

-NOTICE OF A PUBLIC MEETING-
Governmental Body: Van Meter City Council
Date of Meeting: Monday, April 8, 2013
Time/Place of Meeting: 7:00 p.m. – City Hall, 505 Grant St

Business Meeting Agenda:

1. Call to Order
2. Approval of Agenda
3. Introductions
4. Citizens Hearing
5. Consent Agenda:
 - a. Minutes of March 11 council meeting
 - b. March Claims list
 - c. March Financial Statements/Quarterly Investment Report
 - d. Approve the insurance renewal with EMC
 - e. Approve the appointment of Brandon Carter as a Reserve Police Officer.
 - f. Set a date for a public hearing on a proposed ordinance increasing the minimum monthly water rates by \$5.00 per month for in town customers and \$10.00 per month for out of town customers - 7:00PM on May 13, 2013 at City Hall.
 - g. Set a date for a public hearing on plans, specifications, form of contract and estimate of cost for the Safe Routes to School PCC Sidewalk Project – 7:00PM on May 13, 2013 at City Hall.
 - h. Pre-annexation agreement with Diligent Development
 - i. Pre-annexation agreement with JSC Properties
6. Resolution relating to financing of a proposed project to be undertaken by the City of Van Meter, Iowa; establishing compliance with reimbursement bond regulations under the Internal Revenue Code
7. Resolution Adopting a 28E Agreement with Dallas County Iowa for the Collection of Parking Fines.
8. Discussion and Guidance on Mayor and Council Compensation – Possibility of setting a date and time for a public hearing on an ordinance amendment – May 13, 2013.
9. Discussion and Guidance on the Reorganization Plan per Budgetary Discussions – Possibility of setting a date and time for a public hearing on an ordinance amendment – May 13, 2013.
10. Reports:-
 - a. Parks
 - b. Library
 - c. Fire
 - d. Police
 - e. Public Works
 - f. Attorney
 - g. Engineer
 - h. Council
 - RAGRBAI Committee
 - i. Mayor
 - j. City Administrator
13. Adjourn

Support for: Agenda Item #5

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Consent Agenda

Submitted for:
Action

Recommendation:
Approval

Sample Motions:
I move to approve the consent agenda as presented/revised.

- 1) The Van Meter City Council met for a regular council meeting on Monday, March 11, 2013 at City Hall. Mayor Allan Adams called the meeting to order at 7:00PM. The following council members were present upon roll call: Richard Booge, Kim Sacker, Bob Lacy, Becca Wiederholt, and Adam Coyle.

Also present were, Barb Sandusky, Gerald Graves, Police Reserve Nominee Richard Farrell, City Engineer Bob Veenstra, City Attorney Erik Fisk, Police Chief Bill Daggett and City Administrator Jake Anderson.

- 2) Mayor Adams asked for a motion to approve the agenda. Motioned by Lacy supported by Coyle. Passed unanimously.
- 3) Introductions were made.
- 4) Mayor Adams opened the citizens hearing. Hearing no public comment Mayor Adams closed the public hearing.
- 5) Mayor Adams reviewed the consent agenda, and asked for discussion. City Administrator Jake Anderson noted amendments to the claims list. Mayor Adams asked for a motion to adopt, "A Resolution Adopting the Revised Consent Agenda." which included the following:
 - a. Minutes of February 11, February 22 and February 26, 2013 council meetings
 - b. February Claims list

AD DISTRIBUTING CO	\$110.25
AD DISTRIBUTING CO	\$ 110.25
ACCO	\$ 312.00
TYCO INTERGRATED SECURITY	\$ 13.44
AG SOURCE LABORATORIES	\$ 48.00
ALL AMERICAN TURF BEAUTY	\$ 914.43
BOB BROWN CHEVROLET	\$ 47.02
BUTCH'S	\$ 30.00
CASEY'S GENERAL STORE	\$ 1,164.04
CENTURY LINK	\$ 325.07
CITY OF DES MOINES	\$ 250.00
CITY OF DESOTO	\$ 3,600.00
CREATIVE PRODUCT SOURCE INC	\$ 283.14
CULLIGAN	\$ 42.35
DALLAS CO RECORDER	\$ 110.00
DALLAS COUNTY NEWS	\$ 313.67
DELTA DENTAL	\$ 276.65
EDDY WALKER	\$ 1,858.59
EFTPS	\$ 2,338.60
HACH	\$ 247.18
HEARTLAND COOP	\$ 357.81
IA ASSOC OF MUNICIPAL UT	\$ 459.55
IOWA DNR	\$ 20.00
IPERS	\$ 1,491.78
JAMIE CLARK	\$ 2,200.00
LOWE'S	\$ 37.43

MAFFIN OUTDOOR POWER & AUTO	\$ 461.56
MATHESON TRI GAS INC	\$ 30.76
MIDAMERICAN ENERGY	\$ 2,460.90
MODERN MARKETING	\$ 220.96
MUNICIPAL SUPPLY INC	\$ 208.50
NORTHERN TOOL & EQUIPMENT	\$ 57.33
OFFICE DEPOT	\$ 338.49
OGDEN PUBLICATIONS	\$ 16.95
OLYMPIA BOOK CORP	\$ 200.00
SQUARE, INC	\$ 6.95
STAR EQUIPMENT LTD	\$ 461.15
THE HARTFORD	\$ 173.85
TREAS - STATE OF IOWA W/H	\$ 486.00
TRUCK EQUIPMENT INC	\$ 191.70
US POSTMASTER	\$ 313.20
UTILITY EQUIPMENT CO	\$ 700.00
VEENSTRA & KIMM INC	\$ 5,875.88
VERIZON WIRELESS	\$ 313.39
VM REC FOUNDATION	\$ 8,707.43
WASTE CONNECTIONS	\$ 5,712.95
WELLMARK	\$ 2,714.49
WELLS FARGO CC	\$ 6,755.59
*****REPORT TOTAL*****	\$ 53,259.03

c. February Financial Statement

FUND	RECIEPTS	DISBURSMENTS
001 GENERAL	\$ 13,299.50	\$ 28,748.86
051 LIBRARY TECHNOLOGY FUND	\$ 0.01	\$ 839.94
058 FARMERS MARKET	\$ 2,292.41	\$ -
110 ROAD USE TAX	\$ 8,474.08	\$ 5,237.51
112 EMPLOYEE BENEFITS	\$ 295.70	\$ 3,311.55
119 EMERGENCY FUND	\$ 25.77	\$ -
121 LOCAL OPTION SALES TAX	\$ 8,707.43	\$ 8,707.43
125 TIF-CR ESTATE	\$ 1,471.77	\$ -
180 PARK/REC TRUST FUND	\$ 1,000.15	\$ -
182 LIBRARY TRUST FUND	\$ 1,000.18	\$ -
183 VM COMMUNITY BETTERMENT	\$ 380.00	\$ 50.00
200 DEBT SERVICE	\$ 391.06	\$ -
300 SIDEWALK CAPITAL PROJECT	\$ -	\$ 5,385.00
600 WATER	\$ 11,918.07	\$ 9,565.50
610 SEWER	\$ 10,883.27	\$ 6,729.65
*****REPORT TOTAL*****	\$ 60,139.40	\$ 68,575.44

- d. Approve an Agreement for Professional Services with Veenstra and Kimm for the engineering work related to extending Main Street and Winston Circle.
- e. Approve an Agreement for Professional Services with Piper Jaffray for the issuance of general obligation bonds.

- f. Acknowledge the receipt of disclosure information from Piper Jaffray for the issuance of general obligation bonds.
- g. Approve an Agreement for Professional Services with Allender Butzke for the Phase I Environmental Assessment work related to the Site Certification project.
- h. Approve an Agreement for Professional Services with Allender Butzke for geotechnical exploration work related to the Site Certification project.
- i. Approve an Agreement for Professional Services with Griggs Environmental Strategies LLC (GES) for Wetland Delineation and Protected Species Inventory from work related to the Site Certification project.
- j. Approve and Adopt Reserve Police Department Policies
- k. Approve the appointment of Nicholas Campbell as a Reserve Police Officer.
- l. Approve the appointment of Richard Farrell as a Reserve Police Officer.

Lacy moved supported by Coyle to adopt and approve Resolution #2013-10, "A Resolution Adopting the Revised Consent Agenda." On roll call the votes were as follows: Lacy – YES; Booge – YES; Sacker – YES; Wiederholt – YES; Coyle – YES; Motion passed and adopted.

- 6) Mayor Adams asked City Administrator Jake Anderson to briefly discuss the proposed budget for Fiscal Year ending June 30, 2014. Anderson noted that the presented budget was exactly the same as presented to the City Council in a work session. Mayor Adams opened the public hearing on the proposed budget. Hearing no public comment and having received none in writing Mayor Adams closed the public hearing and asked for a motion to adopt. Lacy moved to adopt the budget as presented. Hearing no support the motion failed.

Councilman Coyle moved supported by Wiederholt to make a revision to the presented budget in the public safety function increasing the fire budget by \$10,600 and the EMS budget by \$1,055 and decreasing the Emergency Management Budget by \$11,655 so as to not increase the total budgeted public safety expenditures for FYE14. On roll call the votes were as follows: Lacy – No; Booge – YES; Sacker – YES; Wiederholt – YES; Coyle – YES. Motion passed.

Mayor Adams asked for a motion to adopt Resolution #2013-11 "A resolution approving and adopting the revised Budget for FYE 2014." Lacy moved supported by Coyle. Passed unanimously.

- 7) Mayor Adams asked City Engineer Bob Veenstra for a presentation on the proposed future Land Use Plan forwarded from Planning and Zoning with a recommendation for approval. Veenstra explained the process the P&Z Commission went through and noted some highlights of the plan primarily the extension north of the river to I80 and the plan's contemplation of light industrial to the southeast of town. Mayor Adams opened the public hearing on the proposed resolution adopting the future land use plan. Barb Sandusky and Gerald Graves voiced concerns and opposition to the proposal. Hearing no further public comment and having received none in writing Mayor Adams closed the public hearing and asked for a motion to approve Resolution #2013-12, "A resolution approving and adopting the future land use plan." Moved by Lacy supported by Coyle. Passed unanimously.
- 8) Mayor Adams asked City Engineer Bob Veenstra for an outline of the proposed ordinance amending the Code of Ordinances establishing a Business Park zoning district forwarded from the Planning and Zoning Commission with a recommendation for approval. Veenstra explained that the Commission had reviewed the proposed language and suggested some revisions prior to making a recommendation and that the proposed ordinance was consistent with the city's future land use plan and site certification project.

Mayor Adams opened the public hearing on the first reading of a proposed ordinance creating a Business Park Zoning District. Barb Sandusky and Gerald Graves voiced concerns with the proposal. Hearing no further public comment and having received none in writing Mayor Adams closed the public hearing and asked for a motion to approve the first reading of an ordinance amending the Code of Ordinances establishing a Business Park zoning District. Moved by Lacy supported by Wiederholt. Passed unanimously.

