

PUBLIC NOTICE Ordinance No. 440

ORDINANCE NO. 440 AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CALMAR, IOWA, BY AMENDING PROVISIONS PERTAINING TO ABANDONED VEHICLES

Be It Enacted by the City Council of the City of Calmar, Iowa: SECTION 1. SECTIONS MODIFIED. Sections 80.03 and 80.04 of the Code of Ordinances of the City of Calmar, Iowa, are repealed and the following adopted in lieu thereof: 80.03 NOTICE BY MAIL.

1.A police authority or private entity that takes into custody an abandoned vehicle shall send notice by certified mail that the vehicle has been taken into custody no more than 20 days after taking custody of the vehicle. Notice shall be sent to the last known address of record of the last known registered owner of the vehicle, all lienholders of record, and any other known claimant to the vehicle.

2.Notice shall be deemed given when mailed. The notice shall include all of the following: A.A description of the year, make, model, and vehicle identification number of the vehicle.

B. The location of the facility where the vehicle is being held. C.Information for the persons receiving the notice of their right to reclaim the vehicle and personal property contained therein within 10 days after the effective date of the notice.

D.A statement that failure of the owner, lienholders, or claimants to exercise their right to reclaim the vehicle or personal property within the time provided shall be deemed a waiver by the owner, lienholders, and claimants of all right, title, claim, and interest in the vehicle or personal property.

E. A statement that failure to reclaim the vehicle or personal property is deemed consent for the police authority or private entity to sell the vehicle at a public auction or dispose of the vehicle to a demolisher and to dispose of the personal property by sale or destruction.

3. If the abandoned vehicle was taken into custody by a private entity without a police authority's initiative, the notice shall state that the private entity may claim a garage keeper's lien as described in Section 321.90, Subsection 1, of the Code of Iowa, and may proceed to sell or dispose of the vehicle.

4. If the abandoned vehicle was taken into custody by a police authority or by a private entity hired by a police authority, the notice shall state that any person claiming rightful possession of the vehicle or personal property who disputes the planned disposition of the vehicle or personal property by the police au-

thority or private entity or of the assessment of fees and charges provided by this section may ask for an evidentiary hearing before the police authority to contest those matters. 5. If the persons receiving notice do not ask for a hearing or exercise their right to reclaim the vehicle or personal property within the 10-day reclaiming period, the owner, lienholders, or claimants shall no longer have any right, title, claim, or interest in or to the vehicle or the personal property.

6. A court in any case in law or equity shall not recognize any right, title, claim, or interest of the owner, lienholders, or claimants after the expiration of the 10-day reclaiming period.

7. If it is impossible to determine with reasonable certainty the identities and addresses of the last registered owner and all lienholders, notice by one publication in one newspaper of general circulation in the area where the vehicle was abandoned shall be sufficient to meet all requirements of notice under Subsection 2 of this section. The published notice may contain multiple listings of abandoned vehicles but shall be published within the same time requirements and contain the same information as prescribed for mailed notice in Subsection 2 of this section.

(Code of Iowa, Sec. 321.89[3]) 80.04 RECLAMATION OF ABANDONED VEHICLES. Prior to driving an abandoned vehicle away from the premises, a person who received or who is reclaiming the vehicle on behalf of a person who received notice under Section 80.03 shall present to the police authority or private entity, as applicable, the person's valid driver's license and proof of financial liability coverage as provided in Section 321.20B of the Code of Iowa.

(Code of Iowa, Sec. 321.89[3a]) SECTION 2. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council on the 6th day of September, 2021, and approved this 6th day of September, 2021 Keith Frana, Mayor

ATTEST: Sheila Bullerman, City Clerk First Reading: September 6, 2021 Second Reading: waived Third Reading: waived I certify that the foregoing was published as Ordinance No. 440 on the 14th day of September, 2021. Sheila Bullerman, City Clerk

Published in the Calmar Courier on Tuesday, September 14, 2021

PUBLIC NOTICE Ordinance No. 441

ORDINANCE NO. 441 AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CALMAR, IOWA, BY AMENDING PROVISIONS PERTAINING TO BUILDING REGULATIONS.

