

PUBLIC NOTICE

PUBLIC NOTICE NOTICE OF MEETING OF THE CITY COUNCIL OF THE CITY OF ALLISON, IOWA ON THE ADOPTION OF ORDINANCE #258

Public Notice is hereby given that the City Council of the City of Allison, Iowa, will hold a public hearing on the 13th day of July, 2020 at 5:45 p.m., in the Council Chambers, City Hall, 410 North Main, Allison, Iowa at which meeting the Council proposes to take action to adopt Ordinance #258. An ordinance changing the current golf ordinance to include the use of ATV's, UTV's and Side by Sides. The ordinance will also change the streets that these units can be driven down and will require each unit owned by residents in the City limits of Allison to be registered with the City.

Any interested parties are encouraged to attend and speak in favor of or in opposition to the proposed golf cart ordinance change or may file written comments at City Hall prior to the time of said hearing.

Glenda Miller, City Clerk

TJ-27

PUBLIC NOTICE

PUBLIC NOTICE NOTICE OF MEETING OF THE CITY COUNCIL OF THE CITY OF ALLISON, IOWA ON THE ADOPTION OF ORDINANCE #259

Public Notice is hereby given that the City Council of the City of Allison, Iowa, will hold a public hearing on the 13th day of July, 2020 at 5:45 p.m., in the Council Chambers, City Hall, 410 North Main, Allison, Iowa at which meeting the Council proposes to take action to adopt Ordinance #259. A change in the existing animal protection and control ordinance by modifying Item #55.05 – the word fowl is deleted and Chapter 57 – Urban Chickens – is added.

Any interested parties are encouraged to attend and speak in favor of or in opposition to the proposed golf cart ordinance change or may file written comments at City Hall prior to the time of said hearing.

Glenda Miller, City Clerk

TJ-27

PROCEEDINGS

OFFICIAL PROCEEDINGS CITY OF ALLISON COUNCIL MINUTES JUNE 22, 2020

Regular Hearing:

Mayor Henrichs opened the regular meeting at 5:45 p.m. Council members present: Bangasser, Carlson, Davis, Henning, Heuer. Also present were Sara Henrichs, Kim Miller, Trent Stirling. Others present due to restrictions of the pandemic via freeconferencecall.com by dialing in with the number 701-802-5348 and when prompted to enter the code of 3896207# were Bethany Carson – Tribune-Journal. Motion by Bangasser with a second by Davis to approve the agenda. Ayes: All. Nays: None. Motion carried.

Open Forum: No open forum items were discussed.

Consent Agenda:

Davis made a motion approve the consent agenda with a second by Henning with the exception that the variance and building permit of Joey and Alyssa Endelman was tabled as further information needs to be obtained before that can be approved. Those items approved were:

Approve minutes from meeting on June 8, 2020

Approve Liquor License Renewal for Gronigan's – LC0033980

Approve Cigarette Permit Renewal Application for Casey's General Store #2357 and J & C Grocery, Inc.

Approve Building Permit for Patrick Mayfield – 272 Locust – Build shed for storage in back yard and replace back deck with another deck or just put steps to door

Approve Building Permit for Thomas Heckman – 404 10th Street – 60 X 32 storage building in backyard

Approve Building Permit for Doug Poppen – Garage – 30 X 40 at 314 Ninth Street (across the street from his residence)

Ayes: All. Nays: None. Motion carried. Tabled until the next meeting:

Approve Variance Request and building permit for Joey and Alyssa Endelman – 217 Fourth Street – Replace existing garage and breezeway with a 24 X 30 garage and use 4' more of the alley to do so.

New Business:

Carlson made a motion to approve Resolution #20-06.6 – Resolution to transfer \$14,926.95 from the water fund into the

water tower repairs fund to balance out the capital project. Second by Bangasser. Ayes: All. Nays: None. Motion carried.