Mayor Adams entertained a motion to waive the second reading of the proposed ordinance. Lacy moved supported by Sacker to waive the second reading of the proposed ordinance. Passed unanimously.

Mayor Adams entertained a motion to waive the third reading of the proposed ordinance. Lacy moved supported by Coyle to waive the third reading of the proposed ordinance. Passed unanimously.

Mayor Adams asked for a motion to approve and adopt Ordinance 231 an ordinance amending the Code of Ordinances by establishing a Business Park Zoning District (BP-1). Lacy moved supported by Coyle. Passed unanimously.

- 9) Mayor Adams asked City Engineer Bob Veenstra for an explanation of the proposed ordinance to rezone all the property within the City limits east of R16 and south of F90 from Agricultural (A) to Business Park (BP-1). Veenstra explained that in conjunction with the future land use planning and ordinance language that the Planning and Zoning Commission had also recommend the City Council rezone all the property within the City Limits east of R16 and south of F90. At a special City Council meeting on February 22, 2013 the City Council agreed with the Planning and Zoning Commission and initiated the rezoning process and set the date for the public hearing on the rezoning.

Mayor Adams opened the public hearing on the first reading of the proposed ordinance rezoning all the property within the City limits east of R16 and south of F90. Barb Sandusky and Gerald Graves voiced concerns and opposition. Gerald Graves further encouraged the City Council to not waive readings two and three of the proposed ordinance. Hearing no further public comment and having received none in writing Mayor Adams closed the public hearing and asked for a motion to approve the first reading of an ordinance amending the Code of Ordinances by rezoning all the property within the City limits east of R16 and south of F90. Moved by Lacy supported by Wiederholt. Passed unanimously.

Mayor Adams entertained a motion to waive the second reading of the proposed ordinance. Lacy moved supported by Coyle to waive the second reading of the proposed ordinance. Passed unanimously.

Mayor Adams entertained a motion to waive the third reading of the proposed ordinance. Lacy moved supported by Coyle to waive the third reading of the proposed ordinance. Passed unanimously.

Mayor Adams asked for a motion to approve and adopt Ordinance 232 an ordinance amending the Code of Ordinances by rezoning all the property within City limits east of R16 and south of F90 from Agricultural (A) to Business Park (BP-1). Lacy moved supported by Coyle. Passed unanimously.

- 10) Mayor Adams asked City Administrator Jake Anderson for an explanation of the proposed ordinance to allow the City Council to the exercise the necessary discretion to waive Water Connection Fees (Chapter 90) and Sewer Connection Fees (Chapters 96 and 100). Anderson noted that in calendar year 2012 the City issued zero building permits for new residential construction despite the availability of more than 100 affordable lots already improved and properly zoned for new residential construction. In an effort to improve upon zero the developer had met with the Economic Development Committee and the committee is recommending that building permit fees, water connection fees and sewer connection fees be waived for the first five permits issued between April 1, 2013 and June 30, 2013. However the City Council would first need to grant itself the ability to exercise discretion to waive water and sewer connection fees.

Mayor Adams opened the public hearing on the first reading of the proposed ordinance granting the City Council the discretion necessary to waive water and sewer connection fees. Hearing no public comment and having received none in writing Mayor Adams closed the public hearing and asked for a motion to approve the first reading of an ordinance amending the Code of Ordinances by granting the City Council the discretion necessary to waive water and sewer connection fees. Moved by Lacy supported by Sacker. Passed unanimously.

Mayor Adams entertained a motion to waive the second reading of the proposed ordinance. Lacy moved supported by Wiederholt to waive the second reading of the proposed ordinance. Passed unanimously.

Mayor Adams entertained a motion to waive the third reading of the proposed ordinance. Lacy moved supported by Wiederholt to waive the third reading of the proposed ordinance. Passed unanimously.

Mayor Adams asked for a motion to approve and adopt Ordinance 233 an ordinance amending the Code of Ordinances by granting the City Council the necessary discretion to waive Water Connection Fees (Chapter 90) and Sewer Connection Charges (Chapters 96 and 100). Lacy moved supported by Coyle. Passed unanimously.

- 11) Mayor Adams asked City Administrator Jake Anderson for an explanation of the proposed resolution waiving building permit fees, water connection fees and sewer connection charges. Anderson noted that the resolution would serve as the even-handed policy for administering the fee waiver and pointed out that the resolution was calling for the waiver of only the first five (5) permits for new residential construction issued anywhere in the City between the dates of April 1, 2013 and June 30, 2013. Mayor Adams entertained a motion to approve and adopt the Resolution #2013-13 "A Resolution Waiving Building Permit Fees, Water Connection Fees, and Sewer Connection Charges for the first five permits issued for new residential construction between April 1, 2013 and June 30, 2013." Moved by Lacy supported by Coyle. Passed unanimously.

12) Reports –

The Council generally requested an agenda item to further discuss and direct staff on the issue of cleaning up the compensation of the City's elected officials.

Councilmember Sacker reported on having attended the Dallas County Foundation Grant writing seminar.

Mayor Adams reported that he was interviewed about RAGBRAI coming through town.

City Administrator Jake Anderson reported that he needed the Councilmembers to be available to meet with the City's Financial Advisor and Bond Counsel on an individual basis.

- 13) Having no other business Mayor Adams asked for a motion to adjourn. Moved by Lacy supported by Coyle. Passed unanimously.

_____ Allan B. Adams, Mayor

ATTEST

_____ Liz Thompson, City Clerk

ACCOUNTS PAYABLE ACTIVITY
CLAIMS REPORT

VENDOR NAME	REFERENCE	VENDOR		CHECK	
		TOTAL	CHECK#	DATE	
ACCO	WATER CHEMICALS	534.00			
AG SOURCE LABORATORIES	WATER TESTING	248.00			
AMANDA DURFLINGER	411 GRADUATION CAKES	75.00			
AVENET LLC	ANNUAL SERVICE PACKAGE	350.00			
CARE	MARCH NEWSLETTER/UT BILLS	100.00			
CASEY'S GENERAL STORE	PD GAS	1,095.37			
CENTURY LINK	LIB PHONE CHARGES	330.44			
CITY OF DESOTO	JOINT WATER PROJECT	900.00			
CITY OF VAN METER	CITY HALL/PARK PLANTS	72.00			
CRETEX CONCRETE PRODUCTS	MAN HOLE COVER	201.00			
CULLIGAN	SOLAR DELIVERED	30.45			
DALLAS CO PUBLIC HEALTH NURSE	TDAP/HEP B SHOTS PW	230.00			
DALLAS CO RECORDER	RECORD DOCUMENTS	21.00			
DALLAS COUNTY NEWS	LEGAL PUBLICATION	390.23			
DAVES QUILTS	AM FLAG REPAIR	30.00			
DELTA DENTAL	Employee Dental Ins	74.35			
DELTA DENTAL	Employee Dental Ins	276.64	350.99	11178222	3/31/13
DEPT OF ADMINSTRATIVE	CERTIFIED PUB MANAGER TRAINING	500.00			
EFTPS	FED/FICA TAX	2,330.70	11178216	3/28/13	
ENGINEERED SYSTEMS INC	WA TOWER SELENOID	202.61			
HEARTLAND COOP	FD DIESEL	424.72			
HOTSY CLEANING SYSTEM	REPAIRS	113.03			
ILEA	MMPI X 2 RESERVES	360.00			
IPERS	IPERS	2,964.16	11178214	3/28/13	
ISU EXTENSION	P&Z WORKSHOP REGISTRATION	220.00	23595	3/26/13	
JANICE MILLER	EASTER EGG HUNT 2013	359.06			
KIMBERLY KNAPP	WEBSITE FEES	3,520.00			
MAGAZINE LINE	SUBSCRIPTION X 1 YR	19.95			
MAINSTAY	NETWORK MAINT AP, MAY, JUNE	438.00			
MATHESON TRI GAS INC	OXYGEN	33.52			
MIDAMERICAN ENERGY	GAS/ELEC	2,236.13			
MUNICIPAL SUPPLY INC	DEETER FRAME AND COVER	1,639.50			
OFFICE DEPOT	PAPER	81.94			
PETTY CASH	POSTAGE AND CRAFT SUPPLIES	104.24	23596	3/26/13	
SQUARE, INC	UTILITY CREDIT CARD PAYMENTS	7.70	11178218	3/31/13	
STATE LIBRARY OF IOWA	PUBLIC LIB MANAGEMENT 2	35.00	23597	3/26/13	
THE HARTFORD	Employee Life/Dis Ins	209.38	11178221	3/31/13	
TREAS - STATE OF IOWA W/H	STATE TAXES	956.00	11178215	3/28/13	
US POSTMASTER	APRIL UT BILLS/NEWSLETTER	185.38	23605	3/28/13	
UTILITY EQUIPMENT CO	FREIGHT ON PREV SHIPMENT	21.85			
VEENSTRA & KIMM INC	PROFESSIONAL SERVICES	623.80			
VAN METER RECREATION FOUNDATIO	MARCH LOST	7,644.76			
WASTE CONNECTIONS	GARBAGE CONTRACT	5,712.95			
WELLMARK	Employee Health Insurance	3,866.49	11178219	3/31/13	
WHITFIELD & EDDY PLC	LEGAL SERVICES	1,593.00			

*** CITY OF VAN METER IA ***
ACCOUNTS PAYABLE ACTIVITY
CLAIMS REPORT

VENDOR NAME	REFERENCE	VENDOR TOTAL	CHECK CHECK#	CHECK DATE
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**** PAID TOTAL ****

11,155.69

**** SCHED TOTAL ****

30,206.66

**** OPEN TOTAL ****

**** ON HOLD TOTAL ****

***** REPORT TOTAL *****

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41,362.35
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*** CITY OF VAN METER IA ***
ACCOUNTS PAYABLE ACTIVITY
CLAIMS DEPT SUMMARY

DEPT	DEPT NAME	TOTAL	CHECK#	DATE
	LIABILITIES	6,250.86		
	POLICE	1,279.28		
	EMERGENCY MANAGEMENT	11.56		
	FIRE	941.02		
	AMBULANCE	33.52		
	ROADS, BRIDGES, SIDEWALKS	2,449.35		
	STREET LIGHTING	214.28		
	GARBAGE	5,712.95		
	LIBRARY	317.05		
	PARKS	380.02		
	RECREATION	7,644.76		
	CEMETERY	90.00		
	ECONOMIC DEVELOPMENT	623.80		
	PLANNING & ZONING	220.00		
	CLERK/TREASURER/ADM	1,775.63		
	LEGAL SERVICES/ATTORNEY	2,092.73		
	CITY HALL/GENERAL BLDGS	171.53		
	WATER	7,162.95		
	SEWER/SEWAGE DISPOSAL	3,991.06		



CITY OF VAN METER

Bank Reconciliation/Financial Summary - Month/Year: March 2013

<u>Treasurer's Report</u>	
Book Balance, Beginning of Month:	\$911,173.39
Add: Total Revenues this Month: with transfers	\$53,023.38
Less: Total Expenditures this Month: with trans	(\$60,915.93)
Add: Δ Liability	\$0.00
Book Balance End of Month:	\$903,280.84