BE IT ORDAINED by the City Council of the City of Calmar, Iowa, as follows:

1. That the Municipal Code of the City of Calmar is hereby amended by changing 157.03, and 157.21 of Chapter 157 as follows: 157.03 PERMIT REQUIRED.

No buildings or other structures, including but not limited to, houses, garages, utility sheds, decks, semi-trailers, fences, concrete (slab or foundation), outdoor furnaces, or ground mounted solar system shall be erected, altered, used, or occupied within the City without first receiving a permit therefor.

157.21 Ground Mounted Solar System. Must comply with all recommendations:

1. Must be located behind the front face of the residence and not visible from the street view of the residence.

2. Must comply with all City of Calmar set backs.

3. Must comply with all City of Calmar ordinances.

4. The property cannot be solely used for ground mounted solar.

5. Must get majority approval from both variance committee and the Calmar City Council.

6. Detailed design with 5 different views of the layout showing dimensions and elevations (North, East, South, West and Top).

Repealer. All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed. Severability Clause. If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole, or any section, provision, or part thereof not adjudged invalid or unconstitutional.

When Effective. This Ordinance shall be in effect after the final passage, approval and publication as provided by law. Date of First Reading: September 6, 2021 Date of Second Reading: Waived Councilmen Voting Aye: Sabelka, Kleva, Schissel, Kirkeberg, Gerlich Councilmen Voting Nay: None PASSED AND ADOPTED this 6th day of September, 2021. Keith Frana, Mayor

ATTEST: Sheila Bullerman, City Clerk I hereby certify that the above Ordinance No. 441 was published on the 14th day of September, 2021, in the Calmar Courier Sheila Bullerman, City Clerk

Published in the Calmar Courier on Tuesday, September 14, 2021

PUBLIC NOTICE WC Board Minutes 08/30

BOARD MINUTES MONDAY AUGUST 30, 2021

The Board of Supervisors met at 9:30am August 30, 2021 with all members present (Vermace electronically.)

Dan Marx, County Sheriff, met with the Board to give updates on several topics. He discussed issues with Mental Health/CSS transport services, a possible 28e agreement for housing out of county prisoners, and outlined details regarding the staffing shortage of patrol deputies. The Board expressed support for his plan to proceed with hiring another patrol deputy.

Sean Snyder, Emergency Management Coordinator, distributed information regarding a possible relocation of the Public Health department. He will coordinate with the Board, Public Health, and the realtor to arrange a tour of the potential facility at a future meeting.

Paul Berland, NEIA RC&D, met with the Board to review the bids for two sites in the Upper Iowa River Flood Reduction program. Moved by Beard and seconded by Rustad to accept the low bid of \$214,009.97 by Riehm Construction and approve the contract for projects in bid tab UI-BID-008. Motion carried unanimously.

Lorraine Borowski, City of Decorah Mayor, met with the Board to thank County officials, community members, and Emergency services from around NE Iowa for the assistance provided during the search and rescue operation on August 23, 2021.

Vermace was absent for the remainder of the meeting. Moved by Vick and seconded by Beard to approve the consent agenda which includes the minutes of the last meeting and the liquor license for K-town Tap. Motion carried unanimously.

Lee Bjerke, County Engineer, met with the Board to discuss road issues.

The Board of Supervisors, ex-officio Board of County Canvassers for Winneshiek County, met Aug. 30, 2021 with Vick, Beard, Langreck, and Rustad present; to canvass the results of the Special Election held Tuesday August 24, 2021. Moved by Vick and seconded by Beard to certify the canvass summary and abstract of votes and declare Gary Rustad duly elected to the County Board of Supervisors - District 2 for the remainder of the vacant term. Motion carried unanimously.

Moved by Vick and seconded by Beard to adjourn to 9:30am Tuesday, Sept. 7. Motion carried unanimously. ATTEST Benjamin D. Steines Daniel Langreck, Chair County Auditor Board of Supervisors

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PUBLIC NOTICE Minutes Calmar September 6, 2021

MINUTES CALMAR CITY COUNCIL SEPTEMBER 6, 2021

Mayor Frana called the meeting to order at 5:30 P.M. on September 6, 2021 at the Calmar Fire Station. The meeting was opened with the Pledge of Allegiance. Present were: Kleva, Schissel, Sabelka, Kirkeberg and Gerlich. Also present were: Mayor Frana, Don Wurtzel, Sheila Bullerman, Mike Hohenbrink, Ron Bullerman, and Bill Klimesh.