Bangasser reported that the pool board met on June 15, 2020 and they felt it was in the best interest for the safety of all citizens of Allison - not to open the pool this summer. They just could not comply with all the regulations with the size of staff they would have and the pool is just not big enough to encourage social distancing. They have established Committees and Sub Committees and they have plans to raise money through fund raising and grants at right around \$1,000,000 for a new pool. They will be fund raising all of next year and the following year and hopefully would be able to build a new pool in the third year. She stated that it is so wonderful that so many people have stepped forward to help in this fund raising effort. She asked City Council if they would be willing to put forth some of the money allocated for the current pool budget into the pool fund raising account since the pool would not be opening this summer and not all of the budget would be spent. She said she realized this is not something that is normally approved as this does deplete general fund balances but that these were very special circumstances. After careful consideration and discussion - Henning made a motion to write a check for \$20,000 from the pools current fiscal year's budget and put it into the pool fund raising account. Second by Davis. Ayes: All. Nays: None. Motion carried.

Kim and Trent will fill in dirt and grass seed under the pedestal sign at the medical center.

Proposed Ordinance #258 for a change in the golf cart ordinance was discussed. The only things Council felt should be added is that this ordinance will be enforced by local authorities and that this ordinance applies to all residents that reside within the City limits of Allison, Iowa.

Proposed Ordinance #259 to allow chickens (hens) to be raised within the City limits of Allison was also discussed and Council would like some check boxes put on the permit application that the applicant has provided notice to all residents living in immediately adjacent dwellings and that if there is a landlord involved in the situation that they have been notified.

Glenda will make the changes to the Ordinances as requested and publish notices of public hearings that will be held at the meeting on July 13, 2020.

Trent Stirling asked permission to mow and bale the City land by the ammunition plant.

Motion by Henning with a second by Davis to allow Trent Stirling to mow and bale the land by the ammunition plant for this season. Ayes: All. Nays: None. Motion carried.

620 Pine Street was discussed as there was dirt that needed to be leveled off from sewer repairs and the Mayor reported that this has now been taken care of.

Motion by Bangasser with a second by Davis to approve the motion written by the City Attorney in regards to allowing Tim Schrage install his own septic and well for his new home to be built on North Railroad Street and the need for Tim or other property owners in the area described to connect to City water and sewer should that ever be installed into that area. The motion is as follows:

Tim Schrage is the owner of property legally described as:

Parcel U located in the Northeast Quarter of the Southwest Quarter (NE¼ SW¼) of Section Twenty-five (25), Township Ninety-two (92) North, Range Seventeen (17) West of the 5th P.M., in the town of Allison, Butler County, Iowa, as per Plat of Survey filed Sept. 4, 2019, and recorded in Book "U" Page 184, Instr. No. 2019-1957 of the records of the Butler County Recorder.

Tim Schrage wishes to install his own septic system and well on the above-described property. His property line is 300 feet from the City's sewer line.

The City of Allison agrees to allow Tim Schrage to install his own septic system and well on the above-described property at his own expense. However, should at any time Tim Schrage, his heirs, assigns or successors in interest subdivide or sell any portion of the above-described property or other property now owned by Tim Schrage legally described as:

The West 80 acres of Lots 2 and 3 in the Subdivision of the W ½ of Section 25-92N-17W, Butler County, Iowa, as shown by recorded plat thereof, said real estate being a/k/a the West 80 acres of Lots 18 and 19 of the re-subdivision of the W ½ of said Section, EXCEPT: The

North 50 feet of said West 80 acres deeded to the Town of Allison on November 9, 1967, as shown by Warranty Deed filed November 30, 1967, and recorded in Book 98 at Page 115 in the Office of the Recorder of Butler County, Iowa; AND EXCEPT a 2 acre tract commencing at the intersection of the East line of Linden Street with the North line of Seventh Street in the Town of Allison, Iowa; thence South 40 feet; then West 605.42 feet along the center line of Seventh Street and Iowa Highway No.47; thence South 40 feet to the NE corner of a tract known as the West 80 acres of Lots 2 and 3 in the Subdivision of the W ½ of said Section; thence South 10 feet to the point of beginning; thence South 362.27 feet; thence East 240 feet to the point of beginning; AND EXCEPT Parcel "A" in the West 80 acres of Lots 2 & 3 in the Subdivision of the W ½ Section 25-92N-17W, Butler County, Iowa a/k/a the West 80 acres of Lots 18 and 19 of the re-subdivision of the W ½ of said Section 25, as shown in Plat of Survey filed March 25, 1998 in Book J at Page 115 of the records of the Butler County, Iowa, Recorder.

said interested parties are required to connect to the City of Allison sewer system in accordance with Ordinance 95.05.