<u>Bank Reconciliation</u>	
Checking Account Balance End of Month:	\$388,797.80
Less: Outstanding Transactions (Cash Report):	(\$10,371.02)
Adjusted Checking Account Balance:	\$378,426.78
Currency	
Petty Cash: (res Nov 2004)	\$100.00
Change Fund:	\$30.00
Total Currency:	\$130.00
Investments: (Interest for month included)	
IPAIT	
IPAIT – general	\$220,777.25
IPAIT – park	\$20,618.43
IPAIT – library	\$17,057.47
IPAIT – library/technology	\$1,186.97
IPAIT TOTAL:	\$259,640.12
Certificate of Deposit/ESB	\$250,000.00
Wells Fargo – savings acc't	\$15,083.94
Total Investments:	\$524,724.06
Total of Bank Statements End of Month	\$903,280.84

Difference:	\$0.00
Note(s):	

Verify: Mayor or Mayor Pro Tem:

CALENDAR 3/2013, FISCAL 9/2013

ACCOUNT TITLE	LAST MONTH				CHANGE IN	ENDING
	END BALANCE	RECEIVED	DISBURSED	LIABILITY	BALANCE	
001 GENERAL	38,074.15	17,922.52	27,538.06	.00	28,458.61	
049 VEHICLE INSPECTION FUND	38,491.91	.00	.00	.00	38,491.91	
051 LIBRARY TECHNOLOGY FUND	1,432.48	.01	.00	.00	1,432.49	
052 PW-VEHICLE REPLACEMENT	7,000.00	.00	.00	.00	7,000.00	
053 FD-VEHICLE REPLACEMENT	8,000.00	.00	.00	.00	8,000.00	
054 VEHICLE REPLACEMENT-POLI	5,631.25	.00	.00	.00	5,631.25	
055 VEHICLE REPLACEMENT-FIRS	3,000.00	.00	.00	.00	3,000.00	
056 TECHNOLOGY REPLACEMENT-L	5,000.00	.00	.00	.00	5,000.00	
057 BUILDING REPAIR RESERVE	3,000.00	.00	.00	.00	3,000.00	
058 FARMERS MARKET	2,292.41	.00	.00	.00	2,292.41	
110 ROAD USE TAX	256,882.67	10,668.11	7,165.04	.00	260,385.74	
112 EMPLOYEE BENEFITS	38,219.30	1,487.88	3,307.84	.00	36,399.34	
119 EMERGENCY FUND	10,593.38	121.48	.00	.00	10,714.86	
121 LOCAL OPTION SALES TAX	.00	.00	.00	.00	.00	
125 TIF-CR ESTATE	127,212.45	3,015.55	.00	.00	130,228.00	
126 TIF-WH PINES SUBDIVISION	67,551.39	.00	.00	.00	67,551.39	
127 TIF-POLK CO. BANK	30,349.31	.00	.00	.00	30,349.31	
128 TIF-STANDBROUGH	.00	.00	.00	.00	.00	
180 PARK/REC TRUST FUND	23,976.32	.13	.00	.00	23,976.45	
181 PARK SUBDIVISION TRUST	.00	.00	.00	.00	.00	
182 LIBRARY TRUST FUND	21,094.49	.16	.00	.00	21,094.65	
183 VM COMMUNITY BETTERMENT	2,114.25	.00	50.00	.00	2,064.25	
184 CDBG/HOUSING PROJECT	.00	.00	.00	.00	.00	
200 DEBT SERVICE	39,592.58	1,497.29	.00	.00	41,089.87	
205 DEBT SERVICE-WATER	.00	.00	.00	.00	.00	
213 DEBT SERVICE-LIFT STATIO	.00	.00	.00	.00	.00	
300 SIDEWALK CAPITAL PROJECT	18,544.71-	.00	.00	.00	18,544.71-	
500 CEMETARY-PERPETUAL CARE	11,900.00	.00	.00	.00	11,900.00	
600 WATER	52,991.62	7,397.68	13,981.38	.00	46,407.92	
606 WATER MAIN PROJECT	41,242.47	.00	.00	.00	41,242.47	
610 SEWER	94,075.67	10,912.57	8,873.61	.00	96,114.63	
612 DEBT SERVICE-SEWER LAGOO	.00	.00	.00	.00	.00	
Report Total	911,173.39	53,023.38	60,915.93	.00	903,280.84	

Submitted at April 8, 2013 meeting: _____
Jake Anderson, City Administrator

QUARTERLY INVESTMENT REPORT – for period 01-01-13 through 03-31-13:

Summary

Transactions: There were no significant transactions to report during the first quarter of the calendar year (or third quarter of the fiscal year). Bank charges remain at zero and interest rates continue to disappoint.

As of 03-31-13 the total cash balance was \$903,280.84*; and the cash/investment breakdown is:

Checking/Wells Fargo account – \$378,426.78
Savings/Wells Fargo account - \$15,083.94
IPAIT – public funds – \$220,777.25
IPAIT – library - \$17,057.47
IPAIT-library/technology - \$1,186.97
IPAIT – park trust - \$20,618.43
Petty Cash - \$100.00
Change Fund - \$30.00
Certificate of Deposit – ESB - \$250,000
TOTAL: \$903,280.84*

City of Van Meter

Premium Estimates 2013



Lines of Business	Current Annualized Premium	Estimated Renewal Premium
Property	\$4,117	\$4,500
Liability	2,279	2,500
Crime	208	225
Inland Marine	286	300
Automobile	5,672	6,200
Workers' Compensation	13,371	9,500
Umbrella	2,244	2,450
D.I.C.	100	100
Errors & Omissions	1,061	1,150
Law Enforcement	750	750
Data Compromise	420	420
Total	\$30,508	\$28,095

Workers' Compensation Details		
	Current Variables	Expected Variables
Experience Modification	1.29	1.05
Credit/Debit	15% Debit	None
State Base Rates	Unity	+4%
Estimated Salary Change		+4%
Premium	\$13,371	\$9,500

1/11/13

PRE-ANNEXATION AGREEMENT

WHEREAS Land Concepts, LLC, Chickenfoot Holdings, LLC, Frandson Properties, LLC, and GES Properties, LLC (collectively the “Owner”), hereby enters into a Pre-annexation Agreement with the City of Van Meter (“Van Meter”) with regard to any future development of Owner land identified herein as follows:

1. Owner desires to, within the future, develop property located immediately adjacent to City of Van Meter and with a legal description as set forth in Exhibit “A” (the “Annexing Property”).

2. Owner agrees to file a Petition for Voluntary Annexation within two months for the entire portion of the Annexing Property.

3. After annexation, and at such time as development is to be commenced, Owner will request that the portion of the land to be developed within the Annexing Property be rezoned pursuant to the zoning more fully described in the attached Exhibit B, BP-1, Business Park and Van Meter agrees to re-zone the Property accordingly.

4. Based on Owner’s agreement to annex the Annexing Property, Owner and Van Meter agree, until such time as any development occurs within the Annexing Property, to the following terms and conditions:

- a. Hunting in the timber: The City shall provide written permission from the Mayor for the discharge of firearms within City limits for the strict purposes of hunting in the Owner timber, with the understanding that that any such discharge will be a safe distance from any adjacent or public property.
- b. Putting livestock on the property: The City shall provide written consent to Owner through the City Council for the keeping of certain specific livestock.

- c. Spreading manure on the property: The City understands and agrees that Owner spreads cattle manure on the Annexing Property for agricultural purposes. While Owner shall not be held to be exempt from the Van Meter Code of Ordinances, Chapter 50, pertaining to nuisances, the City understands and agrees that the mere fact Owner spreads manure shall not be deemed a nuisance unless and until it affects the use and enjoyment of another's property.
- d. Working late at night in the fields: The City understands and agrees that Owner needs to occasionally work late at night in farm fields during planting and harvest season. While Owner shall not be held to be exempt from the Van Meter Code of Ordinances, Chapter 50, pertaining to nuisances, the City understands and agrees that the mere fact Owner works late in the fields shall not be deemed a nuisance unless and until it affects the use and enjoyment of another's property.
- e. Owner ability to sever from the City: The City and Owner agree that if the Annexing Property is not developed within 5 years, upon Owner's request, the City shall cooperate with Owner in severing the property from the City of Van Meter.
- f. Special assessments for infrastructure: The City and Owner agree that, so long as Owner owns the Annexing Property, and unless and until any of the Annexing Property is developed, Owner shall not be assessed for any road infrastructure or other public improvements, and further agree that any road development will follow current easement patterns that are in place along the roadways. This condition does not operate as a waiver or release of any right on the part of the City to assess for any public improvement after any of the Annexing Property is developed.
- g. The City and Owner agree that if a new public access road is necessary for development, it will be placed in good faith and at a mutually agreeable location. Further, the parties agree that the purchase price will be based on the price of the land sold for development that makes an access road necessary.

5. At such time as any of the Annexing Property is developed, all conditions set forth in paragraph 4 shall terminate. This agreement and any obligations hereunder are binding

upon any and all successors and/or assigns of Owner relative to the property identified herein.

6. The parties jointly agree and stipulate that this agreement shall be filed with the Dallas County Recorder.

7. THE CITY AND OWNER WAIVE THE RIGHT TO TRIAL BY A JURY OF ANY MATTERS ARISING OUT OF THIS AGREEMENT.

THE PRECEDING AGREEMENT CONTAINS ALL THE TERMS AND CONDITIONS OF THE PRE-ANNEXATION AGREEMENT OF THE PARTIES. THESE TERMS AND AGREEMENTS MAY BE MODIFIED BY MUTUAL CONSENT OF THE PARTIES. THE UNDERSIGNED HAVE READ THIS AGREEMENT, FIND THE TERMS TO BE ACCEPTABLE TO THE RESPECTIVE PARTIES, AND AFFIRMATIVELY STATE THAT THEY ARE AUTHORIZED TO EXECUTE THIS AGREEMENT ON BEHALF OF THE RESPECTED PARTIES.

LAND CONCEPTS, LLC

By: _____
ITS _____

CHICKENFOOT HOLDINGS, LLC

By: _____
ITS _____

FRANDSON PROPERTIES, LLC

By: _____
ITS _____

GES PROPERTIES, LLC

By: _____
ITS _____

ATTEST:

CITY OF VAN METER, IOWA

Jake Anderson, City Administrator

Allan Adams, Mayor

Date _____

EXHIBIT A

THE NORTH HALF OF THE SOUTHWEST QUARTER (N1/2 SW1/4) AND THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW 1/4 OF THE SW 1/4) OF SECTION THIRTY-FIVE (35), TOWNSHIP SEVENTY-EIGHT (78) NORTH, RANGE TWENTY-SEVEN (27) WEST OF THE FIFTH P.M., DALLAS COUNTY, IOWA.