Motion by Kirkeberg, second by Kleva to approve the consent agenda (agenda, minutes of August 2, 2021, clerk/treasurer reports, claims for August 2021). Aye: Sabelka, Schissel, Kleva, Kirkeberg and Gerlich. Motion carried.

There were no comments or questions from the public.

Motion by Kirkeberg, second by Schissel to approve Chad and Renee Schissel's addition at 509 W North Street. Aye: Kleva, Sabelka, Schissel, Kirkeberg and Gerlich. Motion carried.

Motion by Kirkeberg, second by Sabelka to approve Barb and Jeff Breza's garden shed/loft at 103 W North Street. Aye: Kleva, Sabelka, Schissel, Kirkeberg and Gerlich. Motion carried.

Chris and Nicole Wilgen need a variance (set for Sept. 16, 2021) for their building permit.

Motion by Sabelka, second by Gerlich to approve Ordinance #441 pertaining to building regulations (157.03 Permit Required and 157.21 Ground Mounted Solar System) and waive second and third reading. Aye: Kleva, Schissel, Kirkeberg, Sabelka and Gerlich. Motion carried.

Motion by Schissel, second by Kleva to approve Resolution #645 Voluntarily Annexing Certain Real Estate to the City of Calmar, IA. Aye: Sabelka, Schissel, Kirkeberg, Kleva and Gerlich. Motion carried.

Motion by Kleva, second by Schissel to approve Resolution #616 Amending the City of Calmar Critical Facilities and Project in the Winneshiek County Multi-Jurisdictional Hazard Mitigation Plan. Aye: Sabelka, Kleva, Schissel, Kirkeberg and Gerlich. Motion carried.

Motion by Kirkeberg, second by Sabelka to approve Ordinance #437 Amending Provisions Pertaining to Interference with Official Acts and waive second and third reading. Aye: Sabelka, Kleva, Schissel, Kirkeberg and Gerlich. Motion carried.

Motion by Kirkeberg, second by Sabelka to approve Ordinance #438 Amending Provisions Pertaining to Public Disorder and waive second and third reading. Aye: Sabelka, Kleva, Schissel, Kirkeberg and Gerlich. Motion carried.

Motion by Kirkeberg, second by Sabelka to approve Ordinance #439 By Adding Provisions Pertaining to Low-Speed Electric Bicycles and Fully Controlled-Access Facilities and waive second and third reading. Aye: Sabelka, Kleva, Schissel, Kirkeberg and Gerlich. Motion carried.

Motion by Kirkeberg, second by Sabelka to approve Ordinance #440 Amending Provisions Pertaining to Abandoned Vehicles and waive second and third reading. Aye: Sabelka, Kleva, Schissel, Kirkeberg and Gerlich. Motion carried.

The Annual Street Finance Report was reviewed by the council (FY21). Motion by Schissel, second by Gerlich to pledge toward the 25-percent match requirement for the Iowa Financial Authority funding application for the five-county (NEIRHTF). Aye: Sabelka, Kleva, Schissel, Kirkeberg and Gerlich. Motion carried.

The council approved the fuel charge raise of .50 cents per Malcolm's request as of 8/19/21. It has been over 10 years since we have gone out for bids, and one council member also suggested doing recycling pick up.

Motion by Kleva, second by Kirkeberg to approve a driveway on 175th Street (30' wide) for Calmar Development Corp.

There was discussion regarding city owned property and what should be considered reimbursement instead of rent (utilities).

There was no fire department report present at the meeting but they received the next day. They held their training Aug. 24 (grain bin rescue techniques) and business meeting Aug. 10. There were six pages with 230 volunteer hours donated for the month.

The Police Department report was not present but received the following day.

The pool is drained, and wage prices from surrounding pools was added to the packet.

