nd</sup>, 2019 10:00 AM Officer received a harassment complaint at the 600 block of Maple. A harassment case was opened and contact with the offending party only after requested by the victim.

May 22<sup>nd</sup>, 2019 12:00 PM Officer responded to a single vehicle accident on 560<sup>th</sup> near the Heart of Iowa Trail. A vehicle operated by a 23-year-old Ankeny woman went into the ditch causing damage to the passenger side of the vehicle.

May 23<sup>rd</sup>, 2019 12:55 AM Officer stopped a vehicle for a traffic violation on Highway 69 near Campus Drive. The driver of the vehicle, a 35-year-old Huxley man, was arrested for OWI 1<sup>st</sup>. He was transported to the Story County Jail in Nevada.

May 26<sup>th</sup>, 2019 11:34 PM Officer responded to a report of a female who had jumped out of a moving vehicle near Highway 210 and Interstate 35. The 51-year-old Clive woman was located and transported to the Hospital for an evaluation.

May 26<sup>th</sup>, 2019 4:26 AM Officer served an arrest warrant after encountering a 36-year-old Des Moines man on Highway 210 and 560<sup>th</sup> Ave. He was transported to the Story County Jail in Nevada.

May 26<sup>th</sup>, 2019 4:00 PM Officer received a harassment complaint at the 200 block of Larson. Contact was made with a 67-year-old Spencer, IA man who agreed to stop the behavior in order to avoid future police attention.

May 27<sup>th</sup>, 2019 11:51 PM Officer responded to a noise complaint at the 200 block of N 3<sup>rd</sup> Ave. Contact was made with a 26-year-old Des Moines man who was eventually arrested for Possession of Paraphernalia. He was transported to the Story County Jail in Nevada.

May 28<sup>th</sup>, 2019 10:30 AM Officer responded to the High School for a student who had brought alcohol onto school grounds. The student was released to his mother.

May 29<sup>th</sup>, 2019 8:15 AM Officer responded to a domestic altercation at the 200 block of Oak Blvd. The altercation was verbal, and a 47-year-old tenant decided he would move to Ankeny that day.

May 29<sup>th</sup>, 2019 7:00 PM Officer received a fraud complaint at the 1000 block of North Park Blvd. Four transactions were made through Amazon that were unknown and not requested by the card holder totaling approximately \$250.00. The card was shut down and investigation is ongoing.

May 31<sup>st</sup>, 2019 7:38 PM Officer stopped a vehicle for a traffic violation on Highway 69 near Centennial Drive. The driver of the vehicle, a 17-year-old Huxley juvenile, was Barred from driving. She was referred to Juvenile Court for Driving While Barred and released to her mother. Several other items were in the vehicle such as a semi-automatic rifle, a semi-automatic pistol, drug paraphernalia, and open containers of alcohol. A 21-year-old Des Moines man was cited for Open Container for the alcohol. Charges for the paraphernalia, and weapons are pending County Attorney approval.

#### Trainings and Special Assignments

5/9/2018-Officers attended a sex assault and interrogations class in Des Moines

5/9/2019-Officer conducted a seatbelt enforcement project in the Ballard High Parking lot.

5/15/2019-Officer attended a two-day GTSB ARIDE class in Nevada.

5/21/2019-Officer spoke with an 8<sup>th</sup> grade health class about alcohol use.

5/31/2019-Chief took two Ballard West School students from home to school on the last day of class in his patrol car. The ride was an auction item at the Ballard Educational Foundation fund raiser.

Huxley Officers had eight arrests for the month. Two were for Possession of drug Paraphernalia, one was for Driving Under Suspension, one was for Harassment 3<sup>rd</sup>, one for OWI, one for Driving While Barred, and two arrest warrants were served. Officers issued twenty citations for traffic offenses and gave 121 warnings. Officers received 182 calls for service and had 536 total contacts for the month. Officers used 274 hours toward investigations or answering calls for service and gave 576.25 hours of general patrol.

Chief Gerry Stoll

# Huxley 2019

Monthly Aggregate	January	February	March	April	May	June	July	August	September	October	November	December	Yearly Aggregate
Arrests	6	3	12	5	8	0	0	0	0	0	0	0	34
Abatement/Municipal Infr.	1	0	0	7	15	0	0	0	0	0	0	0	23
Alcohol- .02	1	1	0	2	0	0	0	0	0	0	0	0	4
Alcohol-Open Container	0	0	1	0	1	0	0	0	0	0	0	0	2
Alcohol-OWI	3	0	3	3	3	0	0	0	0	0	0	0	12
Alcohol-Possession	0	0	0	0	1	0	0	0	0	0	0	0	1
Alcohol-Pub. Intox	0	0	1	0	3	0	0	0	0	0	0	0	4
Animal Call	6	11	10	12	15	0	0	0	0	0	0	0	54
Assaults	2	1	0	0	0	0	0	0	0	0	0	0	3
Assist Fire/Med/Co	35	45	42	41	35	0	0	0	0	0	0	0	198
Assist Motorist	18	58	18	18	19	0	0	0	0	0	0	0	131
Burglary	0	0	0	2	0	0	0	0	0	0	0	0	2
Child Abuse	0	0	2	2	0	0	0	0	0	0	0	0	4
Civil Dispute	3	6	2	7	0	0	0	0	0	0	0	0	18
Criminal Mischief	2	1	1	0	4	0	0	0	0	0	0	0	8
D, P & Q	2	3	2	3	7	0	0	0	0	0	0	0	17
Disorderly Conduct	0	0	0	0	1	0	0	0	0	0	0	0	1
Domestic	5	5	5	2	4	0	0	0	0	0	0	0	21
Drug Paraphernalia	3	1	3	0	1	0	0	0	0	0	0	0	8
Harassment	1	2	2	2	5	0	0	0	0	0	0	0	12
Info. Call	105	153	223	195	182	0	0	0	0	0	0	0	858
Mental Patient	18	2	9	2	7	0	0	0	0	0	0	0	38
Missing Person	0	0	1	0	1	0	0	0	0	0	0	0	2
Open Door	13	10	11	15	20	0	0	0	0	0	0	0	69
Parking Tickets	27	5	0	0	3	0	0	0	0	0	0	0	35
Parking Warning	25	16	2	11	11	0	0	0	0	0	0	0	65
Sex Abuse	1	0	2	0	0	0	0	0	0	0	0	0	3
Susp. Person/Vehicle	5	8	6	13	20	0	0	0	0	0	0	0	52
Susp./Rev/Barred Driver	1	0	2	1	0	0	0	0	0	0	0	0	4
SVI	10	17	24	16	15	0	0	0	0	0	0	0	82
Theft	4	5	4	13	2	0	0	0	0	0	0	0	28
Traffic Accident	10	7	4	4	3	0	0	0	0	0	0	0	28
Traffic Call	10	14	7	2	12	0	0	0	0	0	0	0	45
Traffic Citations	5	0	24	14	20	0	0	0	0	0	0	0	63
Traffic Warnings	18	11	75	87	121	0	0	0	0	0	0	0	312
Trespass	0	2	0	0	0	0	0	0	0	0	0	0	2
Unattended Death	0	1	0	0	0	0	0	0	0	0	0	0	1
Total Contacts	340	385	498	479	539	0	0	0	0	0	0	0	2241
Investigations	37.5	8.5	50.25	17	4.25	0	0	0	0	0	0	0	117.5
On-Call	0	0	0	0	0	0	0	0	0	0	0	0	0
Office / Other	259	250.25	283.5	253.25	269.75	0	0	0	0	0	0	0	1315.75
Patrol / SRO	490.25	442.5	452.5	480	576.25	0	0	0	0	0	0	0	2441.5
Total Hours	786.75	701.25	786.25	750.25	850.25	0	0	0	0	0	0	0	3874.75



Huxley Police Department  
City of Cambridge  
Monthly Report for May 2019

May 16<sup>th</sup>, 2019 7:15 PM Officer responded to a dog bite at the 100 block of Race Street. A dog belonging to a Cambridge couple bit the victim while she was jogging. The dog owner could not verify that the dogs were up to date on any shots. Story County Animal Control was notified, and the dogs were under a ten-day quarantine. Victim sought medical treatment for her wounds and was cared for and released at an urgent care.

May 30<sup>th</sup>, 2019 7:05 PM Officer received a theft complaint at the Methodist Church. A female had taken several recyclable cans from an outdoor bin on the parking lot of the church. The female, a 19-year-old Huxley woman, was located and brought to the PD. The church declined charges and the cans were returned.

Officers received twenty-one calls for service for the month and had a total of fifty-one contacts. Nine traffic stops were made with one resulting in a citation. There were 7.25 hours used for investigations or answering calls for service and officers provided 95.5 hours of general patrol.

Chief Gerry Stoll

## Cambridge 2019

Monthly Aggregate	January	February	March	April	May	June	July	August	September	October	November	December	Yearly Aggregate
Arrests	0	2	1	2	0	0	0	0	0	0	0	0	5
Abatement/Municipal Infr.	0	0	1	7	2	0	0	0	0	0	0	0	10
Alcohol- .02	0	0	0	0	0	0	0	0	0	0	0	0	0
Alcohol-Open Container	0	0	0	0	0	0	0	0	0	0	0	0	0
Alcohol-OWI	0	0	0	0	0	0	0	0	0	0	0	0	0
Alcohol-Possession	0	0	0	0	0	0	0	0	0	0	0	0	0
Alcohol-Pub. Intox	0	1	0	0	0	0	0	0	0	0	0	0	1
Animal Call	4	0	2	7	1	0	0	0	0	0	0	0	14
Assaults	0	0	1	0	0	0	0	0	0	0	0	0	1
Assist Fire/Med/Co	4	6	6	8	5	0	0	0	0	0	0	0	29
Assist Motorist	4	1	3	2	4	0	0	0	0	0	0	0	14
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0
Child Abuse	0	1	0	0	0	0	0	0	0	0	0	0	1
Civil Dispute	0	0	0	0	1	0	0	0	0	0	0	0	1
Criminal Mischief	0	1	0	0	0	0	0	0	0	0	0	0	1
D, P & Q	1	1	0	0	0	0	0	0	0	0	0	0	2
Disorderly Conduct	0	0	0	0	0	0	0	0	0	0	0	0	0
Domestic	2	0	1	0	0	0	0	0	0	0	0	0	3
Drug Paraphernalia	0	0	0	0	0	0	0	0	0	0	0	0	0
Harassment	1	1	0	0	0	0	0	0	0	0	0	0	2
Info. Call	12	8	17	12	21	0	0	0	0	0	0	0	70
Mental Patient	0	2	0	0	0	0	0	0	0	0	0	0	2
Missing Person	0	0	0	0	0	0	0	0	0	0	0	0	0
Open Door	0	0	1	1	1	0	0	0	0	0	0	0	3
Parking Tickets	0	4	0	0	0	0	0	0	0	0	0	0	4
Parking Warning	0	0	1	1	0	0	0	0	0	0	0	0	2
Sex Abuse	0	0	0	0	0	0	0	0	0	0	0	0	0
Susp. Person/Vehicle	3	2	3	0	3	0	0	0	0	0	0	0	11
Susp/Rev/Barred Driver	0	1	0	0	0	0	0	0	0	0	0	0	1
SVI	0	0	0	0	0	0	0	0	0	0	0	0	0
Theft	0	0	1	0	2	0	0	0	0	0	0	0	3
Traffic Accident	1	1	0	0	1	0	0	0	0	0	0	0	3
Traffic Call	0	1	1	1	1	0	0	0	0	0	0	0	4
Traffic Citations	2	2	0	6	1	0	0	0	0	0	0	0	11
Traffic Warnings	7	3	3	10	8	0	0	0	0	0	0	0	31
Trespass	3	0	0	1	0	0	0	0	0	0	0	0	4
Unattended Death	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Contacts	41	38	42	57	51	0	0	0	0	0	0	0	229
Investigations	0	0	6.75	0	0	0	0	0	0	0	0	0	6.75
On-Call	0	0	0	0	0	0	0	0	0	0	0	0	0
Office / Other	3.75	21	9.5	8.5	7.25	0	0	0	0	0	0	0	50
Patrol / SRO	74.5	79.25	76.25	90	95.5	0	0	0	0	0	0	0	415.5
Total Hours	78.25	100.25	92.5	98.5	102.75	0	0	0	0	0	0	0	472.25

# CONSENT AGENDA

## Huxley City Council Minutes

### Tuesday, May 28, 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 Henry called the meeting to order at 6:02 pm and announced that Item 6.03 would be pulled from the agenda.