EXHIBIT B

[Current Section of Van Meter Zoning Ordinance for BP-1, Business Park]

165.06.12 "BP-1" BUSINESS PARK DISTRICT

A. INTENT. The Business Park District is intended for the conduct of business that is appropriately located within a large identified business area and for business that is generally in the service sector or intellectual property sector and does not require frequent access by the public. The regulations set forth in this section are meant to achieve the following:

1. To provide appropriate space for strengthening the economic base of the community.
2. To locate non-retail businesses not requiring direct public access in areas where suitable utilities and other resources are available.
3. To provide an area within the community where businesses desiring a large business park setting can develop without conflicting residential or commercial uses.

B. PERMITTED USES. The permitted uses within the District encompass a wide range of non-retail and non-manufacturing commercial enterprises with said uses focusing on the service sector including businesses providing services associated with data and intellectual property. Permitted uses shall include the following and businesses of a similar nature:

1. Data processing centers.
2. Transaction processing centers.
3. Service sector office buildings.
4. Banking support services.
5. Non-retail support for retail business or service businesses.
6. Professional office buildings.

C. ACCESSORY USES.

1. On-site wells used for backup water supply.
2. Standby power generators used for emergency power, provided such generators are equipped with appropriate sound dampening enclosures and mufflers.
3. Wind generators at a density of no more than 1 for every 3 acres provided no wind generator can be located within 200 feet of the exterior boundary of a parcel except no wind generator can be located within 300 feet of a residential zoning district. The height of the mounting pole for a wind generator may not exceed 120 feet, except with approval by the City Council.
4. Fuel storage for standby generators.
5. Electric substations used to support business operations.
6. Exterior building security measures.
7. On-site exterior signs which shall be integral or attached to the building and shall not extend above any building line, shall not have a height of more than 8 feet or length of more than 35 feet, or ground or monument signs not exceeding 6 feet in height or 15 feet in length.

D. AREA REGULATIONS.

1. Lot area. The minimum area shall be 10 acres.
 2. Lot width. There shall be no minimum required lot width, except no lot may have a width less than 25% of its longest dimension.
 3. Yard width.
 - a. The minimum front yard depth shall be 50 feet.
 - b. The minimum rear yard depth shall be 50 feet.
 - c. The minimum side yard depth shall be 25 feet on all sides other than the front and rear.
 4. Building height. The maximum building height shall be 45 feet.
- (3) Section 165.08.02 is to be amended with adding the following language:
10. Any development in the BP-1 zoning district - Not less than 1 parking space for each employee based on the maximum number of employees projected to be present at any time, plus 20%, rounded to the nearest whole number; except for less than 25 employees the minimum number of parking stalls shall be 5 more than the maximum number of employees projected to be present at any time.

upon any and all successors and/or assigns of Owner relative to the property identified herein.

6. The parties jointly agree and stipulate that this agreement shall be filed with the Dallas County Recorder.

7. **THE CITY AND OWNER WAIVE THE RIGHT TO TRIAL BY A JURY OF ANY MATTERS ARISING OUT OF THIS AGREEMENT.**

THE PRECEDING AGREEMENT CONTAINS ALL THE TERMS AND CONDITIONS OF THE PRE-ANNEXATION AGREEMENT OF THE PARTIES. THESE TERMS AND AGREEMENTS MAY BE MODIFIED BY MUTUAL CONSENT OF THE PARTIES. THE UNDERSIGNED HAVE READ THIS AGREEMENT, FIND THE TERMS TO BE ACCEPTABLE TO THE RESPECTIVE PARTIES, AND AFFIRMATIVELY STATE THAT THEY ARE AUTHORIZED TO EXECUTE THIS AGREEMENT ON BEHALF OF THE RESPECTED PARTIES.

LAND CONCEPTS, LLC

By: _____
ITS _____

CHICKENFOOT HOLDINGS, LLC

By: *[Signature]*
ITS *Manager*

FRANDSON PROPERTIES, LLC

By: _____
ITS _____

GES PROPERTIES, LLC

By: _____
ITS _____

ATTEST:

CITY OF VAN METER, IOWA

Jake Anderson, City Administrator

Allan Adams, Mayor

Date _____

upon any and all successors and/or assigns of Owner relative to the property identified herein.

6. The parties jointly agree and stipulate that this agreement shall be filed with the Dallas County Recorder.

7. **THE CITY AND OWNER WAIVE THE RIGHT TO TRIAL BY A JURY OF ANY MATTERS ARISING OUT OF THIS AGREEMENT.**

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LAND CONCEPTS, LLC

By: Steve Burr
ITS Manager

CHICKENFOOT HOLDINGS, LLC

By: _____
ITS _____

FRANDSON PROPERTIES, LLC

By: _____
ITS _____

GES PROPERTIES, LLC

By: _____
ITS _____

ATTEST:

CITY OF VAN METER, IOWA

Jake Anderson, City Administrator

Allan Adams, Mayor

Date _____

upon any and all successors and/or assigns of Owner relative to the property identified herein.

6. The parties jointly agree and stipulate that this agreement shall be filed with the Dallas County Recorder.

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LAND CONCEPTS, LLC

By: _____
ITS _____

CHICKENFOOT HOLDINGS, LLC

By: _____
ITS _____

FRANDSON PROPERTIES, LLC

By: _____
ITS _____

GES PROPERTIES, LLC

By: *Greg Smith*
ITS *Managing Member*

ATTEST:

CITY OF VAN METER, IOWA

Jake Anderson, City Administrator

Allan Adams, Mayor

Date _____

upon any and all successors and/or assigns of Owner relative to the property identified herein.

6. The parties jointly agree and stipulate that this agreement shall be filed with the Dallas County Recorder.

7. **THE CITY AND OWNER WAIVE THE RIGHT TO TRIAL BY A JURY OF ANY MATTERS ARISING OUT OF THIS AGREEMENT.**

THE PRECEDING AGREEMENT CONTAINS ALL THE TERMS AND CONDITIONS OF THE PRE-ANNEXATION AGREEMENT OF THE PARTIES. THESE TERMS AND AGREEMENTS MAY BE MODIFIED BY MUTUAL CONSENT OF THE PARTIES. THE UNDERSIGNED HAVE READ THIS AGREEMENT, FIND THE TERMS TO BE ACCEPTABLE TO THE RESPECTIVE PARTIES, AND AFFIRMATIVELY STATE THAT THEY ARE AUTHORIZED TO EXECUTE THIS AGREEMENT ON BEHALF OF THE RESPECTED PARTIES.

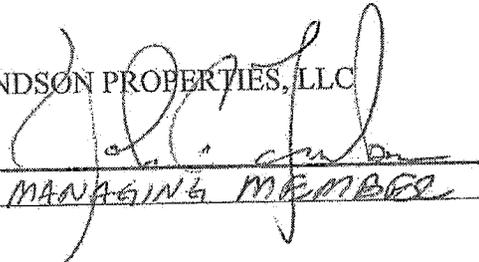
LAND CONCEPTS, LLC

By: _____
ITS _____

CHICKENFOOT HOLDINGS, LLC

By: _____
ITS _____

FRANDSON PROPERTIES, LLC

By:  _____
ITS MANAGING MEMBER

GES PROPERTIES, LLC

By: _____
ITS _____

ATTEST:

CITY OF VAN METER, IOWA

Jake Anderson, City Administrator

Allan Adams, Mayor

Date _____

PRE-ANNEXATION AGREEMENT

WHEREAS JSC Properties, Inc. (the “Owner”), hereby enters into a Pre-annexation Agreement with the City of Van Meter (“Van Meter”) with regard to any future development of Owner land identified herein as follows:

1. Owner desires to, within the future, develop property located immediately adjacent to City of Van Meter and with a legal description as set forth in Exhibit “A” (the “Annexing Property”).

2. Owner agrees to file a Petition for Voluntary Annexation within two months for the entire portion of the Annexing Property.

3. After annexation, and at such time as development is to be commenced, Owner will request that the portion of the land to be developed within the Annexing Property be rezoned pursuant to the zoning more fully described in the attached Exhibit B, BP-1, Business Park and Van Meter agrees to re-zone the Property accordingly.

4. Based on Owner’s agreement to annex the Annexing Property, Owner and Van Meter agree, until such time as any development occurs within the Annexing Property, to the following terms and conditions:

- a. Hunting in the timber: The City shall provide written permission from the Mayor for the discharge of firearms within City limits for the strict purposes of hunting in the Owner timber, with the understanding that that any such discharge will be a safe distance from any adjacent or public property.
- b. Putting livestock on the property: The City shall provide written consent to Owner through the City Council for the keeping of certain specific livestock.

- c. Spreading manure on the property: The City understands and agrees that Owner spreads cattle manure on the Annexing Property for agricultural purposes. While Owner shall not be held to be exempt from the Van Meter Code of Ordinances, Chapter 50, pertaining to nuisances, the City understands and agrees that the mere fact Owner spreads manure shall not be deemed a nuisance unless and until it affects the use and enjoyment of another's property.
- d. Working late at night in the fields: The City understands and agrees that Owner needs to occasionally work late at night in farm fields during planting and harvest season. While Owner shall not be held to be exempt from the Van Meter Code of Ordinances, Chapter 50, pertaining to nuisances, the City understands and agrees that the mere fact Owner works late in the fields shall not be deemed a nuisance unless and until it affects the use and enjoyment of another's property.
- e. Owner ability to sever from the City: The City and Owner agree that if the Annexing Property is not developed within 5 years, upon Owner's request, the City shall cooperate with Owner in severing the property from the City of Van Meter.
- f. Special assessments for infrastructure: The City and Owner agree that, so long as Owner owns the property, and unless and until any of the Annexing Property is developed, Owner shall not be assessed for any road infrastructure or other public improvements, and further agree that any road development will follow current easement patterns that are in place along the roadways. This condition does not operate as a waiver or release of any right on the part of the City to assess for any public improvement after any of the Annexing Property is developed.
- g. The City and Owner agree that if a new public access road is necessary for development, it will be placed in good faith and at a mutually agreeable location. Further, the parties agree that the purchase price will be based on the price of the land sold for development that makes an access road necessary.

5. At such time as any of the Annexing Property is developed, all conditions set forth in paragraph 4 shall terminate. This agreement and any obligations hereunder are binding upon any and all successors and/or assigns of Owner relative to the property identified herein.

6. The parties jointly agree and stipulate that this agreement shall be filed with the Dallas County Recorder.

7. **THE CITY AND OWNER WAIVE THE RIGHT TO TRIAL BY A JURY OF ANY MATTERS ARISING OUT OF THIS AGREEMENT.**

THE PRECEDING AGREEMENT CONTAINS ALL THE TERMS AND CONDITIONS OF THE PRE-ANNEXATION AGREEMENT OF THE PARTIES. THESE TERMS AND AGREEMENTS MAY BE MODIFIED BY MUTUAL CONSENT OF THE PARTIES. THE UNDERSIGNED HAVE READ THIS AGREEMENT, FIND THE TERMS TO BE ACCEPTABLE TO THE RESPECTIVE PARTIES, AND AFFIRMATIVELY STATE THAT THEY ARE AUTHORIZED TO EXECUTE THIS AGREEMENT ON BEHALF OF THE RESPECTED PARTIES.