Don Wurtzel, Economic Development, reported that our new business, "The Smokey Dough" is being remodeled and hoping to open this fall starting with carryouts (Memphis building and Little O building).

There was discussion regarding recycling blowing around at our yard waste site (if it doesn't get placed inside the bins). Some ideas were to put in an 8' fence in certain spots or build a three-sided shed. Wurtzel checking to see if there are any grants available.

The council wants the Soo Green contract to read like our attorney stated. The American Rescue Funds came August 2021, so we need to decide how these funds will be used per the guidelines.

There was a brief discussion regarding nuisance properties and the latest email from our attorney on how we can proceed; Properties not keeping their lawns mowed was also discussed.

Motion by Kleva, second by Gerlich to adjourn. Aye: Kleva, Sabelka, Schissel, Kirkeberg and Gerlich. Motion carried and meeting adjourned at 6:47 P.M.

Keith Frana, Mayor ATTEST: Sheila Bullerman CLAIMS AUGUST 2021 AB Select Services waterway seeding1540.00 Abe Conway 1/2 lifeguard cert100.00 Acco... pool test supplies616.70 Acentek..... pool internet94.80 All Flags LLC(20)4x6 usa454.83 Alliant..... monthly utility9679.33 Ashley Elsbernd 1/2 lifeguard recert50.00 BH..... 2 months3545.14 Brady Lensing..... 1/2 lifeguard cert87.50 Bruening east st & lions park826.75 Centurylink..... sewer phone-alarm85.05 City Laundry uniforms618.19 Copy Systemslibrary toner302.31 Croell curb melden,clay,iowa3853.38 Culligan..... fd-seasonal59.85 Decorah Electric .red piglet building1322.71 Decorah Tech .pool,joe,matt,mayor869.50 Dollar General ... pool mostly,sewer261.90 Don's Truck Sales... brown dump tk shifter429.05 E & D Repairextra 175th1829.50 Emmett Schwartzhoff . 1/2 lifeguard recert50.00 Fort Atkinson Nursery freedom rock-trim b200.00 Hach chlorine2378.19 Hawkins azone1732.52 Heying Manufacturingmaster loc,pool,shop207.59 Howard Co Environ.....288.00 lamu..... jul-sept 2021388.93 Ingram books399.97 IRS..... fed/fica tax7197.90 Simmering-Cory electric bikes,abandon711.00 Idnr ...annual NPDES permit 210.00 lpers.....lpers..... 4159.18 Jerald Andera 1 bag fert52.00 John Deere Financial.....def,brush killer,bits308.84 Josie Tieskoetter. 1/2 lifeguard cert100.00 Kahn Tile Supply .dual wall-dg ditch1369.00 Kendra Elsbernd. 1/2 lifeguard cert100.00 Keystone Labs..... monthly testing1093.40 Kwik Starfuel

.....1533.30 Linda Crossland..... reim linda-lib92.12 Malcom..... gb and gf6608.92 Marv Smith Electric pipe break-guard house531.59 McDonald Supply depot toilet166.76 Michele Elsbernd pool candy47.44 Micromarketing books227.41 Mid-America Pub election,minutes113.54 MiEnergy lighting 175th64.77 Napa case tractor, mower208.10 NH Red Power old case tractor-hose1159.80 NE IA Backhoe..... melden st-curb/gutter1105.00 NE IA Metalworks weld on bat wing mow50.00 Northern Light Display2candy canes \$2291480.80 Ossian Bee1yr45.99 Outdoor Rec(4)swing hanger339.00 Postmaster 546 x .293 waterbills159.98 Postville Vet ups to newton74.39 River City Paving hot mix melden st12549.50 Ron Bullerman Constman hole-east south st207.81 Sam Conway 1/2 lifeguard recert50.00 Skyline Const.....waterway behind frana85.00 Storey Kenworthy police toner110.60 Testamerica sewer testing 177.50 The Warrior Wash..... joe17.00 Total Tree Care ...schissel ash tree/stump550.00 Treasurer State of Iowa state taxes1022.00 Verizon cell phones and office788.34 Visa monthly microsoft18.25 Visu-Sewer 7.75 x 340-lift station2635.00 Wellmark..... monthly premium6908.90 Payroll August..... 26305.44 Total..... 113617.26 CLAIMS BY FUND General..... 55437.01 Road Use..... 23662.08 Benefits..... 6044.75 Water 14221.45 Sewer 14252.01 Total 113617.26 REVENUE BY FUND General..... 15505.31 Road Use..... 9086.10 Lost..... 11828.99 Water 24229.10 Sewer 108336.48 Total 168985.98