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

**CITY STAFF PRESENT:** John Haldeman-City Administrator, Jolene Lettow-City Clerk, Gerry Stoll-Police Chief, Jeff Peterson – Public Works Director, Chad Anthony – Fire Chief, Heather Denger – Parks and Recreation Director, Lisa Wheeler – HR/Admin Coordinator

**CONSULTANTS PRESENT:** Jim Nervig – city attorney, Jeremy Enano – city engineer

**GUESTS PRESENT:** Scott Wilson, Joe Langel-Holmes Murphy, Phil & Christine Brekke

#### PRESENTATION:

Joe Langel, Holmes Murphy representative, presented to council the city's health insurance plan with Blue Cross Blue Shield would increase 4.7% for the next budget year. City of Huxley Trust Account has a balance of \$46,520.92 as of March 2019.

#### PUBLIC HEARINGS: Amending FY2019 Budget

Mayor opened meeting at 6:11 pm. Councilman Mulder asked what amendments were being submitted from city. Finance Officer provided information. Motion Peterson, second Mulder to close hearing at 6:12pm.

#### CONSENT AGENDA:

**MOTION-** Peterson, Second – Roberts to approve all agenda items as listed:

- May 14 ,2019 Regular Council Meeting
  - Financial Reports and Payment of Bills
  - Approve Beer, Wine and Liquor Licenses
  - Receive and File Annexation Communication
  - Approve the Following Appointment: Seana Godbold to Tree Board
- Roll Call: Jensen, Mulder, Kuhn, Roberts, Peterson voted yes. Motion carried.

#### Claims:

AMERICAN BUSINESS PHONES	POWER ADAPTER FOR PHONE	17.06
ARNOLD MOTOR SUPPLY	VALVE AND VALVE TOOL	19.27
ARNOLD MOTOR SUPPLY	AIR, FUEL, & OIL FILTERS	97.39
AUTOMATIC DOOR GROUP	3C'S DOOR REPAIR	115.85
BAKER & TAYLOR ENTERTAINME	BOOKS	911.13
BIRDSALL FLOORING	NORD KALSEM FLOOR INSTALLATION	7,350.00
BOOK LOOK	BOOKS	829.41
CARDMEMBER SERVICE	SEE ATTACHED	12,083.06
CHRIS PHILLIPS	TRIM WORK AT NORD KALSEM	1,684.59
CLINTON H. THOMPSON	BASKETBALL LEAGUE OFFICIAL	250.00
CONSUMERS ENERGY	ELECTRIC	9,336.25
CUSTOM STEEL SERVICE	SHEETS OF STEEL	57.11
DEMCO	CREDIT	236.81
DOLAN OLSON	REIMBURSEMENT FOR DG PURCHASE	13.91
DOLLAR GENERAL-REGIONS 410	JANITORIAL SUPPLIES	120.50
ERICA INGLETT	COACHING REIMBURSEMENT	100.00
GATEHOUSE-DB IOWA HOLDINGS	LEGAL PUBLICATIONS	639.81
HACH COMPANY	PH PROBE	1,539.11
HERMANN, RHIANNON	COACHING REIMBURSEMENT	100.00
HOKEL MACHINE SUPPLY	HEX TAPPING SCREWS	5.17
HOMES BY ADVANTAGE LLC	BUILDING PERMIT DEPOSIT REFUND	1,000.00
INTERNAL REVENUE SERVICE	FED WITHOLDING TAX	11,960.85
INTERSTATE POWER & LIGHT	ELECTRIC EXTENSION AGREEMENT	3,642.20
IOWA DOT	TRIMMER	558.27
JACOB HANKS	WATER AND WW TEST REIMBURSE	90.00
JAYDEN CATTELL	BASKETBALL LEAGUE SCOREKEEPER	50.00
JEREMY J. ARENDS	FEB, MAR, APR TREASURER REPORT	240.00
KARA BALTES	COACHING REIMBURSEMENT	75.00

KAY PARK-REC CORP.	PICNIC TABLE AT PRAIRIE RIDGE	968.90
KEVIN SCHULZE	BASKETBALL LEAGUE OFFICIAL	125.00
KEYSTONE LABORATORIES	WASTEWATER LABS	116.00
LUKE BROTHERS FLOOR COVERI	CARPET AND INSTALLATION IN LIB	4,353.60
MARCO, INC.	B/W AND COLOR COPIES	693.29
MARTIN MARIETTA MATERIALS	GABION STONE	151.14
METERING & TECHNOLOGY SOLU	METERS, ERTS, FLANGE KITS	1,034.00
MISCELLANEOUS VENDOR	LADLIE, JACOB :US REFUND	445.84
MISSY COGDILL	COACHING REIMBURSEMENT	100.00
MOODY ELECTRIC, INC.	CENTENNIAL PARK BATHROOM WORK	1,769.45
MUNICIPAL SUPPLY	METER VALVES & MARKING PAINT	321.95
NCL OF WISCONSIN, INC.	QA/QC STANDARD	15.13
NEW CENTURY FS INC	UNLEADED AND DIESEL FUEL	1,404.48
NICK PEARSON	BASKETBALL LEAGUE OFFICIAL	125.00
NICKOLAY CONSULTING, LLC	MONTHLY IT WORK	105.00
NIKKI FLANDERS	COACHING REIMBURSEMENT	75.00
OFFICE OF AUDITOR OF STATE	FILING FEE FOR AUDIT	425.00
OTIS ELEVATOR COMPANY	SERVICE CONTRACT	218.13
OXEN TECHNOLOGY	REMOTE IT LABOR	337.50
POSTMASTER	POSTMASTER	355.75
PREMIER OFFICE EQUIPMENT I	LIBRARY COPIER CONTRACT	79.56
REESE ELECTRIC	REBUILD BLOWER MOTOR	136.00
SHEPLEY, RENAE	COACHING REIMBURSEMENT	100.00
STORY COUNTY RECORDER	QUIT CLAIM DEED	12.00
STRAUSS SECURITY SOLUTIONS	PADLOCKS	429.84
SYNCB/AMAZON	BOOKS, DVDS, PROGRAM SUPPLIES	523.56
TASC	FLEX BENEFIT PLANS	558.28
THE SHERWIN-WILLIAMS CO.	PAINT FOR SOCCER FIELDS	705.37
TRAVELING LANTERN THEATRE	SUMMER LIBRARY PROGRAM	395.00
TYLER TECHNOLOGIES, INC.	ANNUAL INCODE MAINTENANCE	12,121.84
U.S. BANK EQUIPMENT FINANC	COPIER LEASE	100.28
VAN-WALL EQUIPMENT INC.	HAND HELD BLOWER	862.44
VERIZON WIRELESS	PD CELL PHONE	371.89
WINDSTREAM IOWA COMMUNICAT	DISPATCH PHONE	72.96
YELLOWBLUE LED	LIGHTING FOR RACQUETBALL COURT	5,236.96
ZIEGLER INC	CUTTING EDGES, BOLTS, NUTS	357.28

	<u>Fund Expenses</u>	<u>Fund Revenues</u>
001 GENERAL FUND	33,132.65	
002 LIBRARY	8,581.63	39,050.85
003 RECREATION	5,556.86	15,185.67
004 FIRE AND RESCUE	4,700.54	
006 CEMETARY		200.00
014 AMBULANCE	480.84	2,231.58
110 STREET	6,223.12	
125 TIF	3,642.20	
340 TRAIL PAVING PROJECT	1,220.00	
600 WATER UTILITY	12,131.34	55,634.87
610 SEWER UTILITY	12,211.15	60,850.75
PAYROLL/MISC	53,007.39	153,730.41
GRAND TOTAL	338,641.13	

**MOTION – Mulder, Second – Peterson on First Reading of Ordinance 495 to Change Zoning of Property Owned by Dickson and LuAnn Jensen Legally Described as Westview Heights Plat 1. Some zoning changes will be changed prior to third reading of ordinance. Councilman Peterson asked to have revised plat available for review prior to council meeting. Roll Call: Peterson, Roberts, Kuhn, Mulder voted yes; Jensen abstained. Motion carried.**

**Motion – Roberts, Second – Peterson on Second Reading of Ordinance 496 to Amend the Code of Ordinances for the City of Huxley, IA, Chapter 166, Subdivision Regulations to Require Installation of ADA Ramps. Roll Call: Peterson, Roberts, Kuhn, Mulder, Jensen voted yes. Motion carried.**

**Motion – Peterson, Second – Roberts to Waive Third Reading of Ordinance 496. Roll Call: Peterson, Roberts, Kuhn, Mulder, Jensen voted yes. Motion carried.**

**Resolution No. 19-062: Pulled from agenda.**

**Motion – Kuhn, Second – Peterson on Resolution No. 19-070 to Set Date for a Public Hearing on Urban Renewal Plan Amendment for the Huxley Urban Renewal Area. Hearing scheduled for June 25<sup>th</sup>. Roll Call: Peterson, Roberts, Kuhn, Mulder, Jensen voted yes. Motion carried.**

Motion – Kuhn, Second – Mulder on Resolution No. 19-071 to Set a Date for a Public Hearing to Approve a Development Agreement with Iowa Earth Works LLC, Including Annual Appropriation Tax Increment Payments. Hearing scheduled for June 25<sup>th</sup>. Roll Call: Peterson, Roberts, Kuhn, Mulder voted yes; Jensen abstained. Motion carried.

Motion – Mulder, Second – Peterson on Second Reading of Ordinance 497 to Amend Code of Ordinances for the City of Huxley, Iowa by Amending Provisions of the Ordinance Regarding Fireworks Use. Roll Call: Peterson, Roberts, Kuhn, Mulder, Jensen voted yes. Motion carried.

Motion – Mulder, Second – Jensen to Waive Third Reading of Ordinance 497. Roll Call: Peterson, Roberts, Kuhn, Mulder, Jensen voted yes. Motion carried.

Motion – Jensen, Second – Peterson on Second Reading of Ordinance 498 to Amend Chapter 99 of the City of Huxley Municipal Code Concerning Sewer Service Charges. Councilman Jensen asked if Deer Creek and Blue Sky Commons businesses would see increase in rates. All residents and businesses will see increase. Roll Call: Peterson, Roberts, Kuhn, Mulder, Jensen voted yes. Motion carried.

Motion – Peterson, Second – Kuhn to Waive Third Reading of Ordinance 498. Roll Call: Peterson, Roberts, Kuhn, Mulder, Jensen voted yes. Motion carried.

Motion – Peterson, Second – Mulder on Second Reading of Ordinance 499 to Amend Chapter 92 and 93 of the City of Huxley Municipal Code Concerning Water Meters and Water Rates. Roll Call: Peterson, Roberts, Kuhn, Mulder, Jensen voted yes. Motion carried.

Motion – Peterson, Second – Kuhn to Waive Third Reading of Ordinance 499. Roll Call: Peterson, Roberts, Kuhn, Mulder, Jensen voted yes. Motion carried.

Motion – Roberts, Second – Peterson on Resolution No. 19-072 to Approve the Amended FY2019 Budget. Roll Call: Peterson, Roberts, Kuhn, Mulder, Jensen voted yes. Motion carried.

Motion – Roberts, Second – Peterson on Resolution No. 19-073 to Approve the FY2020 Group Health Insurance Renewal. Roll Call: Peterson, Roberts, Kuhn, Mulder, Jensen voted yes. Motion carried.

#### Miscellaneous

- Heather Denger, Parks and Recreation Director, thanked Bella Homes for sponsoring Easter Egg Hunt. Thanked Brekke family for their assistance w/ building Ga Ga Pit. Farmers Market begins Thursday, June 6<sup>th</sup>.
- Councilman Rick Peterson stated budget committee wants to develop a city-wide inventory of equipment. Will meet with department heads on June 6<sup>th</sup> to discuss end-of-year budgets.
- Councilman Jensen asked whether ADA ramps were compliant at NW corner of E. 4<sup>th</sup> and Parkridge. Commended Parks Department employees with mowing and weed removal. Asked what status was with scheduling joint meeting with surrounding cities. Inquired as to status of Personnel Committee on City Administrator contract. Personnel Committee replied proposal would be provided to council at first June meeting.
- Mayor Henry asked if Fire Department could provide clarification on monthly report that was submitted in council packet. Stated several residents had inquired on status of mosquito control.