JSC PROPERTIES, INC.

By: _____
ITS _____

ATTEST:

CITY OF VAN METER, IOWA

Jake Anderson, City Administrator

Allan Adams, Mayor

Date _____

\\W1\sys1\DATA\VanMeter\FISK\Annexation\Diligent annex agreement.doc

EXHIBIT A

The West Half (W1/2) of the Northwest Quarter (NW1/4) of Section 35, Township 78 North, Range 27 West of the 5th P.M., Dallas County, Iowa,

EXHIBIT B

[Current Section of Van Meter Zoning Ordinance for BP-1, Business Park]

165.06.12 "BP-1" BUSINESS PARK DISTRICT

A. INTENT. The Business Park District is intended for the conduct of business that is appropriately located within a large identified business area and for business that is generally in the service sector or intellectual property sector and does not require frequent access by the public. The regulations set forth in this section are meant to achieve the following:

1. To provide appropriate space for strengthening the economic base of the community.
2. To locate non-retail businesses not requiring direct public access in areas where suitable utilities and other resources are available.
3. To provide an area within the community where businesses desiring a large business park setting can develop without conflicting residential or commercial uses.

B. PERMITTED USES. The permitted uses within the District encompass a wide range of non-retail and non-manufacturing commercial enterprises with said uses focusing on the service sector including businesses providing services associated with data and intellectual property. Permitted uses shall include the following and businesses of a similar nature:

1. Data processing centers.
2. Transaction processing centers.
3. Service sector office buildings.
4. Banking support services.
5. Non-retail support for retail business or service businesses.
6. Professional office buildings.

C. ACCESSORY USES.

1. On-site wells used for backup water supply.
2. Standby power generators used for emergency power, provided such generators are equipped with appropriate sound dampening enclosures and mufflers.
3. Wind generators at a density of no more than 1 for every 3 acres provided no wind generator can be located within 200 feet of the exterior boundary of a parcel except no wind generator can be located within 300 feet of a residential zoning district. The height of the mounting pole for a wind generator may not exceed 120 feet, except with approval by the City Council.
4. Fuel storage for standby generators.
5. Electric substations used to support business operations.
6. Exterior building security measures.
7. On-site exterior signs which shall be integral or attached to the building and shall not extend above any building line, shall not have a height of more than 8 feet or length of more than 35 feet, or ground or monument signs not exceeding 6 feet in height or 15 feet in length.

D. AREA REGULATIONS.

1. Lot area. The minimum area shall be 10 acres.
 2. Lot width. There shall be no minimum required lot width, except no lot may have a width less than 25% of its longest dimension.
 3. Yard width.
 - a. The minimum front yard depth shall be 50 feet.
 - b. The minimum rear yard depth shall be 50 feet.
 - c. The minimum side yard depth shall be 25 feet on all sides other than the front and rear.
 4. Building height. The maximum building height shall be 45 feet.
- (3) Section 165.08.02 is to be amended with adding the following language:
10. Any development in the BP-1 zoning district - Not less than 1 parking space for each employee based on the maximum number of employees projected to be present at any time, plus 20%, rounded to the nearest whole number; except for less than 25 employees the minimum number of parking stalls shall be 5 more than the maximum number of employees projected to be present at any time.

Support for: Agenda Item #6

—

Resolution relating to financing of a
proposed to be undertaken by the City of
Van Meter.

Submitted for:
Action

Recommendation:
Approval

Sample Motions:
I move to approve and adopt the proposed resolution as presented/revised.

RESOLUTION NO. _____

Resolution relating to financing of a proposed project to be undertaken by the City of Van Meter, Iowa; establishing compliance with reimbursement bond regulations under the Internal Revenue Code

BE IT RESOLVED by the City Council (the “Council”) of the City of Van Meter, Iowa (the “City”), as follows:

Section 1. Recitals.

(a) The Internal Revenue Service has issued Section 1.150-2 of the Income Tax Regulations (the “Regulations”) dealing with the issuance of bonds, all or a portion of the proceeds of which are to be used to reimburse the City for project expenditures made by the City prior to the date of issuance.

(b) The Regulations generally require that the City make a prior declaration of its official intent to reimburse itself for such prior expenditures out of the proceeds of a subsequently issued borrowing and that the borrowing occur and the reimbursement allocation be made from the proceeds of such borrowing within a certain period after the payment of the expenditure or the date the project is placed in service; and

(c) The City desires to comply with requirements of the Regulations with respect to certain projects hereinafter identified.

Section 2. Official Intent Declaration.

(a) The City proposes to undertake the following projects and to make original expenditures with respect thereto prior to the issuance of bonds, notes or other obligations (the “Bonds”) and reasonably expects to issue the Bonds for such projects in the maximum principal amount shown below:

<u>Project</u>	<u>Maximum Amount of Bonds Expected to be Issued for Project</u>
Planning, designing and constructing improvements and extensions to the Municipal Waterworks and Sanitary Sewer Utilities	\$315,000
Acquiring, equipping and improving Municipal Recreation Complex	\$250,000

(b) Other than (i) expenditures to be paid or reimbursed from sources other than the Bonds or (ii) expenditures made no earlier than sixty days prior to the date of this Resolution or (iii) expenditures amounting to the lesser of \$100,000 or 5% of the proceeds of the Bonds or (iv) expenditures constituting preliminary expenditures as defined in Section 1.150-2(f)(2) of the Regulations, no expenditures for the projects have heretofore been made by the City for which the City will seek reimbursement from the proceeds of the Bonds.

(c) This declaration is a declaration of official intent adopted pursuant to Section 1.150-2 of the Regulations.

Section 3. Budgetary Matters.

As of the date hereof, there are no City funds reserved, allocated on a long term basis or otherwise set aside (or reasonably expected to be reserved, allocated on a long term basis or otherwise set aside) to provide permanent financing for the expenditures related to the projects, other than pursuant to the issuance of the Bonds. This resolution, therefore, is determined to be consistent with the City's budgetary and financial circumstances as they exist or are reasonably foreseeable on the date hereof, all within the meaning and content of the Regulations.

Section 4. Reimbursement Allocations.

The City's financial officer shall be responsible for making the "reimbursement allocations" described in the Regulations, being generally the transfer of the appropriate amount of proceeds of the Bonds to reimburse the source of temporary financing used by the City to make payment of the prior costs of the projects. Each allocation shall be evidenced by an entry on the official books and records of the City maintained for the Bonds, shall specifically identify the actual prior expenditure being reimbursed or, in the case of reimbursement of a fund or account, the fund or account from which the expenditure was paid, and shall be effective to relieve the proceeds of the Bonds from any restriction under the bond resolution or other relevant legal documents for the Bonds, and under any applicable state statute, which would apply to the unspent proceeds of the Bonds.

Section 5. Repealer.

All resolutions, parts of resolutions, or actions of the council in conflict herewith are hereby repealed, to the extent of such conflict.

Passed and approved April 8, 2013.

Mayor

Attest:

City Clerk

Support for: Agenda Item #7

-

Resolution adopting a 28E Agreement
with Dallas County for the Collection of
Parking Fines.

Submitted for:
Action

Recommendation:
Approval

Sample Motions:
I move to approve and adopt the proposed resolution as presented/revised.

Motion by Supervisor _____ and seconded by Supervisor _____ to approve the following Resolution:

Motion by City Council Member _____ and seconded by City Council Member _____ to approve the following Resolution:

DALLAS COUNTY RESOLUTION 2013-_____
CITY OF VANMETER RESOLUTION 2013-_____

WHEREAS pursuant to Iowa Code A city may issue parking citations and levy fines thereon, and

WHEREAS Iowa Code section 331.553(8), provides that the Treasurer of a County may cooperate with a city within the county to affect the registration of vehicles upon which fines have been levied but remain unpaid, and

WHEREAS the City of Van Meter, Iowa, a city within Dallas County, seeks the cooperation of the Dallas County Treasurer to provide for suspension of registrations for unpaid parking fines,

BE IT HEREBY RESOLVED that the County of Dallas County with the Dallas County Treasurer (hereafter referred to as "Treasurer") undertake the following agreement with the City of Van Meter ("Van Meter") to effect the provisions of §§331.553 and 321.40 and Chapter 28E of the Iowa Code with respect to motor vehicle registration renewal restrictions regarding the collection of the City of Van Meter unpaid parking citations, and therewith adopt the following:

1. Purpose. The purpose of this agreement is to effect the purposes §§ 321.40, 321.236, 331.553 and 910.1(4) of the Iowa Code relative to §§259, 260, and 261 of the City of Van Meter Code of Ordinance to allow the City of Van Meter to effectively use the provisions of the Iowa Code to more fully collect vehicle parking fines.
2. Duration. The duration of this agreement is perpetual until terminated as provided herein.
3. Organization and Administration of the agreement. The Treasurer shall administer this agreement. No separate organization or board is formed.
4. Responsibilities.
 - a. City of Van Meter responsibilities. Pursuant to §321.236 of the Iowa Code, a The City of Van Meter may regulate the standing or parking of vehicles, and may charge and collect a fine for violation of such regulation. Therewith, the City of Van Meter shall cause notices as required by §321.236(1)(c) and 312.236(I)(d) of the Iowa Code to be printed upon citations used for such purposes. Van Meter may at least monthly and more frequently if desired by Van Meter, certify and provide to Treasurer a list of all uncontested and unpaid parking fine under §321.40 of the Iowa Code which remain delinquent and owed to Van Meter. This notice is referred to as a "stop notice." When receiving fines owed upon such "stop notices", Van Meter shall collect an additional \$5.00 fee for each "stop notice". Van Meter shall pay such \$5.00 fee to the Treasurer for each such "stop notice" released. Once the fines are paid, Van Meter shall provide documentation to the Treasurer that the "stop notice" with respect to a particular motor vehicle registration is released. Pursuant to §321.236(1)(c) the City of Van Meter is responsible for costs incurred by the Iowa Department of Transportation to accommodate the collection and dissemination of the delinquent parking ticket information.
 - b. Dallas County Responsibilities. Treasurer shall, in conjunction with renewal of motor vehicle registration(s) pursuant to Iowa Code Section 321.40, refuse: to renew the registration upon which Van Meter has placed a "stop notice." Treasurer shall refer all persons who attempt to renew a registration upon which Van Meter has placed a stop notice to either the Van Meter City Hall or the Van Meter Police Department to pay those fines. Upon receipt of documented notice from Van Meter the "stop notice" with respect to a particular registration has been released, the Treasurer may proceed to renew the motor vehicle registration(s). Treasurer may use the Iowa Department of Transportation vehicle registration and titling system to facilitate the purposes of this agreement. Treasurer shall deposit and account for said fees according to law.

5_ Financial. Van Meter shall forward the \$5.00 fee to Treasurer for release of each "stop notice" on a monthly basis.