Published in the Calmar Courier on Tuesday, September 14, 2021

PUBLIC NOTICE Ordinance No. 438

ORDINANCE NO. 438 AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CALMAR, IOWA, BY AMENDING PROVISIONS PERTAINING TO PUBLIC DISORDER

Be It Enacted by the City Council of the City of Calmar, Iowa: SECTION 1. SECTION MODIFIED. Section 40.03 of the Code of Ordinances of the City of Calmar, Iowa, is repealed and the following adopted in lieu thereof: 40.03 DISORDERLY CONDUCT. No person shall do any of the following:

1.Fighting. Engage in fighting or violent behavior in any public place or in or near any lawful assembly of persons, provided that participants in athletic contests may engage in such conduct that is reasonably related to that sport. (Code of Iowa, Sec. 723.4[1a])

2.Noise. Make loud and raucous noise in the vicinity of any residence or public building which intentionally or recklessly causes unreasonable distress to the occupants thereof. (Code of Iowa, Sec. 723.4[1b])

3.Abusive Language. Direct abusive epithets or make any threatening gesture that the person knows or reasonably should know is likely to provoke a violent reaction by another. (Code of Iowa, Sec. 723.4[1c])

4.Disrupt Lawful Assembly. Without lawful authority or color of authority, disturb any lawful assembly or meeting of persons by conduct intended to disrupt the meeting or assembly. (Code of Iowa, Sec. 723.4[1d])

5.False Report of Catastrophe. By words or action, initiate or circulate a report or warning of fire, epidemic, or other catastrophe, knowing such report to be false or such warning to be baseless. (Code of Iowa, Sec. 723.4[1e])

6.Disrespect of Flag. Knowingly and publicly use the flag of the United States in such a manner as to show disrespect for the flag as a symbol of the United States, with the intent or reasonable expectation that such use will provoke or encourage another to commit trespass or assault. As used in this subsection: (Code of Iowa, Sec. 723.4[1f])

A."Deface" means to intentionally mar the external appearance.

B."Defile" means to intentionally make physically unclean.

C."Flag" means a piece of woven cloth or other material designed to be flown from a pole or mast.

D."Mutilate" means to intentionally cut up or alter so as to make imperfect.

E."Show disrespect" means to deface, defile, mutilate, or trample.

F."Trample" means to intentionally tread upon or intentionally cause a machine, vehicle, or animal to tread upon.

7.Funeral or Memorial Service. Within 1,000 feet of the building or other location where a funeral or memorial service is being conducted, or within 1,000 feet of a funeral procession or burial: A.Make loud and raucous noise that causes unreasonable distress to the persons attending the funeral or memorial service or participating in the funeral procession.

B.Direct abusive epithets or make any threatening gesture that the person knows or reasonably should know is likely to provoke a violent reaction by another.

C.Disturb or disrupt the funeral, memorial service, funeral procession, or burial by conduct intended to disturb or disrupt the funeral, memorial service, funeral procession, or burial.

This subsection applies to conduct within 60 minutes preceding, during, and within 60 minutes after a funeral, memorial service, funeral procession, or burial. (Code of Iowa, Sec. 723.5)

SECTION 2. SECTION REPEALED. Section 40.04 of the Code of Ordinances of the City of Calmar, Iowa, is repealed in its entirety.