ADJOURNMENT: Motion – Roberts, second – Peterson to adjourn meeting at 6:40 pm. 5 ayes, 0 nays. Motion carried.

#### **WORK SESSION:**

- City administrator provided information regarding landscaping area north of 3C's parking lot. Council concerned with addressing issue with one resident's request for a fence. Council asked that action item be placed on next council agenda regarding fence request.
- Tree Board would like to make entrances into Huxley look more attractive. Would like authorization from council to apply for DOT grants. Councilman Kuhn brought attention to sidewalks needed in community.

- Parks Board has requested council's permission to change CIP and replace bathroom project at Larson Sports Complex with renovation of tennis and basketball courts at Centennial. Council asked if costs were similar.
- Council discussed application to Story County TIF program for paving of 10 feet of bike trail between Lily Pad Daycare and Mike Kamp's property on E. 1<sup>st</sup> Street. Councilman Kuhn expressed concern with city subsidizing project.
- Chief Stoll asked council's permission to approve moving forward with accessing Public Safety Network and authorization to approve licensing contract for records management services.
- Councilman Jensen stated Budget Committee was going to work on Incentives Program and setting up sources of funding and yearly allocation/revolving fund.
- Council discussed sidewalk situation with property on Timberlane.

ADJOURNMENT: Motion – Mulder, second – Peterson to adjourn meeting at 8:00 pm. 5 ayes, 0 nays. Motion carried.

---

Craig Henry, Mayor

Attest:

---

Jolene R. Lettow, City Clerk

**6-11-19 Council Claims**

	A	B	C
1	VENDOR NAME	DESCRIPTION	GROSS AMOUNT
2	A-TEC RECYCLING, INC	RECYCLING OF LIGHT BULBS	\$ 224.68
3	ABSTRACT AND TITLE SERVICE	ROOT OF TITLE HDC PLAT 2	\$ 850.00
4	AFLAC	AFLAC	\$ 4.00
5	ALLIANT ENERGY	GAS AND ELECTRIC	\$ 8,776.69
6	ARNOLD MOTOR SUPPLY	AUTO SUPPLIES	\$ 88.74
7	AVA VANCE	YOUTH SOCCER REFEREE	\$ 60.00
8	BALLARD LITTLE LEAGUE	1/3 OF BATTING CAGE	\$ 240.00
9	BEAU WARG	YOUTH SOCCER REFEREE	\$ 120.00
10	BRICK GENTRY P.C.	LEGAL FEES	\$ 6,828.00
11	CADEN MILLER	YOUTH SOCCER REFEREE	\$ 50.00
12	CENTRAL IOWA LAWN & LANDSC	MOWER PARTS	\$ 37.89
13	CENTRAL STATES BANK & ROGE	DEVELOPMENT AGREEMENT	\$ 22,170.28
14	CLINTON H. THOMPSON	BASKETBALL LEAGUE OFFICIAL	\$ 200.00
15	COMPASS MINERALS AMERICA	COARSE ROCK SALT	\$ 3,493.68
16	COMPUTER RESOURCE SPECIALI	COMPUTER WORK	\$ 414.99
17	CUMMINS SALES AND SERVICE	TROUBLESHOOT GENERATOR	\$ 316.80
18	DALTON DAVIES	YOUTH SOCCER REFEREE	\$ 20.00
19	DELTA DENTAL PLAN OF IOWA	DENTAL INSURANCE	\$ 1,513.12
20	DICKSON & LUANN JENSEN	DEVELOPMENT AGREEMENT	\$ 200,548.01
21	EBS	MEDICAL INSURANCE	\$ 16,225.78
22	EDWARD JONES	IRA	\$ 250.00
23	ELECTRIC WHOLESALE CO.	PARTS FOR NORD KALSEM	\$ 17.17
24	FAREWAY STORES, INC.	AGREEMENT	\$ 16,774.11
25	FAST LANE MOTOR PARTS, LLC	PART FOR FIRE TRUCK	\$ 20.14
26	FIDELITY SECURITY LIFE	VISION INS	\$ 296.02
27	GARBAGE GUYS	CENTENNIAL PARK TRASH PICKUP	\$ 137.50
28	GENERAL INSURANCE AGENCY	4/1/19-4/20/20 TYPHOON FIRE TRUCK	\$ 1,860.00
29	GRAINGER	SOLENOID VALVE	\$ 89.34
30	HAWKINS, INC.	WATER TREATMENT CHEMICALS	\$ 1,732.20
31	INTEGRATED PRINT SOLUTIONS	PUBLIC WORKS SUMMER SHIRTS	\$ 600.00
32	INTERNAL REVENUE SERVICE	PAYROLL TAXES	\$ 13,244.47
33	IOWA CITY/COUNTY MGMT. ASS	DUES RENEWAL	\$ 150.00
34	IOWA IRRIGATION	AGREEMENT	\$ 1,634.29
35	IPERS	IPERS	\$ 15,107.22
36	JAYLIN WHITE BUFFALO	BASKETBALL SCOREKEEPER	\$ 50.00
37	KEMPKER'S TRUE VALUE AND R	SEE ATTACHED	\$ 1,187.74
38	KERRIE MULDER	TRAVEL REIMBURSEMENT	\$ 15.66
39	KEVIN SCHULZE	BASKETBALL LEAGUE OFFICIAL	\$ 75.00
40	LINCOLN FINANCIAL GROUP	LIFE & DISABILITY INSURANCE	\$ 1,146.40
41	LOGAN MULDER	YOUTH SOCCER REFEREE	\$ 120.00
42	LOWE'S	RAKES, SHOVELS, BLADES, SUPPLIES	\$ 386.93
43	MANATTS	CONCRETE FOR STREET PATCHING	\$ 1,415.00
44	MARTIN MARIETTA MATERIALS	ROCK	\$ 1,139.88
45	MASS MUTUAL RETIREMENT SER	DEFERRED COMPENSATION	\$ 200.00
46	MEADOW LANE INVESTMENTS, L	DEVELOPMENT AGREEMENT	\$ 18,071.14



**6-11-19 Council Claims**

	A	B	C
47	MIDWEST BREATHING AIR SYST	QUARTERLY AIR TEST	\$ 178.75
48	MIDWEST CURB GRINDING, LLC	GRINDING WORK	\$ 650.00
49	MR. STORAGE, LLC	DEVELOPMENT AGREEMENT	\$ 5,909.07
50	NICK PEARSON	BASKETBALL LEAGUE OFFICIAL	\$ 200.00
51	NOVA FITNESS EQUIPMENT	FITNESS EQUIPMENT REPAIRS	\$ 278.76
52	PCC AN AMBULANCE BILLING S	FEBRUARY BILLING	\$ 229.06
53	PEYTON ELLIOTT	YOUTH SOCCER REFEREE	\$ 20.00
54	SAFE BUILDING COMPLIANCE &	BUILDING INSPECTIONS	\$ 61,513.84
55	SIERRA KNIGHT	YOUTH SOCCER REFEREE	\$ 20.00
56	SOUTH STORY BANK & TRUST	AGREEMENT	\$ 23,724.61
57	SPRINGER PROFESSIONAL HOME	MONTHLY PEST CONTROL	\$ 84.00
58	STAPLES ADVANTAGE	OFFICE SUPPLIES	\$ 549.16
59	STAR EQUIPMENT LTD.	PACKING & GASKETTS	\$ 225.24
60	STORY COUNTY RECORDER	MAY RECORDINGS	\$ 95.00
61	TASC	FLEX BENEFIT PLANS	\$ 558.28
62	TASC - CLIENT INVOICES	JULY FLEX PLAN ADMIN FEES	\$ 69.82
63	TREASURER, STATE OF IOWA	STATE WITHHOLDING	\$ 3,885.00
64	VEENSTRA & KIMM, INC.	ENGINEERING FEES	\$ 82,622.35
65	VISIONBANK	AGREEMENT	\$ 4,895.28
66	Payroll Expense		\$ 59,049.08
67	<b>GRAND TOTAL</b>		<b>\$ 582,660.17</b>
68			
69			
70		<b>FUND TOTALS</b>	
71	001 GENERAL FUND	\$ 100,012.62	
72	002 LIBRARY	\$ 4,708.98	
73	003 RECREATION	\$ 5,246.50	
74	004 FIRE AND RESCUE	\$ 2,499.15	
75	014 AMBULANCE	\$ 2,147.89	
76	110 ROAD USE TAX	\$ 11,157.46	
77	125 TIF	\$ 293,726.79	
78	339 560TH AVENUE PAVING	\$ 21,855.00	
79	343 KUM N GO WATER & SEWER	\$ 56,850.00	
80	402 Main Ave Stormwater Sewer	\$ 216.50	
81	600 WATER UTILITY	\$ 16,256.71	
82	610 SEWER UTILITY	\$ 8,933.49	
83	01 PAYROLL EXPENSE	\$ 59,049.08	
84	<b>GRAND TOTAL</b>	<b>\$ 582,660.17</b>	

TRUE VALUE BREAK DOWN		
Nord Kalsem	vulkem caulk, coupling, tee lead free, ball valve, water heater kit, pex stick, coupling, nuts and bolts	\$ 127.83
Admin	aluminum clip, flowers	\$ 52.97
PD	wire hook, windshield wash,	\$ 25.67
Water	caulk tube, swiffer dry cloth, plug, gong brush, wash mitt, paint,	\$ 56.18
Library	paint	\$ 13.93
Streets	grass seed, key, wall stripper, key tag ring, caulk reel, paint, line level, wax gasket,	\$ 100.18
Wastewater	nuts & bolts, connector, key, pvc cap, caulk, gap & crack foam,	\$ 73.64
P & R	flowers, weed b gone, paint supplies for gym	\$ 496.27
Parks	nuts & bolts, spark plug, glove, bowl brush caddy, latch box, push mower, ball valve,	\$ 241.07
<b>Total</b>		<b>\$ 1,187.74</b>

**Huxley RECAP****April-19**

<b><u>Account No.</u></b>	<b><u>Account Name</u></b>	<b><u>Statement No.</u></b>	<b><u>Balance Due</u></b>
15398.000	Municipal	302335	\$3,575.00
15398.001	Prosecutions	302341	\$62.50
15398.002	Fire and Rescue		
15398.005	Litigation		
15398.006	Bond Claims		
15398.011	Planning & Zoning	302339	\$537.50
15398.012	Public Works		
15398.013	Police	302340	\$137.50
15398.014	Parks		
15398.015	Nuisance Abatement	302338	\$515.50
15398.016	HDC	302336	\$287.50
15398.017	Library		
15398.018	Development	302334	\$1,712.50
Total:			\$6,828.00

Name of Applicant: CASEY'S MARKETING  
Name of Business (DBA): CASEY'S GENERAL STORES #2842  
Address of Premises: 902 N HWY 69  
City Huxley County: Story Zip: 50124  
Business (515) 597-4443  
Mailing PO Box 3001  
City Ankeny State IA Zip: 500218045

**Contact Person**

Name JESSICA FISHER, Store Operations  
Phone: (515) 446-6404 Email JESSICA.FISHER@caseys.com

**Classification** Class E Liquor License (LE)

**Term:** 12 months

**Effective Date:** 08/09/2018

**Expiration Date:** 08/08/2019

**Privileges:**

Class B Wine Permit  
Class C Beer Permit (Carryout Beer)  
Class E Liquor License (LE)  
Sunday Sales

**Status of Business**

BusinessType: Publicly Traded Corporation  
Corporate ID Number: XXXXXXXXXX Federal Employer ID XXXXXXXXXX

**Ownership**

**42-0935283 CASEY'S GENERAL STORES INC.**

First Name: 42-0935283 Last Name: CASEY'S GENERAL STORES, INC.  
City: ANKENY State: Iowa Zip: 50021-804  
Position: OWNER  
% of Ownership: 100.00% U.S. Citizen: Yes

**JULIA JACKOWSKI**

First Name: JULIA Last Name: JACKOWSKI  
City: URBANDALE State: Iowa Zip: 50322  
Position: SECRETARY  
% of Ownership: 0.00% U.S. Citizen: Yes