Should the City extend the sewer line within 100 feet of both tracts of property referenced above, Tim Schrage, his heirs, assigns and successors in interest will be required to connect to the City sewer in accordance with Ordinance 95.05.

Ayes: Bangasser, Carlson, Davis & Heuer. Nays: Henning. Motion Carried.

Motion by Davis with a second by Carlson to approve a 50¢ per hour increase in wages for the full time and permanent part time employees for FY 2021. Ayes: All. Nays: None. Motion carried.

Council approved the date of July 27, 2020 at 5:45 p.m. at the EMS building for the date, place and time for the public hearing on the Special Permit Application for Dollar General to build a store on a parcel of land on Hwy 3.

Adjournment: Motion by Davis to adjourn at 7 p.m. with a second by Bangasser. Ayes: All. Nays: None. Motion carried.

ATTEST:

Scot Henrichs – Mayor
Glenda Miller – City Clerk

PROCEEDINGS

MINUTES AND PROCEEDINGS OF A REGULAR MEETING OF THE BUTLER COUNTY BOARD OF SUPERVISORS HELD ON JUNE 16, 2020.

With limited public access to the courthouse due to COVID-19, this meeting was held telephonically with the public able to participate on a limited basis. This complies with Iowa Code section 21.8 that outlines the guidelines to hold an electronic meeting when there are valid concerns that an in-person meeting is "impossible or impractical".

Meeting called to order at 9 a.m. by Chairman Tom Heidenwirth with members Greg Barnett and Rusty Eddy present.

Minutes of the previous meeting were read. Moved by, Barnett second by Heidenwirth to approve. All ayes. Motion carried.

No public comment received.

Director of Public Health Jennifer Becker gave a COVID-19 update. Jennifer reports 7 new cases since last Wednesday. Public Health is spending a lot of time performing contract tracing. She fears there will be more positive cases in the coming days because there have been more exposures. Rusty Eddy stated that there are a rash of cases of COVID-19 in District III and urged people to follow the guidelines set forth by our State and Federal government. We will continue to monitor the situation regarding a July 1, 2020 opening. No action taken.

Board reviewed the Agreement Regarding Public Health Annual Sub-Fund. Supervisor Eddy asked Director Becker if this number would be so high if it weren't for Managed Care. She responded no. Supervisor Eddy stated that due to managed care this number is greater than in the past and that Butler County taxpayers have to pick up for the failure of managed care. Following discussion, it was moved by Barnett, second by Eddy to approve said agreement for \$286,969. All ayes. Motion carried.

Board reviewed the Resolution Authorizing Transfer of Funds to Public Health Sub-Fund for FY21. Moved by Barnett, second by Heidenwirth to approve the following:

RESOLUTION NO. 494-FY21

WHEREAS, the Butler County Board of Supervisors and the Butler County Board of Health have reached an agreement regarding the Public Health Annual Sub-

Fund, and

WHEREAS, such agreement establishes an annual allocation of funds be transferred from the General Basic Fund to the Public Health Sub-Fund, and

WHEREAS, that the amount of said annual allocation shall be determined annually,

IT IS THEREFORE RESOLVED that the Butler County Board of Supervisors hereby authorizes the Auditor to transfer \$286,969 from the General Basic Fund into the Public Health Sub-Fund. Said transfer shall be for Fiscal Year 2021 and shall be made as soon after the beginning of the new fiscal year as possible.

Upon roll call the vote thereon was as follows

AYES: Tom Heidenwirth, Greg Barnett, Rusty Eddy

NAYS: None

DATED this 16th day of June, 2020.

WHEREUPON the resolution was adopted.

ATTEST:

Lizbeth Williams, County Auditor

Moved by Barnett, second by Heidenwirth to accept the recommendation of Engineer Riherd and approve a Utility Permit for Windstream Iowa Communications to replace service at 10081 Lodge Avenue. All ayes. Motion carried.