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

SECTION 4. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council on the 6th day of September, 2021, and approved this 6th day of September, 2021. Keith Frana, Mayor

ATTEST: Sheila Bullerman, City Clerk First Reading: September 6, 2021 Second Reading: waived Third Reading: waived I certify that the foregoing was published as Ordinance No. 438 on the 14th day of September, 2021. Sheila Bullerman, City Clerk

Published in the Calmar Courier on Tuesday, September 14, 2021

PUBLIC NOTICE Order of the Director of Revenue

PUBLIC NOTICE ORDER OF THE DIRECTOR OF REVENUE

2021 EQUALIZATION ORDER

Iowa Department of Revenue Issues Final Equalization Orders The Iowa Department of Revenue is responsible for "equalizing" assessments in all 99 Iowa counties every two years. The Department compares the assessor's abstracts to a "sales assessment ratio study" it has completed independently of the assessors. If the assessment (by property class) is 5% or more above or below the state's ratio study, the Department increases or decreases the assessment.

Equalization occurs on an entire class of property, not on an individual property and occurs on an assessing jurisdiction basis and not on a statewide basis.

Pursuant to Iowa Code Section 441.49, the Department of Revenue of the State of Iowa hereby notifies you of the final percentage adjustments to the 2021 valuations of real property in Winneshiek County as follows: Agricultural Land & Structures, Excluding Residential Dwellings Decrease 8% On Agricultural Realty, Outside and Within Incorporated Cities

Residential Realty, Including Residential Dwellings on Agricultural No adjustment Realty, Outside and Within Incorporated Cities Commercial Realty, Excluding Machinery and Equipment Referred No adjustment to in Chapter 427A, Outside and Within Incorporated Cities

Multiresidential Realty, Excluding Equipment Referred to in No adjustment Chapter 427A, Outside and Within Incorporated Cities

The Winneshiek County Assessor has requested and has received authorization to use an alternative method of applying the above listed 2021 equalization order to the following class of property: Agricultural Land & Structures, Excluding Residential Dwellings Decrease Buildings 0% On Agricultural Realty, Outside and Within Incorporated Cities Decrease Land -8.615% Taxpayers may protest the final equalization order with their local board of review. Protests will be accepted through October 31, 2021 by contacting the Winneshiek County Assessor's Office. Benjamin D. Steines, Winneshiek County Auditor

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PUBLIC NOTICE Ordinance No. 437

ORDINANCE NO. 437 AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CALMAR, IOWA, BY AMENDING PROVISIONS PERTAINING TO INTERFERENCE WITH OFFICIAL ACTS

Be It Enacted by the City Council of the City of Calmar, Iowa: SECTION 1. SECTION MODIFIED. Section 41.05 of the Code of Ordinances of the City of Calmar, Iowa, is repealed and the following adopted in lieu thereof: 41.05 INTERFERENCE WITH OFFICIAL ACTS. No person shall knowingly resist or obstruct anyone known by the person to be a peace officer, jailer, emergency medical care provider under Chapter 147A of the Code of Iowa, medical examiner, or firefighter, whether paid or volunteer, or a person performing bailiiff duties pursuant to Section 602.1303[4] of the Code of Iowa, in the performance of any act that is within the scope of the lawful duty or authority of that officer, jailer, emergency medical care provider, medical examiner, or firefighter, or person performing bailiiff duties, or shall knowingly resist or obstruct the service or execution by any authorized person of any civil or criminal process or order of any court. The terms "resist" and "obstruct" as used

in this section do not include verbal harassment unless the verbal harassment is accompanied by a present ability and apparent intention to execute a verbal threat physically. (Code of Iowa, Sec. 719.1)

SECTION 2. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council on the 6th day of September, 2021, and approved this 6th day of September, 2021. Keith Frana, Mayor

ATTEST: Sheila Bullerman, City Clerk First Reading: September 6, 2021 Second Reading: waived Third Reading: waived I certify that the foregoing was published as Ordinance No. 437 on the 14th day of September, 2021. Sheila Bullerman, City Clerk

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PUBLIC NOTICE
Fort Atkinson Minutes 9-1-21

PRESENT: P. SCHMITT, LEUENBERGER, GLASS, SCHROEDER, AND K. SCHMITT. ABSENT: NONE
PAUL HEROLD AND KAY SCHMITT RAN THE MEETING TOGETHER, WITH HEROLD CALLING THE MEETING TO ORDER AT 7 P.M.