6. Termination . Termination may be effected by either party to this agreement with 30 day written notice to the other party. Termination sought by Van Meter will effectively release all "stop notices" certified by Van Meter to the Treasurer and shall cause Van Meter to remit to Treasurer the aggregate amount of \$5.00 for each "stop notice" so released.

7- Dispute resolution_ This agreement shall not give cause for any action of any kind between the parties. Should a party be aggrieved as to the operation of this agreement, the party may attempt to resolve the dispute by giving written notice to the other party, which notice shall specify the nature of the default alleged and the desired action to cure the default. Should the dispute not be resolved between the parties, either party may choose to terminate the agreement as set forth in paragraph 6, above, or the agreement may continue despite the dispute

8. Notices. All notices which the parties are authorized or required to give one another, including but not_limited to certification of delinquent parking fines ("stop notices"), notices of termination of the agreement, shall be in writing and delivered to the following addresses:

- a. Van Meter: City of Van Meter, City Administrator, 505 Grant Street Van Meter, Iowa 50261.
- b. Treasurer: Dallas County Treasurer, 801 Court Street, Room 201, Adel, Iowa 50003

9. If any section, provision or part of this agreement shall be found to be invalid or unconstitutional such finding shall not affect the validity of the agreement as a whole, nor shall such finding be held to affect any other section, provision, or part thereof which is not found to be invalid or unconstitutional.

10. This agreement represents the entire agreement between the parties as to the subject of this agreement. Any subsequent modification to the terms of this agreement shall be in the form of a duly executed addendum or amendment to this agreement.

11. Effective date. This agreement is effective on filing and recording upon approval of the statutory officers of the affected departments and as authorized by the governing bodies of the respective municipalities .

Said agreement being approved by resolution of the Dallas County Board of Supervisors on the _____ day of _____, 2013 upon discussion and vote within a public meeting for which such topic duly appeared upon the published agenda.

AYE

NAY

Mark Hanson, Chairman

Mark Hanson, Chairman

Brad Golightly, Member

Brad Golightly, Member

Kim Chapman, Member

Kim Chapman, Member

Dated this _____ day of _____, 2013.

ATTEST: _____
Gene Krumm
Dallas County Auditor

Said agreement being approved by resolution by the Van Meter City Council on the ___ day of _____, 2013 upon discussion and vote within a public meeting for which such topic duly appeared upon the published agenda.

AYE

NAY

Mayor, Allan B. Adams

Mayor, Allan B. Adams

Mayor Pro Tem, Rebecca Wiedrholt

Mayor Pro Tem, Rebecca Wiederholt

Richard Booge, Member

Richard Booge, Member

Adam Coyle, Member

Adam Coyle, Member

Robert Lacy, Member

Robert Lacy, Member

Kim Sacker, Member

Kim Sacker, Member

Dated this _____ day of _____, 2013.

ATTEST: _____

City Clerk, City of Van Meter

Said agreement being approved by Dallas County Treasurer, Darrell Bauman. this _____ day of _____, 2013

Darrell Bauman, Treasurer

Said agreement filed with the Secretary of State on the _____ day of _____, 2013, and recorded with the County Recorder of Dallas County on the _____ day of _____, 2013.

Support for: Agenda Item #8

-

Mayor and Council Compensation

Submitted for:

Discussion and Guidance

Recommendation:

Direct Counsel to draft an Ordinance Amending the Code to provide a reasonable salary and set the date for a public hearing on the proposed ordinance for 7:00PM on May 13, 2013.

Sample Motions:

I move to direct counsel to draft an ordinance amending the Code consistent with our conversation and to set the date for a public hearing on the proposed ordinance for 7:00Pm on May 13, 2013.

MEMO

TO: Mayor Adams and City Council
FROM: Jake Anderson, City Administrator
DATE: April 8, 2013
RE: Semi Annual Mayor and Council Compensation

As you are aware I have called your attention to our Code of Ordinances three times over the past year as it pertains to the semi-annual compensation that we provide to you as elected officials. Specifically, 15.04 "The salary of the Mayor is two thousand dollars (\$2000.00) per year, plus thirty dollars (\$30.00) for every Council meeting attended." And 17.06 "The salary of each Council member is twenty-five dollars (\$25.00) for each meeting of the Council attended."

Again I want to strongly recommend that you consider a policy providing a reasonable salary that would make it easier to:

- 1) Manage
- 2) Budget
- and most importantly:*
- 3) Comply

Viewing your efforts through the lens of the individual meeting is not a good measure of the value of the work you do as elected officials. Depending on duration and the topic some meetings are worth more than other meetings, further there is work you do on behalf of the city that cannot easily be captured when we restrict ourselves to looking at the meeting unit of measurement (a term I will abbreviate MUM).

You handle citizen complaint calls, spend time reading and rereading reports, independently researching issues, and I am sure there are other activities that you do on behalf of the City and in the course of carrying out City business. The value of that work does not even come close to being properly captured by the MUM.

I recommend that you direct City Attorney Fisk to draft an ordinance amending the Code of Ordinances to provide a reasonable salary for the Mayor and City Council.

Respectfully,



Jake Anderson
City Administrator

Support for: Agenda Item #9

—

Reorganization Plan

Submitted for:

Discussion and Guidance

Recommendation:

Direct Counsel to draft Public Safety ordinances.

Sample Motions:

I move to direct counsel to draft public safety ordinances amending the Code consistent with our conversation and to set the date for a public hearing on the proposed ordinances for 7:00Pm on May 13, 2013.

REORGANIZATION PLAN

Purpose and Intent

To promote economy, efficiency, and improved services, in the transaction of the public business in the various departments, agencies and instrumentalities. And to clean up and improve the reporting relationships between elected officials, appointed officials, management, and staff.

Overview

This plan lays out three phases of activity that will reorganize four existing departments with the goal of grouping like functions more closely together. It outlines a series of moves, including the development of an organizational chart, various updates to the Code of Ordinances and the overhaul and creation of a number of job descriptions.

Special Note: Each phase of this plan and the corresponding action items do not need to happen sequentially. Certain aspects of the plan will most certainly occur concurrently. A timeline is laid out for goal setting purposes only. The actual timelines may vary depending on a number of variables.

Phase I – ICMA General Management Recognition

The ICMA recognition process identifies local governments that, by ordinance, charter, or other legal document, have established positions of professional authority. Recognition means the community is identified as one that provides a legal framework conducive to the practice of professional management.

Action Item A: Develop an Organizational Chart
Timeline for completion – June, 2013

Action Item B: Code Updates
Timeline for completion – July, 2013

Action Item D: City Administrator Job Description
Timeline for completion – July, 2013

Action Item C: Formalize Council Liaison/Committees Assignments
Timeline for completion – July 2013

Action Item D: Submit application for ICMA Recognition
Timeline for completion – August, 2013

Phase II – Integration of Public Safety Functions

This portion of the reorganization plan will integrate the middle and upper management of the police, fire and emergency medical services and will clean up, and clarify various reporting relationships and policy contradictions.

Action Item A: Code Updates - creation of a Public Safety Director.
Timeline for Completion - July 1, 2013

Action Item B: Public Safety Director Job Description
Timeline for Completion - July 1, 2013

Action Item C: Appoint a Fire Chief and other officers
Timeline for Completion – January 1, 2014

Phase III – Integration of Administrative/Library Functions

This aspect of the reorganization plan will integrate administrative and library staff and will expand our abilities to meet the demands of operating the recreation complex. This phase will conclude with the consolidation of storefronts.

Action Item A: Adopt a Culture and Recreation Director Job Description and other necessary policies.
Timeline for completion – June, 2013

Action Item B: Hire a Culture and Recreation Director.
Timeline for completion - Anticipated start date: August 1, 2013

Action Item C: Cross-train staff.
Timeline for completion - October 1, 2013

Action Item C: Rearrange the physical space into one storefront.
Timeline for completion November, 2013

ICMA / About / Professional Management / Local Government Recognition

ICMA Local Government Recognition

The ICMA recognition process identifies local governments that, by ordinance, charter, or other legal document, have established positions of professional authority. Recognition means the community is identified as one that provides a legal framework conducive to the practice of professional management.

ICMA recognition falls into two categories: council-manager and general management. The criteria related to the council-manager government category are less flexible than those for the general management category. The reasons for this derive from the historical significance and the nature of the council-manager form.

Here are answers to some of the more frequently asked questions about recognition.

What is recognition?

Recognition is the formal acknowledgment by the membership and the ICMA Executive Board that a local government has established a position of professional management for its appointed executive.

How long does recognition last?

Recognition lasts as long as the legal basis establishing the position of professional management remains unchanged. A change in managers does not affect the recognition status of the local government; a change in the form of government does.

What kind of local governments are eligible for recognition?

Any general purpose city, town, village, township, borough, county, council of governments, or state/provincial association of local governments that has established by legal documents a form of government that satisfies the ICMA recognition criteria is eligible.

What is the basis for recognition?

Compliance with the ICMA recognition criteria is the basis. Evidence of meeting the criteria is either an ordinance, resolution, charter, special act of the state legislature, or another legal document establishing a position of professional management.

What kinds of recognition are there?

There are two kinds: recognition under the council-manager (CM) criteria and under the general management (GM) criteria. Councils of governments and state/provincial associations of local governments are always recognized under the GM criteria; local governments may be recognized under either CM or GM criteria, depending upon their individual features.

The criteria for the council-manager category are less flexible than for the general management category, because of the nature of the council-manager form and its historical significance. It represents an easily definable form of local government with a limited variety of implementation. ICMA's origin rests on the council-manager form and its members have come to see it as the preferred form of governmental organization. Although it is not seen as the only means of providing for overall professional management, the intent is to recognize its contributions to local government by distinguishing it within the wide variety of administrative organizations in democratic governments throughout the world.

What happens after recognition?

The local government is listed in ICMA's [Who's Who](#) as a jurisdiction that provides for a position of professional management.

Criteria for Recognition of a Council-Manager Position

(Adopted October 11, 1969, and revised July 22, 1989)

Appointment

The manager can be appointed by the majority vote of the council for a definite or indefinite term and must be subject to termination by a majority vote of the council at any time.

GUIDELINE

It is recognized that the process for appointing the manager may include participation by others, in nominating or recommending candidates to be considered. However, the final responsibility or authority of appointment as well as dismissal of the manager must lie with a majority of the council.

POLICY FORMULATION

The position should have direct responsibility for policy formulation on overall problems.

GUIDELINE

Final authority for policy formulation rests with the council, but the manager should play an integral role in developing and analyzing alternatives for the council's consideration and be responsible for implementation of council-approved policy.

Budget

The manager should be designated by legislation as having responsibility for preparation of the budget, presentation to the council, and direct responsibility for the administration of the council-approved budget.

GUIDELINE

While the manager should have responsibility for preparing and presenting the budget to the council, it is recognized that many parties often participate in the budget process and may contribute to the development of the manager's recommended budget. Once approved by council, the manager is responsible for implementing and administering the budget.

Appointing Authority

Legislation should delegate full authority to the manager for the appointment and removal of at least most of the heads of the principal departments and functions of the local government.