**MICHAEL RICHARDSON**

First Name: MICHAEL Last Name: RICHARDSON

**City:** PLEASANT HILL

**State:** Iowa

**Zip:** 50327

**Position:** PRESIDENT

**% of Ownership:** 0.00%

**U.S. Citizen:** Yes

**James Pistillo**

**First Name:** James

**Last Name:** Pistillo

**City:** Urbandale

**State:** Iowa

**Zip:** 50323

**Position:** Treasurer

**% of Ownership:** 0.00%

**U.S. Citizen:** Yes

**John Soupene**

**First Name:** John

**Last Name:** Soupene

**City:** Ankeny

**State:** Iowa

**Zip:** 50023

**Position:** Vice President

**% of Ownership:** 0.00%

**U.S. Citizen:** Yes

**Insurance Company Information**

**Insurance Company:** Merchants Bonding Company

**Policy Effective Date:** 08/09/2018

**Policy Expiration** 01/01/1900

**Bond Effective** 2

**Dram Cancel Date:**

**Outdoor Service Effective**

**Outdoor Service Expiration**

**Temp Transfer Effective**

**Temp Transfer Expiration Date:**

# **COMMUNITY BETTERMENT**

**RESOLUTION NO. 19-080**

**AMENDED AND SUBSTITUTED RESOLUTION MAKING FINAL DETERMINATION ON THE SALE OF LOTS 1 AND 2 IN HUXLEY DEVELOPMENT CORPORATION PLAT 3 AND AUTHORIZING THE EXECUTION OF PURCHASE AGREEMENT BY AND BETWEEN THE CITY OF HUXLEY AND DSI PROPERTIES IOWA LLC**

**WHEREAS**, the City of Huxley owns certain real property that is legally described as:

Lots 1 and 2 in Huxley Development Corporation Plat 3 in Huxley, Story County, Iowa (the "Property"); and

**WHEREAS**, Diamond Surface Inc. has presented a Purchase Agreement to the City of Huxley for the purpose of acquiring the Property; and

**WHEREAS**, the Code of Iowa requires that, before a city may dispose of an interest in real property by sale, the city must set forth its proposal in a resolution and public notice as provided in Section 362.3, of the resolution and of a date, time and place of a public hearing on the proposal; and

**WHEREAS**, the attorney for the purchaser has requested an amended and substituted Resolution showing that DSI Properties Iowa LLC; and

**WHEREAS**, Diamond Surface Inc. has provided documentation confirming the same; and

**WHEREAS**, the Code of Iowa also requires that, before a city may enter into a proposed purchase agreement for the real property that a public hearing must be held on the proposed agreement; and

**WHEREAS**, pursuant to said notice published as required by law, this Council has held a public meeting and hearing upon the proposal to approve and authorize execution of the Purchase Agreement which include the potential sale of the Property, and has considered the extent of objections received from residents or property owners as to said proposed Purchase Agreement; and, accordingly the following action is now considered to be in the best interest of the City and residents thereof; and

**WHEREAS**, the Council has determined that the Purchase Agreement is in the best interest of the City and the residents thereof and the performance by the City of its obligations thereunder is a public undertaking and purpose.

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

**Section 1.** The Council finds that disposal of interests in the Property as set forth in the Purchase Agreement will benefit and is in the best interests of the residents of the City. The Council further finds that transfer of the Property, with consideration as provided in the Purchase Agreements, constitutes fair

consideration for the disposal of interests in the Property.

**Section 2.** The proposal to sell the Property pursuant to the terms of the proposed Purchase Agreement is hereby approved.

**Section 3.** The performance by the City of its obligation under the Purchase Agreement including but not limited to selling the Property to **DSI Properties Iowa LLC** is hereby declared to be a public undertaking and purpose and in furtherance of the best interests of the residents of the City.

**Section 4.** That the form and content of the Purchase Agreement, the provisions of which are incorporated herein by reference, be and the same hereby is in all respects authorized, approved and confirmed, and the Mayor and the City Clerk be and they hereby are authorized, empowered and directed to execute, attest, seal, and deliver the Purchase Agreement for and on behalf of the City in substantially the form and content now before this meeting, but with such changes, modifications, additions or deletions therein as shall be approved by such officers, and that from and after the execution and delivery of the Purchase Agreement, the Mayor and the City Clerk are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Purchase Agreement as executed.

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

***PASSED, ADOPTED AND APPROVED*** this   th day of June, 2019.

**APPROVAL BY MAYOR**

I hereby approve the foregoing **Resolution No. 19-080** by affixing below my official signature as Mayor of the City of Huxley, Iowa, this   th day of June, 2019

\_\_\_\_\_  
Craig D. Henry, Mayor

ATTEST:

\_\_\_\_\_  
Jolene Lettow, City Clerk



**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 23<sup>rd</sup> 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

RESOLUTION NO. 19- 074

RESOLUTION APPROVING SETTLEMENT AGREEMENT AND DIRECTING  
EXECUTION OF SAME

**WHEREAS**, the City Council of the City of Huxley, Iowa has been presented with a written Settlement Agreement between the City of Huxley, Iowa and Halbrook Excavating relating to the 2015 US 69/TIMBERLANE DRIVE WATER MAIN IMPROVEMENT PROJECT; and

**WHEREAS**, the City Council of the City of Huxley, Iowa believes it to be in the best interest of the City to approve and execute the Settlement Agreement.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUXLEY, IOWA**, that the City Council approves the written Settlement Agreement between the City of Huxley, Iowa and Halbrook Excavating and directs that the Settlement Agreement be executed by the Mayor and directs the Mayor, legal counsel, and the public works director to take all other actions necessary to effectuate and carry out the Settlement Agreement.

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

**PASSED, ADOPTED AND APPROVED** this 11th day of June, 2019

**APPROVAL BY MAYOR**

I hereby approve the foregoing **Resolution No. 19-074** by affixing below my official signature as Mayor of the City of Huxley, Iowa, this 11th day of June, 2019.

\_\_\_\_\_  
Craig D. Henry, Mayor

ATTEST:

\_\_\_\_\_  
Jolene Lettow, City Clerk

**RESOLUTION NO. 19-075**

**RESIDENTIAL PARCEL SUBDIVISION PLAT FOR THOMPSON FARM SUBDIVISION  
LOCATED JUST WEST OF THE CITY OF HUXLEY CORPORATED LIMITS ON WEST  
320<sup>TH</sup> STREET (WEST 1<sup>ST</sup> STREET EXTENDED).**

***WHEREAS***, A Residential Parcel Subdivision Plat for the property belonging to ***B&B FARM PARTNERSHIP, LLC***; and

***WHEREAS***, this Final Plat lies within the 2-mile perimeter of the city of Huxley therefore it must be approved by the City before it can be finalized with Story County; and

***WHEREAS***, this final plat was received by the City on May 21, 2019 for its review; and

***WHEREAS***, this review request came to Huxley's Zoning Administrator who reviewed the plat as well as staff and it is now being referred to the City Council with a favorable recommendation, subject to;

*At such time as the property is developed further for residential purposes (infrastructure and platting), said property and development be required to meet all subdivision requirements of the City of Huxley*

***BE IT RESOLVED, THEREFORE***, that the Final Plat for the Thompson Farm Subdivision, submitted to the Huxley City Council and is approved subject to the conditions above and as illustrated in attached.

***PASSED, ADOPTED AND APPROVED*** this \_\_\_\_ day of June, 2019.

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

**APPROVAL BY MAYOR**

I hereby approve the foregoing **Resolution No. 19-075** by affixing below my official signature as Mayor of the City of Huxley, Iowa, this \_\_\_\_ day of June, 2019.

\_\_\_\_\_  
Craig D. Henry, Mayor

ATTEST:

\_\_\_\_\_  
Jolene Lettow, City Clerk



Story County Planning and Development  
Administration Building  
900 6<sup>th</sup> Street, Nevada, Iowa 50201

Ph. 515-382-7245  
[www.storycountyiowa.gov](http://www.storycountyiowa.gov)

May 21, 2019

John Haldeman (City Administrator)  
City of Huxley  
515 N. Main Ave.  
Huxley, IA 50124

**Subject:** Questions/comments on Agricultural Subdivision application submittal for the proposed Thompson Farm Subdivision located in Section 26 of Township 82 North, unincorporated Story County (Parcel #'s 13-26-100-105, 13-26-100-205, 13-26-100-300, and 13-26-100-400).

Dear Mr. Haldeman:

We have received an agricultural subdivision plat application for a property within two miles of the City of Huxley. I have attached the plat and application. Please respond to the two questions below regarding properties owned by the City of Huxley adjacent to the proposed Thompson Farm Subdivision. Thank you for your time, if you have questions please contact me at (515) 382-7245 or [gnelson@storycountyiowa.gov](mailto:gnelson@storycountyiowa.gov).

**Story County Planning and Development Comments for City of Huxley:**

1. What are the current and future city land use purposes for section: 26 Township: 82 Range: 24 Property ID: 13-26-100-250 and 13-26-100-260 (located on the east side)?
2. When will the City Council take action on the subdivision plat request?

Sincerely,

Gabriel Nelson  
Story County Planning Intern



---

**Easter & Associates**

220 Centennial Drive  
Huxley, IA 50124  
(515) 290-4481  
alleneaster@gmail.com

May 23, 2019

**John Haldeman**

City Administrator, City of Huxley  
515 N Main Avenue  
Huxley, IA 50124

RE: Residential Parcel Subdivision Plat for Thompson Farm Subdivision  
Parcel ID: 14-26-100-105, 13-26-100-205, 13-26-100-300, and 13-26-100-400

Dear Mr. Haldeman,

This review is in regards to the email sent by Gabriel Nelson to the City of Huxley on May 21, 2019. An Agricultural Subdivision Plat was submitted to the County for properties adjacent to the Huxley City Limits along W. 1st Street/320th Street. The Owners have submitted an email that states their intent is to continue farming the properties.

Throughout Iowa, Cities have the right to review subdivisions within 2 miles of a City according to the following code section(s):

Chapter 354 of the Code of Iowa includes provisions for the division and subdivision of land. Section 354.9 addresses the "Review of subdivision plats within two miles of a city." Subsection two (2) includes the following provision:

*Section 354.9(2). "...Either the city or county may, by resolution, waive its right to review the subdivision or waive the requirements of any of its standards, or conditions for approval of subdivisions, and certify the resolution which shall be recorded with the plat."*

There are several considerations for review of a subdivision within 2-miles of a subdivision, including:

- **Compliance with City's Currently Adopted Comprehensive Plan.** The 2013 comprehensive plan does contemplate City growth into these areas. The Future Land Use Map (Figure 3-2) does not indicate a land use, but does indicate extensions of both Ballard Drive and Snyder Drive into this land area. In addition, the Growth Management Plan (Figure 3-3) shows this area as 'High Priority Growth Area'. A potential extension of the Heart of Iowa Nature Trail could also run through this property.

- 
- **Infrastructure and Subdivision Requirements.** The City may require that the subdivision meet City standards; may require that the property owner sign an assessment protest waiver for future infrastructure installation; waive all City standards; or any combination of these.
  - **Compliance with City's Draft Comprehensive Plan.** The 2019 draft comprehensive plan does not contemplate City growth into these areas. The Future Land Use Map does not indicate a land use and does not indicate any road extensions in this development nor anywhere in the City. *This Future Land Use Map is somewhat suspect, as potential developments within the City (including along West Centennial and Ballard Drive) aren't shown, and there are squares of commercial and residential boxes shown on 535th Avenue west of the high school, outside of City Limits.*

City Council Alternatives:

1. City Council may grant a waiver of subdivision authority for the proposed subdivision.
2. City Council may require the applicant to sign an assessment protest waiver in case City of Huxley infrastructure would be placed here.
3. City Council may require any/all subdivision requirements be met.
4. City Council may table action pending more information from staff/applicant.

**Easter & Associates Recommended Action**

The subdivision is located in an area that is contemplated by the City of Huxley's published and approved 2013 Comprehensive Plan. According to this document, the likelihood of the City growing to this subdivision location is highly likely.

As such, based on the information known at this time, we would recommend Alternative 3. This would mean that the Developer would be required to meet City of Huxley requirements for subdivisions and public improvements.

However, the Council should seriously consider any changes to the 2013 Comprehensive Plan they are contemplating with the 2019 Draft Comprehensive Plan and be willing to act accordingly.

Sincerely,

Nathan Easter, PE  
Easter & Associates



Sub 08-19

## SUBDIVISIONS



### 1. Property Owner\*

(Last Name) B&B Farm Partnership, LLC

(First Name) \_\_\_\_\_

(Address) 803 Ashwood Dr.