Ashley Christianson, UERPC, read the nine points below as part of the CDBG Public Hearing. Herold corrected the wording on item f as below. After no other questions or comments, a Motion was made by Glass, seconded by Schroeder to approve Resolution 325, to have UERPC submit a CDBG grant for the second well project for \$300,000 by Oct. 1, 2021. Project estimated to be \$699,610. All Aye. Carried.

how the need for the proposed activity or projects was identified;

It has been identified that the current water supply within the City of Fort Atkinson is inadequate to meet the firm capacity as required by the Iowa Department of Natural Resources and Recommended Standards for Water Works by the Great Lakes Upper Mississippi River Board. The City currently has one fully functional water supply well. However, it is required that firm capacity be provided, which requires a minimum of two water supply wells.

how the proposed activity or projects will be funded and the sources of funds;

The request to the Iowa Economic Development Authority will be \$300,000. If successfully funded, the remainder of the proposed activity will be funded through an Iowa Drinking Water State Revolving Loan Fund (SRF) loan along with funds from the City of Fort Atkinson for a total project cost of \$699,610.

(c) the date the CDBG application will be submitted;

The CDBG water/sewer application will be submitted on or before Oct. 1, 2021 to the Iowa Economic Development Authority.

(d) requested amount of federal funds;

The requested amount is \$300,000.

(e) estimated portion of federal funds that will benefit persons of low and moderate income;

Given that a community income survey conducted in July of 2019 found that 53.37 percent of Fort Atkinson's residents could be considered low- and moderate-income persons, it can be expected that the same proportion of the funds will benefit that group of residents or a total of 186 persons.

(f) where the proposed activity or project will be conducted;

The proposed site is located to the west of the ballfields south of 150th Street and east of 271st Avenue on property which is outside of city limits but which has been purchased by the City of Fort Atkinson.

(g) plans to minimize displacement of persons and businesses as a result of funded activities or projects;

No businesses or persons will be displaced as a result of the proposed project.

(h) plans to assist persons actually displaced, and;

No persons will be displaced as a result of the proposed project. the nature of the proposed activity or project.

The project consists of the construction of a new public water supply well, well house, interconnecting water main, backup generator at both the new well and the existing well and associated miscellaneous work.

Greg Barta gave an update from the flood Aug. 27-28. He submitted an estimate of \$125,000 of damage to Winneshiek EMA for the ballpark and the wall needed under the bridge. The lagoon was at a lower level prior to the flood, so the pumps were able to keep up, allowing nothing to get into the lagoon. Northway pulled the well last week and replaced the pump, wires and piping. Will probably need to schedule for every 6 years.

Motion was made by Glass, seconded by Schroeder, to approve Aug. 4, 2021 Minutes, August Clerk Reports and Monthly bills as presented. All Aye. Carried.

Lagoon Project is onto final permit-

ting steps and should be ready to review and bid soon.

Reviewed the nuisances sited within the community, Johansen replied to Dawn Kraft with an extension to Sept. 18. Several have been cleaned up, Johansen will invoice those not yet in compliance and issue the fine. If not paid in 30 days, the amount will be assessed to taxes.

No building permits were submitted.

P. Schmitt made a motion to open the Public Hearing for the facility Grant through Northeast Iowa RC&D for assistance to purchase HVAC system at the Community Center and the Gym, Glass seconded. All Aye. Carried. After no questions or comments, Glass made a motion to close the Public Hearing, Schroeder seconded. Glass made a motion to approve Resolution 326, approving to apply to United States Dept. of Agriculture, Rural Development, for the Rural Development Grant for the HVAC system, P. Schmitt seconded. All Aye. Carried.

Other business: discussed jake breaking as trucks pull into Fort Atkinson. Barta advised we would need a DOT permit to put up a sign stating it is not allowed.

Next meeting will be **Oct. 6, 2021** at 7 p.m. in the Community Center. Motion to adjourn was made by Glass, seconded by Leuenberger. All Aye. Carried. Meeting adjourned at 7:45 p.m.