GUIDELINE

The manager's ability to independently select the most qualified personnel for key department head positions and remove them when necessary is essential to his or her administrative effectiveness. Within this context, it is recognized that a manager may choose to consult with and seek consensus from council on the appointment and dismissal of key department heads.

Though the preferred arrangement is for the manager to have independent authority to appoint and remove key department heads, recognition in the C-M category will also be extended to those communities in which council is given the authority by legislation to confirm, validate, or ratify such personnel actions, as long as responsibility for recommending them remains with the manager.

Organizational Relationships

The department heads the manager appoints should be designated by legislation as administratively responsible to the manager.

Qualifications

Qualifications for the position should be based on the educational and administrative background of the candidates.

GUIDELINE

Appointment to the manager's position should be based on professional experience, administrative qualifications, and education to ensure that the community is served by a competent, well-trained professional. Political affiliations should not in any way influence appointment.

Recognition of a General Management Position

(Adopted April 19, 1969, and revised July 22, 1989)

Appointment

The position should be filled by appointment made by an elected representative or representatives and shall be responsible to an elected representative and/or representatives.

GUIDELINE

Overall management is the link between the political leadership and program execution. It is essential that the person filling the position of overall management be appointed by and responsible for the legislative body or the chief elected official of the local government.

Policy Formulation

(Same as for council-manager position.)

GUIDELINE

The position of overall management is responsible for creative initiative in the development of public policy alternatives and recommendations for consideration by elected officials throughout the spectrum of the local government's functions. Responsibility for policy formulation means that the person in the position has access to the council and works with its members even though s/he may report directly to the mayor. In the case of a council-appointed administrator, his/her access should be direct.

Budget

The position should have major responsibility for the preparation and administration of the operating and capital improvements budget.

GUIDELINE

Both elements should be present because it is through the administration of the operating budget that basic management control is exercised, and it is the budget preparation process that concerns itself with resource use. The term "major responsibility" refers to appointed positions and not elected positions. This may become critical in evaluating the work of a mayor-appointed administrator.

Appointing Authority

The position should exercise significant influence in the appointment of key administrative personnel.

GUIDELINE

The direct or legal appointive power will vary considerably. The fact that the position may have authority only to recommend the appointment of department heads should not in and of itself exclude the local government from recognition. Neither is there any fixed formula as to which or how appointments may be influenced.

It will be necessary to view this in the context of the position's total responsibility, particularly for the budget process. It is important that the position should have authority to appoint a sufficient share of the management staff to control budget preparation and administration.

Organizational Relationships

The position should have a continuing direct relationship with the operating department heads on the implementation and administration of the programs.

GUIDELINE

It is important that the position be recognized within the local government organization as the principal general management professional. The relationship is most clear if the position has direct supervision of department heads. The real issue, however, is the day-in and day-out influence the position has over department heads. At a minimum, it should be expected that overall management responsibility includes the status of first peer among administrative peers in a horizontal organization.

Qualifications

(Same as for council-manager position.)

GUIDELINE

This criterion simply means that the person should be chosen on merit and that s/he should have significant administrative experience and educational background. It excludes the strictly “political” appointment. It does not mean, however, that the person must have local government experience per se.

DOWNLOADS

[ICMA Recognition Application \(doc, 34 KB\)](#)

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International City/County Management Association
777 North Capitol Street NE, Suite 500
Washington, DC 20002-4201

800-745-8780/202-962-3680 | fax 202-962-3500



APPLYING FOR RECOGNITION

Steps in the Process: In order to be equitable, recognition applications are reviewed in the same order in which they are received. Priority is given neither to CM or GM applications. Upon receipt of an application for recognition, the ICMA staff reviews it and the supporting documents. If there are questions or if the application is incomplete, staff contacts the applicant for additional information. Once all pertinent information is on hand, staff reviews it in light of the ICMA recognition criteria and makes a preliminary determination as to whether either the CM or GM criteria apply.

Council-Manager Recognition. Based upon the staff recommendation and comments from the respective state association president, the Executive Director decides whether or not to extend CM recognition. Staff sends copies of the application and supporting documentation to the state association. The state association president is asked to review the application and respond with their approval or concerns. If no reply is received within four (4) weeks, the Executive Director will formally recognize the local government under the council-manager criteria. The Executive Board is so informed at its next regularly scheduled meeting.

General Management Recognition: General management recognitions are handled differently. The ICMA staff, after reviewing the application and documentation, forwards the material to the state association for consideration. The state association notes its recommendation, then returns the material to ICMA. The recommendation is held until the next board meeting, where the Executive Board decides whether to extend recognition.

Please check the appropriate box: NEW RECOGNITION UPGRADE FROM GM TO CM

Date: _____

A. Questionnaire:

1. Name of Local Government
County _____ State _____
2. Population
3. Title of local government's appointed chief management executive:
4. Name and **office address** of person presently holding the appointed chief management executive position:
5. Appointive chief executive's office phone number
6. Date appointed to office
7. Identify the state enabling legislation, if any, relating to the chief executive's position
8. Legislation establishing and describing authority of the position:
Charter _____ Ordinance _____
Other _____
Date on which present position was established _____
9. Please check the box that best describes the municipality's form of government:
Mayor-Council Commission Repres Town Meeting
Council-Manager Town Meeting
10. Requesting recognition under Council-Manager OR General Management criteria.

B. Please send the following documentation (all three items are needed in order to process the recognition application):

1. A copy of the legislation and other documentation relating to the establishment and authority of the appointed chief management executive.
2. A copy of the approved job description for the chief management executive.
3. An official organizational chart.

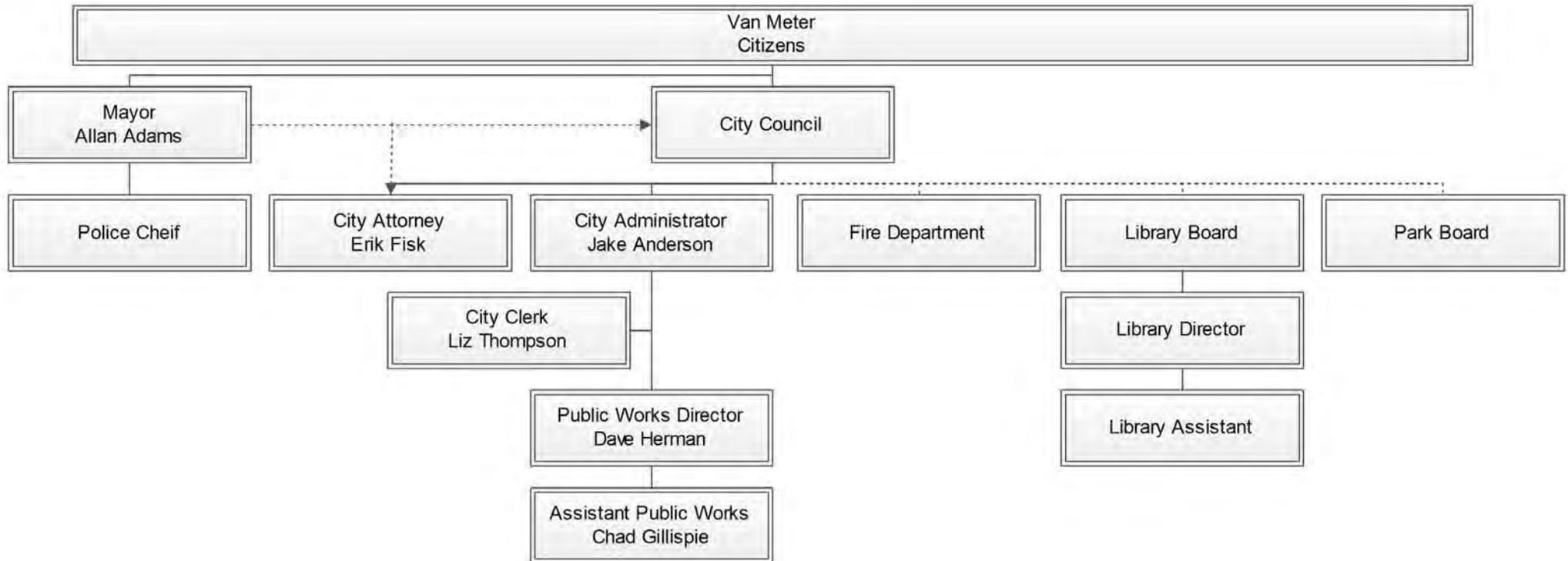
PLEASE RETURN THIS FORM AND DOCUMENTATION TO:

Jared Dailey
ICMA Recognition Program
777 North Capitol Street, N.E., Suite 500
Washington, D.C. 20002

Office: (202) 962-3557
Fax: (202) 962-3500

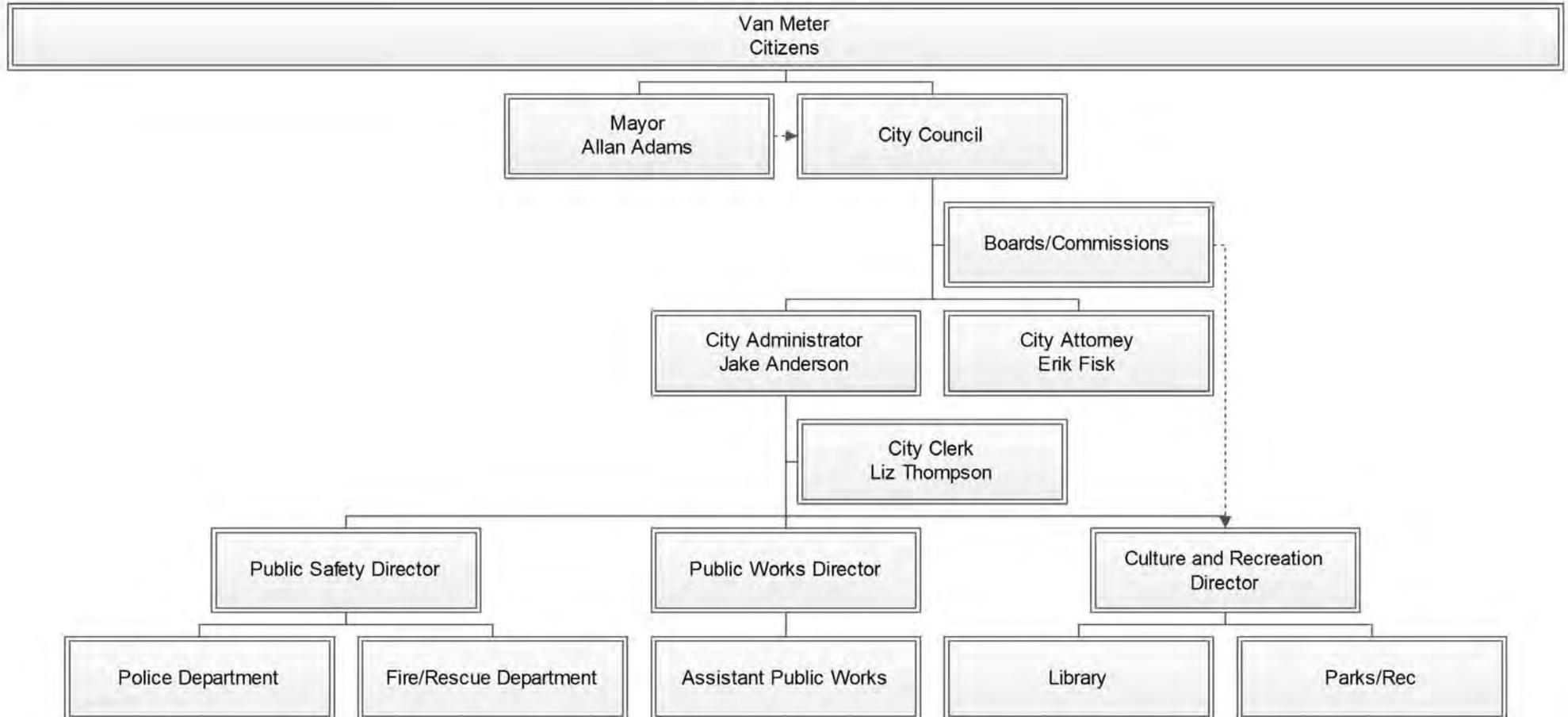


City of Van Meter, Iowa **Current** Organizational Chart





City of Van Meter, Iowa **Proposed** Organizational Chart



CHAPTER 30

POLICE DEPARTMENT

30.01 Department Established
30.02 Organization
30.03 Peace Officer Qualifications
30.04 Required Training
30.05 Compensation
30.06 Police Chief Appointed