Moved by Barnett, second by Heidenwirth to approve a three-year contract with Cost Advisory Services, Inc. for \$4,125 yearly. All ayes. Motion carried.

Moved by Barnett second by Heidenwirth to give discretionary funds in the amount of \$20,000 to the Butler County Fair. Eddy voted nay. Motion carried.

Butler County Engineer gave an update on current projects and equipment purchase.

Moved by, Eddy second by Barnett to approve claims. All ayes. Motion carried.

Board acknowledged receipt of Manure Management Plan Annual Updates for Woodford Creek Farms.

Moved by Heidenwirth, second by Barnett to adjourn the meeting at 9:48 a.m. to Tuesday, June 23, 2020 at 9 a.m. Motion carried.

The above and foregoing is a true and correct copy of the minutes and proceedings of a regular adjourned meeting of the Board of Supervisors of Butler County, Iowa on June 16, 2020.

PROCEEDINGS

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Board reviewed the Resolution Authorizing Transfer of Funds to Public Health Sub-Fund for FY21. Moved by Barnett, second by Heidenwirth to approve the following:

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NAYS: None

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PROBATE

NOTICE OF PROBATE OF WILL, OF APPOINTMENT OF EXECUTOR, AND NOTICE TO CREDITORS PROBATE NO. ESPR017082

THE IOWA DISTRICT COURT FRANKLIN COUNTY

IN THE MATTER OF THE ESTATE OF
DEWAYNE EDWIN SHEAR, Deceased.

To All Persons Interested in the Estate
of DeWayne Edwin Shear, Deceased,
who died on or about May 20, 2020:

You are hereby notified that on the 22nd
day of June, 2020, the last will and tes-
tament of DeWayne Edwin Shear, de-
ceased, bearing the date of the 8th day
of January, 1992, was admitted to pro-
bate in the above named court and that
Kiley Shear was appointed executor of
the estate. Any action to set aside the
will must be brought in the district court
of said county within the later to occur of
four months from the date of the second
publication of this notice or one month
from the date of mailing of this notice to
all heirs of the decedent and devisees
under the will whose identities are rea-
sonably ascertainable, or thereafter be
forever barred.

Notice is further given that all persons
indebted to the estate are requested
to make immediate payment to the un-
dersigned, and creditors having claims
against the estate shall file them with the
clerk of the above named district court,
as provided by law, duly authenticated,
for allowance, and unless so filed by the
later to occur of four months from the
second publication of this notice or one
month from the date of mailing of this no-
tice (unless otherwise allowed or paid) a
claim is thereafter forever barred.

Dated this 23rd day of June, 2020.

Kiley Shear
358 Pfaltzgraff St.
Allison, IA 50602
Executor of Estate

Richard A. Allbee, ICIS#: 122
Attorney for Executor
Allbee Law Office
1320 Fourth St. NE
Hampton, IA 50441

Date of second publication 9th day of
July, 2020.

TJ-27, 28

PUBLIC NOTICE

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Iowa Northland Regional Transportation Authority (RTA) will hold a public hearing at the INRCOG Center, 229 E. Park Ave., Waterloo, Iowa, on Thursday, July 16, 2020 at 1 p.m.

The purpose of this hearing is to solicit public comment on the draft Transportation Improvement Program (TIP) for fiscal years 2021-2024. This document affects federal transportation programming for persons in Black Hawk, Bremer, Buchanan, Butler, Chickasaw, and Grundy Counties, excluding the Waterloo-Cedar Falls metropolitan area. All transportation projects receiving federal funding must be listed in the TIP, including highway, bridge, non-motorized, transit, and planning projects. Copies of the draft TIP are available at the INRCOG office or can be viewed at www.inrcog.org.

It is your privilege to attend this hearing to express your views concerning the draft Transportation Improvement Program, or you may submit your written comments to the Iowa Northland Regional Council of Governments, 229 E. Park Ave., Waterloo, Iowa 50703, through the time and date of the hearing as specified above. Following the hearing, the RTA will consider all oral and written comments before adopting the final TIP and submitting it to the Iowa Department of Transportation.