(City) Huxley (State) Iowa (Zip) 50124

(Phone) 515-597-2952 (Email) denis@b&bfarm.com

### 2. Applicant (if different than owner)

(Last Name) \_\_\_\_\_

(First Name) \_\_\_\_\_

(Address) \_\_\_\_\_

(City) \_\_\_\_\_ (State) \_\_\_\_\_ (Zip) \_\_\_\_\_

(Phone) \_\_\_\_\_ (Email) \_\_\_\_\_

### 3. Property Address Rural E63/320th St., Huxley, Iowa 50124

Parcel ID Number(s) See list on back of Application

### 4. Certification and Signature

I/we certify that the information and exhibits submitted are true and correct to the best of my knowledge and that in filing this application I am acting with the knowledge, consent and authority of the owners of the property. Pursuant to said authority, I hereby permit County officials to enter upon the property for the purpose of inspection.

\*Acknowledgement of property owner is required and may occur via email or by signature of this application.

Property Owner Signature Denise B&B Farm Date 8/14/19 Applicant Signature \_\_\_\_\_ Date \_\_\_\_\_

#### ☒ Subdivision

Proposed Name: Thompson Farm Subdivision

#### Filing Fee/Type (required prior to processing):

☐ Residential Parcel Plat (\$175)

☐ Agricultural Plat (\$175)

☐ Minor Plat (\$275)\*\*

☐ Major Plat—Preliminary (\$275)\*\*

☐ Major Plat—Final (\$175)\*\*

\*\*Conceptual Review required

#### Submittal Requirements:

☐ Attend conceptual review meeting

☐ Legal description that will be used on all required legal documents (submit as Word document)

☐ Proposed subdivision plat (submit as PDF)

☐ All required submittal requirements as outlined in Chapter 87 of the Story County Code of Ordinances (87.06(3) for Residential Parcel, 87.07(3) for Agricultural, 87.08(3) for Minor, 87.09(3) for Major-Preliminary and 87.09(5) for Major-Final)

☐ All required documents for subdivision plats as outlined in Iowa Code Chapter 354.11

#### ☐ Vacation

Type: ☐ Right-of-way ☐ Plat

#### Submittal Requirements:

☐ Filing Fee (required prior to processing): \$175

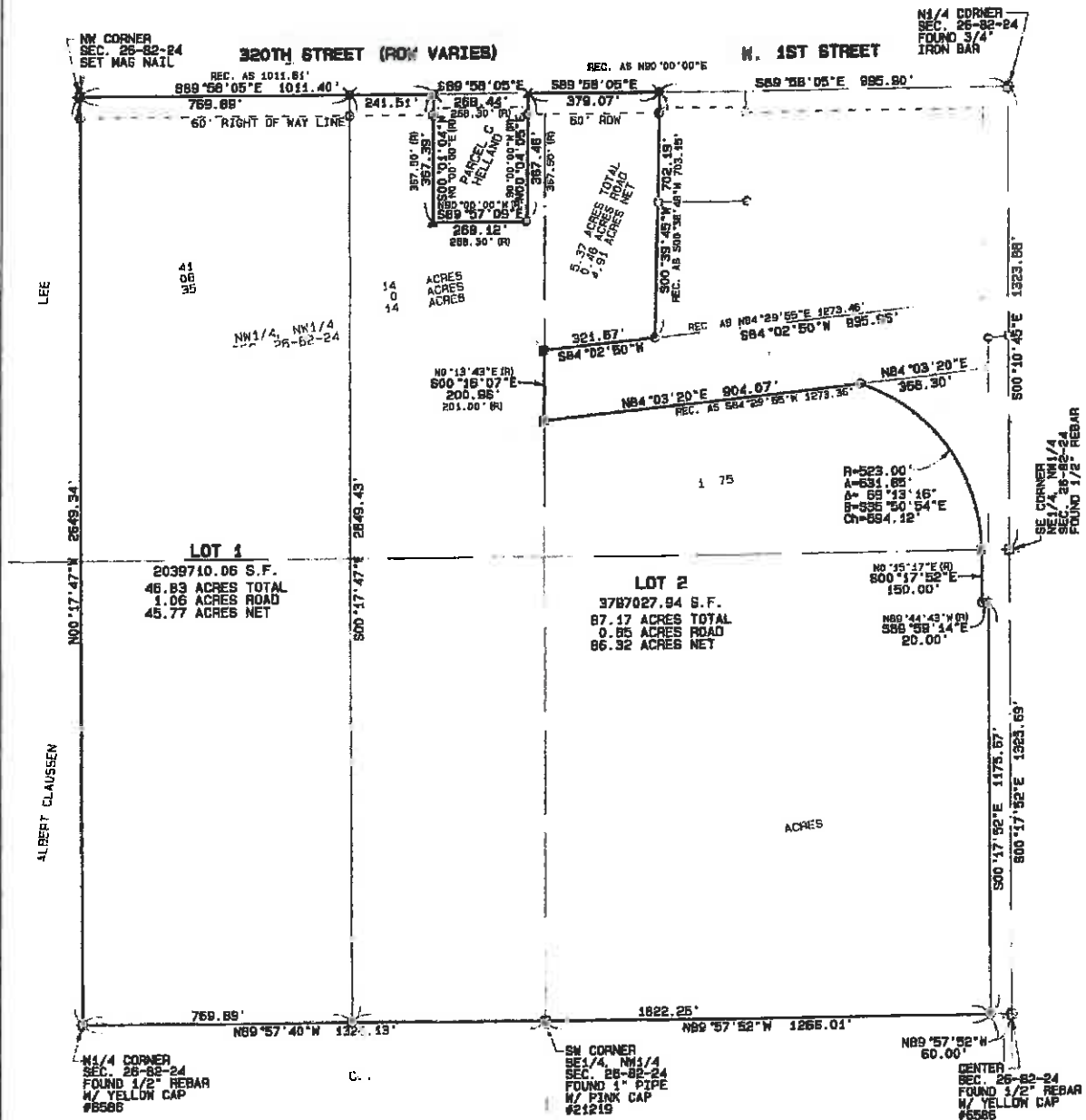
☐ Legal description that will be used on all required legal documents (submit as Word document)

☐ Written description of requested items to be vacated

☐ See Chapter 87.10 for the vacation process

Receipt No. 518910  
Receipt Amount 175

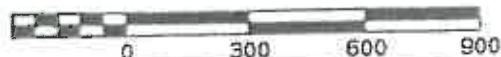
AN AGRICULTURAL SUBDIVISION IN  
THE NW1/4 OF SECTION 26-B2-24  
STORY COUNTY, IOWA



- \* FOUND 1" PIPE W/ PINK CAP #21219  
 \* FOUND 1/2" REBAR W/ YELLOW CAP #12846  
 \* FOUND 1/2" REBAR W/ YELLOW CAP #7626  
 \* FOUND 1/2" REBAR W/ YELLOW CAP #6586  
 \* FOUND NAIL  
 \* FOUND OR SET MAG NAIL  
 \* SET 1/2" REBAR W/ YELLOW CAP #17161

GRAPHIC SCALE

1"=300'



# FINAL PLAT THOMPSON FARM SUBDIVISION

AN AGRICULTURAL SUBDIVISION IN  
THE NW1/4 OF SECTION 26-82-24  
STORY COUNTY, IOWA

## OWNER:

B & B Farm Partnership, L.L.C.  
803 Ashwood Dr.  
Huxley, IA 50124

## SURVEY DESCRIPTION:

A subdivision of part of the Northwest Quarter of Section 26, Township 82 North, Range 24 West of the 5th P.M., Story County, Iowa, being more particularly described as follows: Beginning at the Northwest Corner of said Section 26; thence S89°58'05"E, 1011.40 feet along the north line thereof to the Northwest Corner of Parcel C in the Northwest Quarter of said Northwest Quarter; thence following the boundary thereof S00°01'04"W, 367.39 feet; thence S89°07'09"E, 268.12 feet; thence N00°04'05"E, 367.46 feet to the Northeast Corner of said Parcel C; thence S89°58'05"E, 378.07 feet along the north line of said Section 26 to the Northwest Corner of an existing parcel; thence S00°39'45"E, 702.98 feet along the west line thereof to the northerly line of Parcel A, being a portion of vacated railroad right of way in the Northeast Quarter of said Northwest Quarter; thence following the boundary of said Parcel A S84°02'50"W, 321.67 feet; thence S00°16'07"E, 200.96 feet; thence N84°03'20"E, 904.07 feet to the Northwest Corner of Parcel B in the East Half of said Northwest Quarter; thence following the boundary of said Parcel B southerly, 631.85 feet along a curve, concave to the southwest, having a radius of 523.00 feet, a central angle of 69°13'16" and being subtended by a chord which bears S35°50'54"E, 584.12 feet; thence S00°17'52"E, 160.00 feet; thence S89°59'14"E, 20.00 feet to the Southeast Corner of said Parcel B; thence S00°17'52"E, 1175.67 feet along the west line of the former railroad to the south line of said Northwest Quarter; thence N89°57'02"W, 1286.01 feet to the Southwest Corner of the Southeast Quarter of said Northwest Quarter; thence N89°57'40"W, 1326.13 feet to the West Quarter Corner of said Section 26; thence N00°47'47"W, 2649.34 feet to the point of beginning, containing 134.00 acres, which includes 1.91 acres of existing public right of way.

## NOTES:

1. This subdivision is for agricultural purposes only and is not intended for development except in conformance with the Story County development regulations.
2. Additional divisions of the lots created with the agricultural subdivision are not permitted unless the entire subdivision is considered for platting purposes.
3. All new lots shall require an E911 address for inhabited structures, including residences and businesses, telecommunications towers and facilities, and for any public assembly area including open-air, outdoor activities. E911 addresses shall be assigned by Story County at the request of the property owner.

## DISTRICTS:

School: Ballard  
Fire:  
Ambulance:  
Zoning: A-1 (Agricultural)  
Drainage: Palestine #24

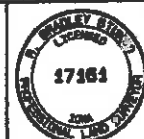
FOX ENGINEERING  
ASSOCIATES, INC.

414 S. 17TH ST., STE 107  
AMES, IOWA 50010  
PH 515-238-0000

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.

*R. Bradley Stumbo*  
R. Bradley Stumbo License #17161  
My license renewal date is December 31, 2019  
Job #14898A Date: 5/10/19 Page 1 of 2

Date: 5/10/19



**RESOLUTION NO. 19-076**

**RESIDENTIAL PARCEL SUBDIVISION PLAT FOR WUEBKER DEERFIELD  
SUBDIVISION, 2<sup>ND</sup> ADDITION LOCATED JUST NORTH OF 300<sup>TH</sup> STREET AND EAST  
OF 560<sup>TH</sup> STREET.**

***WHEREAS***, A Residential Parcel Subdivision Plat for the property belonging to  
***WESTWOOD CENTER PARTNERS, LC; and***

***WHEREAS***, this Final Plat lies within the 2-mile perimeter of the city of Huxley therefore it  
must be approved by the City before it can be finalized with Story County; and

***WHEREAS***, this final plat was received by the City on May 23, 2019 for its review; and

***WHEREAS***, this review request came to Huxley's Zoning Administrator who reviewed the  
plat as well as staff and it is now being referred to the City Council with a favorable recommendation,  
with the following waiver;

*That the Huxley City Council grants a waiver of subdivision authority for this proposed subdivision.*

***BE IT RESOLVED, THEREFORE***, that the Final Plat for the DEERFIELD  
SUBDIVISION, 2<sup>ND</sup> ADDITION as submitted to the Huxley City Council and is approved with the  
Waiver stated above and as illustrated in attached.

***PASSED, ADOPTED AND APPROVED*** this \_\_\_\_ day of June, 2019.

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

**APPROVAL BY MAYOR**

I hereby approve the foregoing **Resolution No. 19-076** by affixing below my official  
signature as Mayor of the City of Huxley, Iowa, this \_\_\_\_ day of June, 2019.