Attest: City Clerk

Mayor Paul Herold

Acentek – Phone	\$226.88
Alliant – Electric	\$2,173.81
All Recipes – Subscription	\$6.00
Anderson, Wilmarth – Legal Fees ..	
.....	\$1,190.00
Badger Meter – Fees	\$100.32
Baker & Taylor – Books.....	\$859.95
Bank Iowa – HSA Contribution	
.....	\$200.00
Bruening Rock – Rock	\$670.11
Buchheit Appliance – Air Conditioner	\$449.00
Calmar Courier – Publishing.....	
.....	\$182.82
Capital One – Training	\$237.00
Cascade Public Library – Books	
.....	\$10.00
FED/FICA Taxes	\$1,562.80
Country Sampler – Subscription	
.....	\$21.40
David Huinker – Computer Repair ..	
.....	\$350.00
Diamond Vogel – Paint	\$883.04
Farmer's Union Coop – Roundup ..	
.....	\$195.00
Faronics – Tech Supplies ..	\$136.00
Fort Atkinson Ball – Donation	
.....	\$200.00
Fort Atkinson Band – Donation	
.....	\$250.00
Fort Atkinson Little League – Donation.....	\$200.00
Fort Atkinson Nursery – Trim & Spray Trees	\$1,045.00
Hawkeye Sanitation – Contract	
.....	\$2,172.22
Hi-Viz – Street Signs	\$106.00
Huber's – Supplies	\$198.82
IAMU – Nisa.....	\$219.18
Iowa DNR – Annual Permit	\$210.00
IPERS -	\$994.91
Keystone – Testing	\$12.80
Laura Thomas – Supplies ..	\$168.43
Marv Smith – Repairs	\$206.40
Mediacom – Internet	\$245.11
Mick Gage – Restrooms	\$546.00
Oak Hill Cemetery – Donation	
.....	\$750.00
Post Office – Postage	\$188.00
Riley's – Printer.....	\$1,504.80
Scott Sindelar – Fireworks	\$200.00
Sherwin Williams – Paint ..	\$650.81
Taste of Home – Subscription	\$8.00
UERPC – Grant Admin	\$690.63
Wellmark – Insurance	\$518.80
Wyoming Public Library – Books	
.....	\$20.00
Payroll.....	\$7,948.93
Totals	\$28,708.97
Funds:.....
Expenses: .. Revenue:	
General.....\$ 16,358.47\$	5,537.93
Museum.....\$\$
Road Use.....\$4,609.50	\$2,850.91
Employee Benefits\$718.80.....	\$ 0
Capital Proj	\$... \$ 0
Emergency	\$... \$ 0
Local Opt.	\$0 \$ 3,875.02
Water.....\$ 3,240.90\$	6,822.36
2 nd Well	\$841.25.....\$
Sewer	\$ 2,274.42\$ 10,911.12
Lagoon.....\$ 665.63.....	\$ 0
Library.....\$0.....	\$
Total	\$ 28,708.97\$ 29,997.34

Published in the Calmar Courier on Tuesday, September 14, 2021

PUBLIC NOTICE
Ordinance No. 439

ORDINANCE NO. 439
AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CALMAR, IOWA, BY ADDING PROVISIONS PERTAINING TO LOW-SPEED ELECTRIC BICYCLES AND FULLY CONTROLLED-ACCESS FACILITIES

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

SECTION 1. SUBSECTIONS ADDED. Section 62.01 of the Code of Ordinances of the City of Calmar, Iowa, is amended by adding new subsections which are hereby adopted to read as follows:

145. Section 321.235B – Low-speed electric bicycles.

146. Section 321.366 – Acts prohibited on fully controlled-access facilities.

SECTION 2. SECTION REPEALED. Section 140.05 of the Code of Ordinances of the City of Calmar, Iowa, is repealed in its entirety.

SECTION 3. SEVERABILITY CLAUSE. If any section, provision

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

SECTION 4. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council on the 6th day of September, 2021, and approved this 6th day of September, 2021.

Keith Frana, Mayor

ATTEST:
Sheila Bullerman, City Clerk

First Reading: September 6, 2021

Second Reading: waived

Third Reading: waived

I certify that the foregoing was published as Ordinance No. 439 on the 14th day of September, 2021.

Sheila Bullerman, City Clerk

Published in the Calmar Courier on Tuesday, September 14, 2021