For additional information, you may contact Kyle Durant at 319-235-0311 between 8 a.m. and 3:30 p.m. weekdays or at kdurant@inrcog.org.

PUBLIC NOTICE

BOARD OF ADJUSTMENT PUBLIC NOTICE

The Shell Rock Board of Adjustment will hold a public hearing on July 14, 2020 at 7 p.m., in the City Hall at 802 N. Public Road to solicit citizen input on a request for a variance for the property legally described as:

Commencing at the north corner of block thirty-one (31), original town of Shell Rock, Butler County, Iowa, thence northeasterly on a continuation of northwesterly boundary line of said block fifty (50) feet to point of beginning, thence southeasterly parallel with and fifty (50) feet distance from the northeasterly side of said block one hundred (100) feet, thence northeasterly at right angles fifty-eight (58) feet, thence northwesterly at right angles one hundred (100) feet, to the continuation of northwesterly side of said block, thence southwesterly fifty-eight (58) feet to point of beginning, located in lot two (2) in the subdivision of our lot thirty-two (32) in the north one-half of the northeast quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$) of section two (2), all in township ninety-one (91) north, range fifteen (15) west of the 5th P.M. in Butler County, Iowa

The applicant requests a variance from the required rear and side-yard set-backs as required in the Shell Rock Zoning Ordinance. This is for the property located at 418 N. Walnut Street.

Any persons wishing to be heard on this matter will be afforded the opportunity to be heard. Written comments will be accepted through the day of the public hearing at the Shell Rock City Hall, P.O. Box 522, Shell Rock, Iowa 50670. Oral questions or comments can be directed to 319-885-6555.

Marilyn Hardee,
Co-Zoning Administrator,
City of Shell Rock, Iowa

PROCEEDINGS

OFFICIAL PROCEEDINGS CITY OF SHELL ROCK SPECIAL MEETING MINUTES JUNE 23, 2020

Mayor Larry Young called the special meeting to order in the City Hall with the Pledge of Allegiance at 6 p.m. Council members Donald Bonzer, Robyn Holden, Mike Klinefelter, Jared Krull, and Garrett Schuldts were present. Adam Moris from Fehr-Graham Engineering and Bethany Carson from the Clarksville Star were in the audience.

Motion by Schuldts seconded by Holden to approve the agenda with the correction of an address on the agenda from 205 S. Cherry Street to 205 N. Cherry Street. Ayes-Bonzer, Holden, Klinefelter, Krull, and Schuldts. Nays-None. Motion carried.

Motion by Bonzer seconded by Schuldts to pay the bills for the end of the fiscal year. Roll Call Vote: Ayes-Bonzer, Holden, Klinefelter, Krull, and Schuldts. Nays-None. Motion carried.

Motion by Schuldts seconded by Holden to pay the Application and Certification Request #9 for the Shell Rock Community Aquatic Center to Cardinal Construction Inc. in the amount of \$212,130.71. Roll Call Vote: Ayes-Bonzer, Holden, Klinefelter, and Schuldts. Nays-None. Abstain-Krull, stating conflict of interest. Motion carried. It was announced that due to complications resulting in the delays due to the COVID-19 pandemic, the new aquatic center will not be completed in time for it to be opened this 2020 season.

Council approved the Library Board's recommendations on reopening of the Library beginning on July 6, with safety measures in place and reduced patron capacity.

Motion by Klinefelter seconded by Bonzer to approve the use/rental waiver for the Boyd Building and the ESB meeting room. Ayes-Bonzer, Holden, Klinefelter, Krull, and Schuldts. Nays-None. Motion carried.

Adam Moris, an engineer from Fehr-Graham Engineering met with the council to discuss a proposal in fees for the Butler County Logistics Park to increase their usage of the city's wastewater treatment facility. A proposal will be drawn up and discussed further at the July council meeting.

Tim DeVilbiss, the owner of the build-

ing at 205 N. Cherry Street was present and reported to the council that a decision has been made to tear that building down. Council directed Mr. DeVilbiss that the building needs to be torn down before school starts on Aug. 17, 2020. Mr. DeVilbiss will be at the July council meeting with a specific timeline for the demolition of the building.