\_\_\_\_\_  
Craig D. Henry, Mayor

ATTEST:

\_\_\_\_\_  
Jolene Lettow, City Clerk

**Easter & Associates**

220 Centennial Drive  
Huxley, IA 50124  
(515) 290-4481  
alleneaster@gmail.com

May 24, 2019

**John Haldeman**

City Administrator, City of Huxley  
515 N Main Avenue  
Huxley, IA 50124

RE: Residential Parcel Subdivision Plat for Wuebker  
Parcel ID: 14-18-100-110

Dear Mr. Haldeman,

This review is in regards to the email sent by Amelia Schoeneman to the City of Huxley on May 23, 2019. A Residential Parcel Subdivision Plat was submitted to the County for a property located north of Deerfield Subdivision, at the intersection of 300th Street and 560th Street.

Throughout Iowa, Cities have the right to review subdivisions within 2 miles of a City according to the following code section(s):

Chapter 354 of the Code of Iowa includes provisions for the division and subdivision of land. Section 354.9 addresses the "Review of subdivision plats within two miles of a city." Subsection two (2) includes the following provision:

***Section 354.9(2).** "...Either the city or county may, by resolution, waive its right to review the subdivision or waive the requirements of any of its standards, or conditions for approval of subdivisions, and certify the resolution which shall be recorded with the plat."*

There are several considerations for review of a subdivision within 2-miles of a subdivision, including:

- **Compliance with City's Comprehensive Plan.** The comprehensive plan does not contemplate City expansion into the area of this subdivision.
- **Infrastructure and Subdivision Requirements.** The City may require that the subdivision meet City standards; may require that the property owner sign an assessment protest waiver for future infrastructure installation; waive all City standards; or any combination of these.

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**City Council Alternatives:**

1. City Council may grant a waiver of subdivision authority for the proposed subdivision.
2. City Council may require the applicant to sign an assessment protest waiver in case City of Huxley infrastructure would be placed here.
3. City Council may require any/all subdivision requirements be met.
4. City Council may table action pending more information from staff/applicant.

**Easter & Associates Recommended Action**

The subdivision is located in an area that is not contemplated by the City of Huxley's published comprehensive plan, and this plat looks to be a continuation of similar development already established in the area. The likelihood of the City growing to this subdivision, according to the 2013 Comprehensive Plan, is very minimal.

As such, based on the information known at this time, we would recommend Alternative 1.

If the City Council decides to waive subdivision authority and improvements, we would recommend the following stipulation:

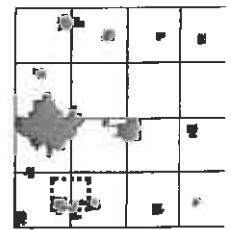
- A copy of the recorded subdivision be delivered to the City of Huxley for their records.

Sincerely,

Nathan Easter, PE  
Easter & Associates



#### Overview



#### Legend

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

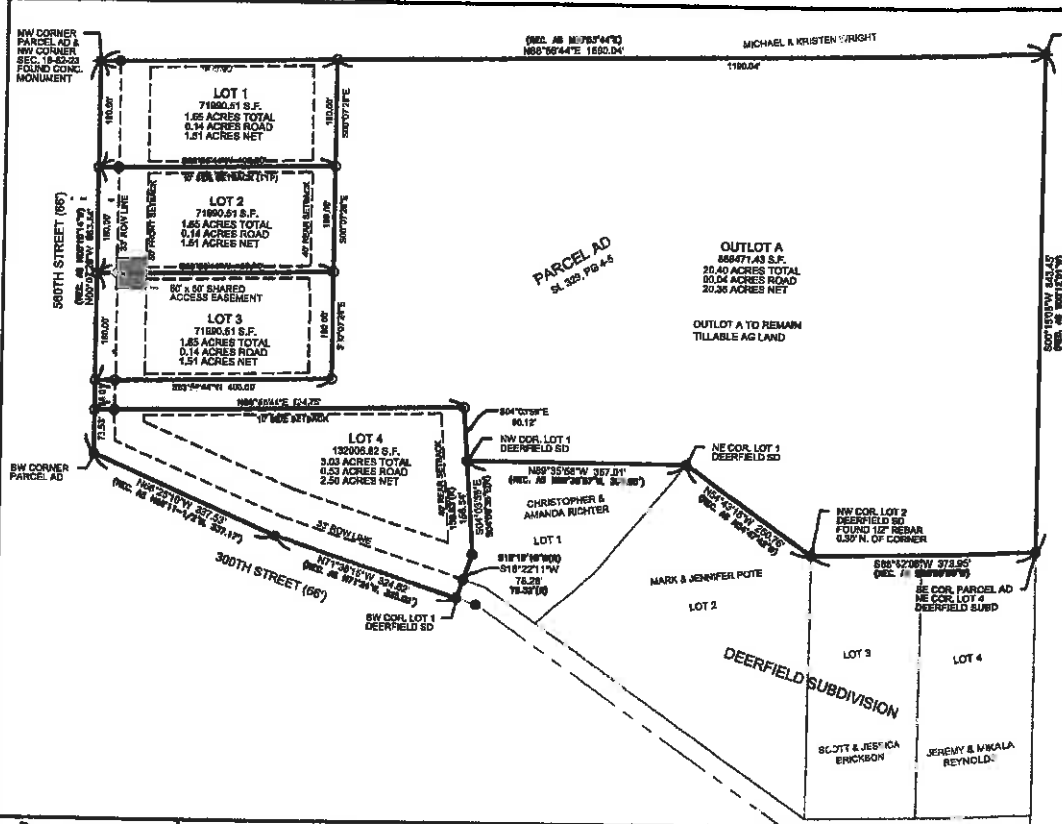
<b>Parcel ID</b>	1418100110	<b>Alternate ID</b>	1418100110	<b>Owner Address</b>	WESTWOOD CENTER PARTNERS LC
<b>Sec/Twp/Rng</b>	18-82-23	<b>Class</b>	A - Agriculture		6723 US HWY 69
<b>Property Address</b>		<b>Acreage</b>	27.4		AMES IA 50010
<b>District</b>	63023 - UNION TWP/BALLARD SCH				
<b>Brief Tax Description</b>	SECTION:18 TOWNSHIP:82 RANGE:23 NW NW PARCEL AD SLIDE 329 PG 4				
	(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: 5/23/2019  
Last Data Uploaded: 5/22/2019 11:33:53 PM

Developed by  **Schneider**  
GEOSPATIAL



**SURVEY DESCRIPTION-  
DEERFIELD SUBDIVISION, 2ND ADDITION:**

A subdivision of Parcel AD, as shown on the Plat of Survey filed in Slide 329, Pages 4 & 5, in the Northwest Quarter of the Northwest Quarter of Section 18, Township 62 North, Range 23 West of the 5th P.M., Story County, Iowa, being more particularly described as follows: Beginning at the Northwest Corner thereof; thence N88°58'44"E, 1580.04 feet to the Northeast Corner of said Parcel AD; thence S00°10'00"W, 843.45 feet to the Southeast Corner thereof; said point also being the Northeast Corner of Lot 4 in Deerfield Subdivision in said Section 18; thence running coincident with the north and west lines of said Deerfield Subdivision S88°52'00"W, 373.95 feet; thence N54°43'18"W, 260.16 feet; thence N88°55'58"W, 367.01 feet; thence S04°03'58"E, 158.54 feet; thence S18°22'11"W, 78.29 feet to the Southwest Corner of said Deerfield Subdivision; thence N71°38'15"W, 324.62 feet along the southerly line of said Parcel AD; thence N66°25'10"W, 337.53 feet to the Southwest Corner thereof; thence N00°07'28"W, 688.54 feet to the point of beginning, containing 28.39 acres, which includes 0.98 acres of existing public right of way.

**DISTRICTS:** Zoning: A-1 (Agricultural) School: Ballard  
**OWNER/DEVELOPER:** Westwood Center Partners LLC  
 6723 US Highway 809  
 Ames, IA 50010  
 Fire: Cambridge  
 Ambulance: Mary Greeley  
 Utility: Xenia, Consumers Energy

**NOTES:**  
 1. Lots 1-4 will be served by private septic and Xenia Rural Water.  
 2. All new lots shall require an ES11 address for inhabited structures, including residences and businesses, telecommunications towers and facilities, and for any public assembly area including open-air, outdoor activities. ES11 addresses shall be assigned by Story County at the request of the property owner.

- = FOUND 1/2" REBAR W/ YELLOW CAP #17161
- = SET 1/2" REBAR W/ YELLOW CAP #17161



**FOX**  
 Engineering  
 FOX Engineering Association, Inc.  
 414 South 17th Street, Suite 107  
 Ames, Iowa 50010  
 Phone: (515) 233-0000  
 Fax: (515) 233-0100

**FINAL PLAT  
 DEERFIELD SUBDIVISION, 2ND ADDITION**  
 SUBDIVISION OF PARCEL AD IN THE NW1/4, NW1/4, SEC. 18-82-23,  
 STORY COUNTY, IOWA  
 JOB# 14028-19A DATE: 4/08/19 PAGE 1 OF 1

I hereby certify that this land surveying document was prepared by me or under my direct personal supervision and I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.  
**R. BRADLEY STRIM, PLS**  
 License number 17161  
 My license renewal date is December 31, 2019.  
 DATE





# **PUBLIC SAFETY**

RESOLUTION NO. 19- 078

RESOLUTION APPROVING PUBLIC SAFETY NETWORK CONTRACT

**WHEREAS**, the City Council of the City of Huxley, Iowa has been presented with a Public Safety Network Contract to review and to take action; and

**WHEREAS**, the City Council of the City of Huxley, Iowa believes it to be in the best interest of the City to approve and execute the Contract.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUXLEY, IOWA**, that the City Council approves said contract and authorizes all City employees associated with contract to sign.

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

**PASSED, ADOPTED AND APPROVED** this 11th day of June, 2019

**APPROVAL BY MAYOR**

I hereby approve the foregoing **Resolution No. 19-078** by affixing below my official signature as Mayor of the City of Huxley, Iowa, this 11th day of June, 2019.

\_\_\_\_\_  
Craig D. Henry, Mayor

ATTEST:

\_\_\_\_\_  
Jolene Lettow, City Clerk

June 3<sup>rd</sup>, 2019

Mayor Henry and the Huxley City Council  
Administrator Haldeman

RE: Public Safety Network Contract Agreement

The same Huxley Police Department record management system has been in operations for the past 20-years, but now it has become unsupported. When looking for a new record management system I spoke to the Ames Police Department. The Ames Police Department, Iowa State University Police Department, and the Story County Sheriff's Office share a Public Safety Network.

The Public Safety Network share all information between agencies make it very efficient and cost effective. To manage the Public Safety Network, they developed a group called the Multi Agency Public Safety Group (MAPSG). MAPSG has members from each agency to insure equal and fair representation.

The Ames Police Department has offered the Huxley Police Department to enter the Public Safety Network and be part of MAPSG. The Ames Police Department has presented me an agreement contract that needs Huxley City Council approval. The initial fees for the Huxley Police Department to gain access into the Public Safety Network have been approved in the 2019/20 City of Huxley CIP. Ongoing cost will be budgeted into future Huxley Police Department yearly budgets. The agreement contract was reviewed by City Attorney Amy Beattie, and she has approved it.

I have spoken to you; Mayor Henry, the City Councilmembers, and Administrator Haldeman during the May 28th, 2019 Council work session about the Public Safety Network contract agreement. You concurred and referred it to the next City Council for consideration and action to approve the amendment.

At this time, I am respectfully asking the City Council for its consideration and action to approve the Public Safety Network contract agreement with Ames Police Department.

If you should have any questions, please feel free to contact me at [gstoll@huxleyiowa.org](mailto:gstoll@huxleyiowa.org) or call me cell at 515-231-4724.

Thank you,  
Gerry Stoll  
Huxley Police Chief

**SUPERION AGREEMENT TO GRANT PERMISSION TO ALLOW ACCESS TO SOFTWARE**

among

**City of Ames**  
**515 Clark Avenue**  
**Ames, IA 50010**

and

**Superion, LLC**  
**1000 Business Center Drive**  
**Lake Mary, FL 32746**

Whereas, City of Ames PD ("**Customer**") and **Superion, LLC** ("**Superion**") have entered into that certain Software License and Services Agreement dated February 22, 2011 ("**Customer Agreement**");

and

Whereas, Customer desires that the following public safety agency (the "**Accessing Agency**") obtain access to the Software licensed by Customer under the Customer Agreement;

**Huxley Police Department**  
**515 N. Main St.**  
**Huxley, IA 50124**

Now therefore, the parties agree as follows:

1. Customer requests that Superion grant, and Superion does grant Customer permission to allow access to Accessed Software by the Accessing Agency under the terms of this Access Agreement ("**Access Agreement**"). The Accessed Software is as follows:

**All Software licensed to Customer**

2. Superion shall have the right to terminate this Access Agreement upon breach of this Access Agreement if cure is not effected within thirty (30) days of written notice of said breach.

3. This Access Agreement shall automatically terminate if the Customer Agreement is terminated. In the event that this Access Agreement should be terminated, Superion shall be under no obligation to the Accessing Agency to permit continued access to Accessed Software after such termination of this Access Agreement, but shall agree to license Accessed Software under separate license agreement with the Accessing Agency in such event, provided the Accessing Agency is not in default of any of the provisions of this Access Agreement nor any related Supplements, and provided the Accessing Agency provide a replacement technical environment satisfactory to Superion.

4. Customer understands that Accessing Agency will not be granted access to the Accessed Software unless and until the Accessing Agency executes an Access Agreement and agrees that the Accessed Software constitutes proprietary information and trade secrets of Superion and will remain the sole property of Superion. The Accessing Agency shall not at any time sell, assign, transfer or otherwise make available to, or allow use by, a third party any of components of Accessed Software, and the Accessing Agency shall

hold in confidence the Superior proprietary information for its benefit and internal use only by its employees. The Accessing Agency will further acknowledge that, in the event of a breach or threatened breach of the provisions of this paragraph, Superior has no adequate remedy in money damages, and, accordingly, shall be entitled, without bond, to an injunction against such breach or threatened breach.

5. Customer shall be the first point of contact for the Accessing Agency for Accessed Software in the event that support services are required by the Accessing Agency. Should Customer not be able to solve the Support Service issue, Customer shall contact or coordinate contact with Superior for support services.

By the signatures of their duly authorized representatives below, Superior and Customer, intending to be legally bound, agree to all of the provisions of this Access Agreement.

**Huxley Police Department, IA**


BY: \_\_\_\_\_

PRINT NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE SIGNED: \_\_\_\_\_

**Superior, LLC**

BY:  \_\_\_\_\_  
BBE89E688DC467...

PRINT NAME: Tom Amburgey

TITLE: General Manager

DATE SIGNED: May 24, 2019

**City of Ames, IA**

BY: \_\_\_\_\_

PRINT NAME: \_\_\_\_\_

PRINT TITLE: \_\_\_\_\_

DATE SIGNED: \_\_\_\_\_

## **MEMORANDUM OF AGREEMENT**

### **A MEMORADUM OF AGREEMENT BY THE CITY OF AMES, IOWA, AND THE CITY OF HUXLEY, IOWA, TO ESTABLISH AND MAINTAIN ACCESS TO PUBLIC SAFETY SOFTWARE AND NETWORK**

**THIS AGREEMENT**, made and entered by the City of Ames, Iowa, (hereinafter Ames) and the City of Huxley, Iowa, (hereinafter Huxley) as follows:

#### **PURPOSE**

The purpose of this Agreement is to provide a framework for the Huxley Police Department (any reference to Huxley throughout this Agreement shall include the Huxley Police Department) to gain access to and utilize the public safety network - a system of software products, computer hardware and network connections that allows Ames Police, the Story County Sheriff's Office, Iowa State University Police, and others to access a common database and share information, and to provide for an equitable arrangement to sharing the cost of that access.

#### **BACKGROUND**

In 2012 Ames, Story County, and Iowa State University jointly acquired a suite of software products from a company then known as OSSI, recently known as Superion and now known as CentralSquare (hereinafter CS). CS insisted that the contract for the licensing, maintenance, and support of the software be with one agency. By mutual agreement, Ames entered into the contract with CS. Story County and Iowa State University then entered into use agreements with both Ames and CS that allows Story County and Iowa State University full access to the CS software. In addition, Ames, Story County, and Iowa State University established a computer network system, including several fiber optic lines, between the three law enforcement agencies to effectively implement a shared data program. The system of software products, network hardware and fiber has come to be known as the public safety network.

To manage the public safety network, the participating agencies established a management group consisting of staff representatives from internal departments involved with the public safety network. That management group has adopted the working name the MultiAgency Public Safety Group (hereinafter MAPSG). Staff members from the agencies' Communication Centers, Records, IT, Jail, and Patrol have been involved in MAPSG.

This Agreement is between Ames and Huxley because Ames is the contract holder with CS. The parties acknowledge that as it relates to this Agreement, Ames has and will act only with the agreement and approval of the MAPSG partners.

#### **OBJECTIVES**

Access to the public safety network will require acquisition of licenses to use the appropriate software (including connectivity and system security software), acquisition of appropriate end-user hardware, establishment of a secure network connection between Huxley and the public safety network, installation of the software, establishment of appropriate security protocols, training for end-users and support staff, and execution of an additional agreement with CS.

MAPSG has adopted a number of access and security practices to successfully control the operation of the public safety network. Huxley will need to adopt those practices, including completing the required forms, to complete access to the network.

The parties intend that Huxley's initial access to the public safety network will be through two (2) workstations that will run the records management and mobile field reporting. The parties acknowledge

that Huxley has plans to add mobile data terminals to their patrol vehicles and that this Agreement will extend to any expansion of use in the future.

The parties recognize that all of the elements of the public safety network continue to evolve as technology advances. The parties acknowledge that changes that will occur and that successor software and hardware products will become available that will improve the functionality and security of the public safety network. By example, the core software from CS has changed ownership three times since its purchase in 2012. To achieve the purpose of this Agreement the parties recognize that products and names of products will change and that they will adapt.

## **SCOPE OF WORK**

1. In 2018, utilizing funding from a federal grant, Ames purchased additional licenses from CS to support Huxley's entry into the public safety network. Those licenses include:

- Two (2) Records Management System modules
- Two (2) Mobile Field Recording Modules
- Two (2) Mobile Field Reporting Arrest modules

The approximate value of these licenses is \$4,400.00 and Ames shall make them available to Huxley at no cost. These licenses also carry an annual maintenance fee currently estimated to be \$692.00. Huxley agrees to pay those annual maintenance fees for 2019 when this Agreement is signed and in the future.

Huxley shall be responsible for the cost of any additional CS licenses acquired, including both initial purchase costs and on-going maintenance costs, should Huxley expand beyond the two (2) workstations.

2. MAPSG has adopted NetMotion to manage access to and security for the public safety network. NetMotion software and licenses are required on any end-use hardware used by Huxley to gain access to the network. The initial two (2) workstation setup will require two (2) NetMotion licenses currently estimated to cost \$570.00 (\$285.00 each). In addition, the annual maintenance fee for the NetMotion licenses is estimated to be \$170.00 (\$85.00 each). Huxley will be responsible for the all costs associated with end-user NetMotion licenses.

The public safety network includes several servers that control NetMotion access. At the time of this Agreement MAPSG is engaged in a project to reconfigure those servers. Ames, and MAPSG, will provide Huxley with access to a server or servers in a way that is consistent with reconfigured NetMotion project. Costs for servers and server software shall be considered system support as described in the FINANCE section of this Agreement.

3. MAPSG has also adopted a plan to utilize RSA Authentication tokens to promote secure access to the public safety network. The plan to adopt RSA is linked to the reconfiguration of the NetMotion servers and is in process at the time of this Agreement. When RSA is implemented by MAPSG, Huxley will be required to purchase an RSA token for each individual who will access the public safety network. Tokens carry a cost of \$132.28 for a 2-year token and an annual estimated fee of \$40.00 per year after that. Huxley acknowledges that, at the time of the signing of this agreement, it has eleven (11) employees (five (5) full-time and six (6) part-time patrol officers) who would require tokens.

$\$132.28 \times 11 = \$1,455.08$  initial cost  
 $\$40.00 \times 11 = \$440.00$  annual on-going cost

Huxley shall be responsible for costs of RSA tokens. As with NetMotion, access to the RSA server or servers managed by MAPSG shall be considered system support as described in the FINANCE section of this Agreement.

4. MAPSG has adopted security statements for both agencies and individuals that access the public safety network. The "Multi-Agency Security Authorization Agreement" and the "Multi-Agency Information

Security and Employee Confidentiality Agreement" as adapted for Huxley, are attached to (as Attachments 1 and 2) and by reference incorporated into this Agreement. Huxley agrees to execute those agreements, or their successors, as a precursor to accessing the network. In addition, Huxley agrees to require all new employees to sign the "Multi-Agency Information Security and Employee Confidentiality Agreement" and to maintain a record of those signed agreements.

5. Two (2) Computer workstations capable of running a currently supported version of Windows, CS, and other system software at Huxley are required. Huxley shall supply those workstations at Huxley's cost. The parties acknowledge that all end-user hardware is the responsibility of the agency that uses that hardware. Members of MAPSG supply, manage, and maintain all their own end-user hardware, including computer workstations, mobile data terminals, and printers.

6. Huxley shall arrange for an internet connection at Huxley Police Department. An internet connection is required to establish a link between Huxley and the public safety network. Huxley shall be responsible for all costs of this internet connection.

The parties acknowledge that the data speeds available through the internet connection will impact the functionality of the CS software. Huxley will determine what level of service it will receive from its internet service provider.

7. Staff who will access and use the public safety network will be required to complete a course of training. Ames and MAPSG can coordinate a training program for Huxley based on training provided to new employees at Ames and MAPSG agencies. That training will be provided at no additional cost to Huxley.

CS also provides a series of training opportunities that may benefit Huxley. CS charges fees for those training services. Huxley may choose to engage the services of CS for additional training at Huxley's cost.

8. Except as described in the FINANCE section of this Agreement, Ames and MAPSG will be responsible for the support and maintenance of the public safety network and will provide knowledgeable staff to accomplish that purpose. Huxley will be responsible for support and maintenance of its end-user equipment, the operating software, and the connectivity to the public safety network and will provide knowledgeable staff to accomplish that purpose.

9. In the past, CS has required additional agencies to sign "Agency Access Agreement" consistent with the master contract held by Ames. Should CS require it, Huxley agrees to sign the Agency Access Agreement as a precursor to accessing the public safety network.

10. Ames makes no warranty of any kind, express or implied, regarding the public safety network, which includes the system software products licensed from CS. To the extent permitted by law, Huxley shall indemnify and hold harmless Ames from any and all damages, liabilities, costs, losses, expenses or attorney fees arising out of any claim, demand, or action by a third party due to Huxley's use of the public safety network.

## **FINANCE**

The parties intend that the elements of the public safety network, both hardware and software, as it exists prior to this Agreement, and as it evolves in the future, are the responsibility of MAPSG and its participating agencies. Except as described as system support costs in this section, Huxley shall have no responsibility for and will acquire no interest in the public safety network. Conversely, the end-user hardware and software, other than the CS software, and the elements of connectivity between Huxley and the public safety network are the responsibility of Huxley and neither Ames nor MAPSG will be responsible for or acquire an interest in that hardware and software. Ownership and use of the CS software will be governed by the Agency Access Agreement.



In addition to the initial and annual on-going costs described in the Scope of Services section of this Agreement, Huxley will pay an annual "system support" cost to support the public safety network. The system support cost will be equal to 15% of the annual software maintenance fees charged by CS and NetMotion and attributable to Huxley, with a minimum of \$1,200.00 per year. Stated otherwise, the system support cost will be \$1,200.00 per year until the annual software maintenance cost from CS and NetMotion attributable to Huxley reaches \$8,000.00 annually. At and after the \$8,000.00 mark, the system support cost will be 15% of the annual software maintenance fees. Huxley will acquire no interest or ownership in any part of the public safety network by paying the system support cost.

The MAPSG agencies own and operate the elements of the network and the employees of the participating agencies dedicate time to operate and support the network. Huxley will not be required to provide that level of support to maintain the network. The system support cost will be paid annually to Ames and will be held to support the activity of MAPSG.

As the holder of the master contract, Ames currently manages the finances for MAPSG and will continue to do so until replaced by mutual agreement of the MAPSG members. MAPSG operates on a calendar year basis and bills participating agencies in the first quarter of each calendar year. Huxley will pay the initial costs and a first year system support cost at the time this Agreement is signed. Huxley will be billed again for annual maintenance fees and system support costs after January 1, 2020.

Ames shall issue invoices to Huxley at 515 N. Main, Huxley, IA 50124. Huxley agrees to pay invoices within thirty (30) day of receipt.