It was reported that the city now owns the property located at 529 N. Cherry Street.

Resolution 0020-2020 was introduced by Schuldts seconded by Bonzer: A RESOLUTION TRANSFERRING FUNDS. From the General Fund to Debt Service \$16,343. From Local Option Tax to Debt Service \$25,000. From TIF IV Industrial to Debt Service \$33,804.99. From TIF IV Industrial to Low to Moderate Income \$41,626.68, to repay an interfund loan. From the General Fund to Trust & Agency Capital Improvements Fire \$15,996.91. From Trust & Agency Capital Improvements Library to the General Fund \$6,197.52. From the Employee Benefits Fund to the General Fund \$58,522.36. From the General Fund to the 2018 Aquatic Center Fund \$30,649.50. Roll Call Vote: Ayes-Bonzer, Holden, Klinefelter, Krull, and Schuldts. Nays-None. Motion carried.

Motion by Holden seconded by Schuldts to approve the RFP from Larry Pump, CPA of Charles City, IA for the 2020 fiscal year audit in the amount of not to exceed \$8,200. Ayes-Bonzer, Holden, Klinefelter, Krull, and Schuldts. Nays-None. Motion carried.

Motion by Klinefelter seconded by Schuldts to adjourn at 8:27 p.m. Ayes-Bonzer, Holden, Klinefelter, Krull, and Schuldts. Nays-None. Motion carried.

DISBURSEMENTS

AT&T – long distance	8.44
Aureon Communications – web services.....	21.98
Averhoff, Matthew – fire calls	42.00
Butler-Bremer Communications – phone services	433.90
Cardinal Construction Inc. – pool payment #9	212,130.71
Casey Reints Consulting – website services.....	50.00
Cornwell, Michael – fire calls.....	20.00
Fasse, Tom – fire calls.....	25.00
Feld Fire – equipment.....	1,972.00
Fidelity Security Life – vision insurance.	44.22

Gibbs, Nate – fire calls	30.00
Green, Michael – fire calls.....	30.00
Hardy, Tom – fire calls.....	10.00
Internal Revenue Service – withholdings	2,377.62
Iowa Department of Revenue – withholdings	794.00
IPERS – withholdings	3,372.13
Keys, Blake – fire calls.....	24.00
Klobassa, Seth – fire calls.....	30.00
Kwik Trip Inc. – gas	212.23
Lehman, Logan – fire calls	10.00
Life Investors Inc. – deferred compensation	90.00
Lubben, Riley – fire calls	20.00
MidAmerican Energy Co. – electricity & gas	2,375.87
Mohn, Matthew – fire calls.....	49.00
Nelson/Toenjes Trust Account – property at 529 N. Cherry	45,000.00
Oelmann, Shawn – fire calls.....	30.00
Payroll – employee wages.....	7,020.46
Petty Cash – reimburse postage....	66.75
Phillips, Nick – fire calls.....	24.00
Postmaster – box rent and postage	479.00
Reiter, Dale and/or Kathy – returned customer deposit.....	100.00
Reliance Standard – disability insurance	326.08
Schuldts, Garrett – fire calls.....	15.00
Security State Bank – health savings accounts	1,137.51
Siems, Terry – fire calls	20.00
Sprole, Clayton – fire calls.....	36.00
UMB Bank NA – bond fees.....	750.00
Wellmark Blue Cross – health and dental insurance	3,471.78
Willson, Tom – fire calls.....	5.00
Zoom Video Communications – video-conferencing.....	16.04

TOTAL DISBURSEMENTS.....

.....\$282,670.72

DISBURSEMENTS BY FUND

General	58,679.33
Road Use Tax	2,791.26
Debt Service	750.00
2018 Aquatic Center	212,130.71
Water Utility.....	2,222.47
Water Deposits	100.00
Sewer Utility.....	3,153.49
Garbage Utility.....	2,843.46

TOTAL DISBURSEMENTS BY FUND ..

.....\$282,670.72

ATTEST:

Larry Young, Mayor

Marilyn Hardee, City Clerk