#### **MAPSG**

MAPSG meets monthly at locations that rotate around the county. Each of the principal agencies (Ames Police Department, the Story County Sheriff's Office and the Iowa State University Police) have one vote as members of MAPSG. Huxley is invited and encouraged to attend the MAPSG meeting as a non-voting member. Huxley staff may be added to the MAPSG mailing list.

#### **NO SEPARATE ENTITY**

By entering into this Agreement, the parties do not intend to create any obligations express or implied other than those set out herein; nor do they intend to create a separate legal entity for the purposes of this Agreement; further, this Agreement shall not create any rights in any party not a signatory hereto.

#### **NOTICE**

All notices under this Agreement shall be in writing and shall be deemed to have been given: (i) upon hand delivery or (ii) if sent by Regular Mail, within seventy-two (72) hours after the notice has been deposited in the United States Post Office, postage paid. Notices shall be sent to the other party at the addresses set forth below. Either party may change its address by giving notice in writing thereof to the other party.

For Ames: Doug Houghton  
515 Clark Avenue  
PO Box 811  
Ames, Iowa 50010

For Huxley: Gerry Stoll  
515 N. Main  
Huxley, Iowa 50124

#### **TERM OF AGREEMENT**

This Agreement will take effect upon signing by both parties and will continue to be in effect until terminated by one or more of the parties.

## TERMINATION

This agreement shall terminate on WRITTEN NOTICE by one party to the other. Written notice shall be given no later than January 1 of the current fiscal year and terminate June 30 of the current fiscal year. At the time of termination, any invoices outstanding or anticipated will be taken into account in order to determine the final financial reconciliation between the parties.

The parties further agree that because of the unique and indispensable nature of the services jointly provided by this agreement that termination will not result in the disruption of services provided by any party. The parties further agree to cooperate in all respects and if necessary, to allow six month extension(s) to continue operation, in all respects, in order to permit the acquisition of funding and take into account the time needed to install a substitute/replacement system(s) either of the parties.

## SIGNATURES OF THE PARTIES

**IN WITNESS WHEREOF** the parties hereto have caused this instrument to be executed by their duly authorized representatives.

**CITY OF AMES, IOWA**

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_

**CITY OF HUXLEY, IOWA**

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_

## Multi-Agency Security Authorization Agreement

On June 14, 2005, the Iowa State University Department of Public Safety, City of Ames Police Department, and Story County Sheriff's Office entered into a *28E Public Safety Services Agreement*. The purpose of the *28E Public Safety Services Agreement* continues to be a joint public safety computer system that shares resources including hardware, software and support services. This system includes computer aided dispatch (CAD), records management (RMS), jail management (JMS), data network, operating procedures, and auxiliary and supporting software. This document identifies the processes and procedures for securing access to the data in the system.

The personnel authorized to access the public safety computer system are identified as follows:

- All law enforcement personnel, including sworn officers, dispatchers, records clerks, corrections officers, and other public safety personnel
- Additional authorized public safety employees, including volunteers, part-time staff, and designated IT personnel
- E911 and emergency management personnel
- Staff at the Story County Attorney's Office and the City of Ames Attorney's Office
- Auditors from federal and state agencies

All personnel with access to the system will sign the Multi-Agency Information Security and Employee Confidentiality Agreement acknowledging their responsibility for confidentiality and security of all combined public safety data. This form will be signed and dated by each individual and the agency supervisor prior to granting authorization. The signed form will authorize the IT department to grant access to the systems and applications. Scanned copies of the forms will be stored on the shared drive “\\scomops\documentation\Security Documents” in the respective agency's folder. Access to the joint public safety computer system will expire after three years and a newly signed agreement form will be required for re-authorization at that time. All personnel must complete CJIS Security & Awareness Training within the six months of employment. In addition, all law enforcement and IT personnel must have fingerprinting and criminal history run prior to start of employment.

Each agency is responsible for prompt notification to the other agencies when there is a change in personnel. An email will be sent to all agencies' Records Management Departments indicating the date of when a new user is added or a current user is removed from the system. This allows all agencies to maintain current external records access. When an employee separates from an agency, that agency is responsible for timely removal of the former employee's access to the joint public safety computer system by disabling or deleting any and all applicable user profiles. Any other events that occur which change shared user groups or external personnel authorities, shall be promptly reported to the designee of each agency.

Quarterly reviews of the employee user profiles in the Computer Aided Dispatch (CAD), Record Management System (RMS), and Jail Management System (JMS) will be completed by each agency to verify that all authorization is correct and current. Any inactive user profiles will be disabled and/or deleted.

Public Safety Personnel may only release information pertaining to their own agency's records, according to their agency's policies and procedures. Any person requesting information regarding another agency's records must be directed to the agency responsible for that information. In addition, Public Safety Personnel may provide another agency's related name involvement information consisting of ONLY the originating agency and case number to an outside law enforcement agency regarding a name information request. Any requests for additional information concerning related name involvements must be directed to the originating agency for release according to that agency's policies and procedures. We acknowledge the sharing of information through the Federal N-DEX system as appropriate.

Security access for the following applications and their respective modules will be defined and maintained by each agency based on their own policies and procedures:

- CAD (Computer Aided Dispatch)
  - Security access rights in the CAD system also define user rights for the following programs:
    - MCT (Mobile Communications Terminal)
    - OpCenter
- RMS (Records Management System) and JMS (Jail Management System)
  - External access to each agency's records will be authorized based on that agency's policies and procedures.
  - Security access rights in the RMS/JMS system also define user rights for the following programs:
    - MCT (Mobile Communications Terminal)
    - MFR (Mobile Field Reporting)
    - OpCenter
- Message Switch
  - Access to the message switch is dependent on a current certification from NCIC (National Crime Information Center)
- NetMotion VPN (Virtual Private Network) System
  - The three primary agencies (Ames PD, ISU PD, and SCSO) will deploy their own NetMotion VPN Systems for remote/mobile access to the joint public safety computer system.
  - Each agency will be responsible for maintaining their own user groups and access rights according to their own policies and procedures.
  - VPN security access MUST include a form of dual authentication as required and defined by the current CJIS (Criminal Justice Information

Services) security guidelines. Each agency may set their own form of dual authentication as long as it abides by the current CJIS security guidelines.

- Agencies owning NetMotion Servers may provide, on a contractual basis, access to their VPN server to other agencies or entities who require remote access to the shared public safety computer system. A signed copy of the security agreement must be completed for every employee accessing the network from that other agency or entity. This includes, but is not limited to: Drug Task Force Officers not employed by the three main agencies, Mary Greeley Medical Center (MGMC) Paramedics, Ames Fire Department, Story City PD, Huxley PD, Nevada PD, etc.

This document will be reviewed at least every three years to verify that the data access is current and to make any necessary updates to the application security.

---

Chief, City of Huxley Police

---

Date

Last Revision August 7, 2013

## **Multi-Agency Information Security And Employee Confidentiality Agreement**

This Agreement is presented to employees or agents of Iowa State University Department of Public Safety, the Ames Police Department, the Story County Sheriff's Office, and the Central Iowa Drug Task Force, Huxley Police Department, Story City Police Department, and Nevada Police Department hereinafter known as the Multi-Agency, and to others to ensure the integrity and confidentiality of information accessed through the Multi-Agency data systems.

I, the undersigned, hereby certify that I have read and understand the Multi-Agency Security Authorization Agreement. In consideration for access to the Multi-Agency systems and of my employment or association with Multi-Agency as an integral part of the terms and conditions of my employment or association, I hereby agree that I will not at any time during my employment or association, or after my employment or association ends, access or use, reveal or disclose to any persons within or outside Multi-Agency, any protected criminal history and law enforcement intelligence data information as defined by Chapter 692, Code of Iowa, or any confidential information as defined by Chapter 22, Code of Iowa, except as may be required in the course of my duties and responsibilities and in accordance with applicable local, state or federal laws governing proper release of such information. This limitation shall be in addition to any confidentiality, information and data security policies, or departmental public information policies that are part of my employment with any member of the Multi-Agency.

I understand that I am responsible for familiarizing myself with and abiding by this Agreement. I also understand that an unauthorized use or disclosure of confidential information, protected criminal history and law enforcement intelligence data information may result in loss of the privilege to access information through the Multi-Agency, disciplinary action up to and including termination of employment with a member of the Multi-Agency, and possible criminal prosecution under applicable state and federal laws. Failure to sign this Agreement may result in permanent suspension of access to Multi-Agency's systems, termination of employment, or withdrawal of an offer of employment.

Employee signature: \_\_\_\_\_ Date: \_\_\_\_\_

Employee name: \_\_\_\_\_

Department: \_\_\_\_\_

Approved:

\_\_\_\_\_  
Agency Supervisor

# FINANCE

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**RESOLUTION NO. 19-079**

**RESOLUTION REQUESTING SUPPORT OF STORY COUNTY HOUSING TRUST FUND TASK FORCE FOR FISCAL YEARS 2019 AND 2020.**

**WHEREAS**, Story County is one of the few counties remaining in the state of Iowa that has not formed a housing trust fund. There is therefore a substantial funding pool that has not been accessed, and

**WHEREAS**, the Story County Housing Trust Fund Task Force (SCHTF) is preparing an application for recognition as a county-wide housing trust fund with the Iowa Housing Trust Fund (IHTF), which is managed by the Iowa Finance Authority, and

**WHEREAS**, to qualify for trust fund status (which complements existing CDBG programs), SCHTF is required to: (1) incorporate; (2) obtain non-profit status; (3) establish an inaugural Board of Directors; (4) assess the types of housing assistance eligible for funding through the fund; (5) determine how the funding will be distributed (loan or grant); and (6) determine how the funds will be managed with accountability (likely shared staff with another trust fund), and

**WHEREAS**, the SCHTF has completed the first three requirements. The inaugural Board members will be entrepreneur Steve Ringlee, First National Bank's Erik Bunker, Ames City Council Member Amber Corrieri, and City of Huxley Mayor Craig D. Henry, and

**WHEREAS**, the SCHTF is actively working with Story County and the municipalities within Story County to identify their specific needs. The areas of need could include rental assistance, funding for new manufactured style homes, and rehabilitation of existing housing stock, and

**WHEREAS**, the requested matching funds request for the City of Huxley is \$1,831.59 per fiscal year which was based on a population of 3385 and would account for approximately 3.6% of the overall match request.

**BE IT RESOLVED, THEREFORE**, that this request is for (\$3663.18) and this be considered and approved by the City Council to cover the allocation for FY 2019 and FY 2020.

**BE IT FURTHER RESOLVED**, that after review of this resolution the City Council of Huxley, Iowa does hereby approve said Resolution for fiscal years 2019 and 2020 and principle support and authorizes the Mayor to sign.

<b>Roll Call</b>	<b>Aye</b>	<b>Nay</b>	<b>Absent</b>
David Jensen	_____	_____	_____
David Kuhn	_____	_____	_____
Greg Mulder	_____	_____	_____
Rick Peterson	_____	_____	_____
Tracey Roberts	_____	_____	_____

**PASSED, ADOPTED AND APPROVED** this 11th day of June, 2019



**APPROVAL BY MAYOR**

I hereby approve the foregoing **Resolution No. 19-079** by affixing below my official signature as Mayor of the City of Huxley, Iowa, this 11th day of June, 2019.

\_\_\_\_\_  
Craig D. Henry, Mayor

ATTEST:

\_\_\_\_\_  
Jolene Lettow, City Clerk

# **ADMINISTRATIVE BUSINESS**



## STORY COUNTY

ECONOMIC DEVELOPMENT GROUP

900 6th Street  
Nevada, Iowa 50201  
[www.storycountyiaowa.gov](http://www.storycountyiaowa.gov)

# FISCAL YEAR \_\_\_\_\_ APPOINTED REPRESENTATIVE FORM

(DUE ANNUALLY ON OR BEFORE JULY 1<sup>ST</sup>)

Submit to:

County Outreach and Special Projects Manager  
Story County Board of Supervisors  
900 6th Street  
Nevada, Iowa 50201

COMMUNITY NAME:

APPOINTED REPRESENTATIVE

NAME John Haldeman

TITLE

ADDRESS

EMAIL

PHONE NUMBER

ALTERNATE APPOINTED REPRESENTATIVE

NAME Craig Henry

TITLE

ADDRESS

EMAIL

PHONE NUMBER

FUNDS DISPERSED TO

NAME

ADDRESS

Date Received:

SIGNATURE—MAYOR