30.07 Police Chief: Duties
30.08 Departmental Rules
30.09 Summoning Aid
30.10 Taking Weapons
30.11 Contract Law Enforcement

30.01 DEPARTMENT ESTABLISHED. The police department of the City is established to provide for the preservation of peace and enforcement of law and ordinances within the corporate limits of the City.

30.02 ORGANIZATION. The department consists of the Police Chief and such other law enforcement officers and personnel, whether full or part time, as may be authorized by the Council.

30.03 PEACE OFFICER QUALIFICATIONS. In no case shall any person be selected or appointed as a law enforcement officer unless such person meets the minimum qualification standards established by the Iowa Law Enforcement Academy.

(Code of Iowa, Sec. 80B.11)

30.04 REQUIRED TRAINING. All peace officers shall have received the minimum training required by law at an approved law enforcement training school within one year of employment. Peace officers shall also meet the minimum in-service training as required by law.

(Code of Iowa, Sec. 80B.11[2])

(IAC, 501-3 and 501-8)

30.05 COMPENSATION. Members of the department are designated by rank and receive such compensation as shall be determined by resolution of the Council.

30.06 POLICE CHIEF APPOINTED. The Public Safety Director is ex officio Police Chief and has the duties, powers and functions prescribed in this chapter, by State law and other ordinances of the City. ~~The Mayor shall appoint and dismiss the Police Chief subject to the consent of a majority of the Council.~~

(Code of Iowa, Sec. 372.4)

30.07 POLICE CHIEF: DUTIES. The Police Chief has the following powers and duties subject to the approval of the Council.

(Code of Iowa, Sec. 372.13[4])

1. General. Perform all duties required of the Police Chief by law or ordinance.
2. Enforce Laws. Enforce all laws, ordinances and regulations and bring all persons committing any offense before the proper court.
3. Writs. Execute and return all writs and other processes directed to the Police Chief.

4. Accident Reports. Report all motor vehicle accidents investigated to the State Department of Transportation.

(Code of Iowa, Sec. 321.266)

5. Prisoners. Be responsible for the custody of prisoners, including conveyance to detention facilities as may be required.

6. Assist Officials. When requested, provide aid to other City officers, boards and commissions in the execution of their official duties.

7. Investigations. Provide for such investigation as may be necessary for the prosecution of any person alleged to have violated any law or ordinance.

8. Record of Arrests. Keep a record of all arrests made in the City by showing whether said arrests were made under provisions of State law or City ordinance, the offense charged, who made the arrest and the disposition of the charge.

9. Reports. Compile and submit to the Mayor and Council an annual report as well as such other reports as may be requested by the Mayor or Council.

10. Command. Be in command of all officers appointed for police work and be responsible for the care, maintenance and use of all vehicles, equipment and materials of the department.

30.08 DEPARTMENTAL RULES. The Police Chief shall establish such rules, not in conflict with the Code of Ordinances, and subject to the approval of the Council, as may be necessary for the operation of the department.

30.09 SUMMONING AID. Any peace officer making a legal arrest may orally summon as many persons as the officer reasonably finds necessary to aid the officer in making the arrest.

(Code of Iowa, Sec. 804.17)

30.10 TAKING WEAPONS. Any person who makes an arrest may take from the person arrested all items which are capable of causing bodily harm which the arrested person may have within such person's control to be disposed of according to law.

(Code of Iowa, Sec. 804.18)

30.11 CONTRACT LAW ENFORCEMENT. In lieu of the appointment of a police chief by the Mayor as provided by Section 30.06, the Council may contract with the County Sheriff or any other qualified lawful entity to provide law enforcement services within the City and in such event the Sheriff or such other entity shall have and exercise the powers and duties of the Police Chief as provided herein.

(Code of Iowa, Sec. 28E.30)

CHAPTER 34

PUBLIC SAFETY DEPARTMENT

34.01 Public Safety Department Established

34.02 Organization

34.03 Public Safety Director

34.04 Compensation 34.05 Training

34.06 Delegation of Duties

- 34.01 PUBLIC SAFETY DEPARTMENT ESTABLISHED.** A Public Safety Department is hereby established which shall consist of the Police, Emergency Medical and Fire Departments under the supervision of the Public Safety Director.
- 34.02 ORGANIZATION.** The Police and Fire Departments shall operate as separate subdivisions of the Public Safety Department. Each department shall have a chief who is appointed by the Mayor and Council upon the recommendation of the Public Safety Director and City Administrator. The Public Safety Director shall report and be responsible to the City Administrator. The Public Safety Director may delegate duties and create organizational structure so as to best facilitate public safety services in the City of Van Meter.
- 34.03 PUBLIC SAFETY DIRECTOR.** The Public Safety Department shall be under the supervision of a Public Safety Director appointed by the Mayor and Council upon the recommendation of the City Administrator. The Public Safety Director shall have duties and responsibilities as established by the Council and as set forth in the job description adopted by the Council.
- 34.04 COMPENSATION.** The Public Safety Director shall receive compensation as established by the Council and set forth in a written contract approved by the Council by resolution.
- 34.05 TRAINING.** The Public Safety Director shall have knowledge of both law enforcement and fire protection and shall be versed in both disciplines to the extent that the Director is capable of managing both departments and have a good working knowledge of both departments' functions.
- 34.06 DELEGATION OF DUTIES.** The Public Safety Director may delegate duties to the chiefs of both the Police and Fire Departments as he/she determines necessary to carry out the respective responsibilities of each department.

CHAPTER 35

FIRE DEPARTMENT

35.01 Establishment and Purpose
 35.02 Organization
 35.03 Training
 35.04 Compensation
 35.05 Election of Officers
 35.06 Fire Chief: Duties
 35.07 Obedience to Fire Chief

35.08 Constitution
 35.09 Accidental Injury Insurance
 35.10 Liability Insurance
 35.11 Calls Outside City
 35.12 Mutual Aid
 35.13 Authority to Cite Violations
 35.14 Emergency Rescue Service

35.01 ESTABLISHMENT AND PURPOSE. A volunteer fire department is hereby established to prevent and extinguish fires and to protect lives and property against fires, to promote fire prevention and fire safety, and to answer all emergency calls for which there is no other established agency.

(Code of Iowa, Sec. 364.16)

35.02 ORGANIZATION. The department consists of the Fire Chief and such other officers and personnel as may be authorized by the Council.

(Code of Iowa, Sec. 372.13[4])

35.03 TRAINING. All members of the department shall meet the minimum training standards established by the State Fire Marshal and attend and actively participate in regular or special training drills or programs as directed by the Fire Chief.

(Code of Iowa, Sec. 100B.2[4])

35.04 COMPENSATION. Members of the department shall be designated by rank and receive such compensation as shall be determined by resolution of the Council.

(Code of Iowa, Sec. 372.13[4])

35.05 ~~ELECTION-APPOINTMENT OF OFFICERS.~~ The ~~Director of Public Safety and the City Administrator shall appoint a Fire Chief for a two-year term subject to the approval of the Mayor and City Council. department shall elect a Fire Chief for a one year term and The Fire Chief shall appoint~~ such other officers as its constitution and bylaws may provide, ~~but subject to the election-approval of the Director of Public Safety of the Fire Chief shall be subject to the approval of the Council.~~ In case of absence of the Fire Chief, the officer next in rank shall be in charge and have and exercise all the powers of Fire Chief.

35.06 FIRE CHIEF: DUTIES. The Fire Chief shall perform all duties required of the Fire Chief by law or ordinance, including but not limited to the following:

(Code of Iowa, Sec. 372.13[4])

1. Enforce Laws. Enforce ordinances and laws regulating fire prevention and the investigation of the cause, origin and circumstances of fires.
2. Technical Assistance. Upon request, give advice concerning private fire alarm systems, fire extinguishing equipment, fire escapes and exits and development of fire emergency plans.
3. Authority at Fires. When in charge of a fire scene, direct an operation as necessary to extinguish or control a fire, perform a rescue operation, investigate the existence of a suspected or reported fire, gas leak, or other hazardous condition, or take any other action deemed necessary in the reasonable performance of the department's duties.

(Code of Iowa, Sec. 102.2)

4. Control of Scenes. Prohibit an individual, vehicle or vessel from approaching a fire scene and remove from the scene any object, vehicle, vessel or individual that may impede or interfere with the operation of the Fire Department.

(Code of Iowa, Sec. 102.2)

5. Authority to Barricade. When in charge of a fire scene, place or erect ropes, guards, barricades or other obstructions across a street, alley, right-of-way, or private property near the location of the fire or emergency so as to prevent accidents or interference with the fire fighting efforts of the Fire Department, to control the scene until any required investigation is complete, or to preserve evidence related to the fire or other emergency.

(Code of Iowa, Sec. 102.3)

6. Command. Be charged with the duty of maintaining the efficiency, discipline and control of the Fire Department. The members of the Fire Department shall, at all times, be subject to the direction of the Fire Chief.

7. Property. Exercise and have full control over the disposition of all fire apparatus, tools, equipment and other property used by or belonging to the Fire Department.

8. Notification. Whenever death, serious bodily injury, or property damage in excess of \$200,000 has occurred as a result of a fire, or if arson is suspected, notify the State Fire Marshal's Division immediately. For all other fires causing an estimated damage of \$50.00 or more or emergency responses by the Fire Department, file a report with the Fire Marshal's Division within ten (10) days following the end of the month. The report shall indicate all fire incidents occurring and state the name of the owners and occupants of the property at the time of the fire, the value of the property, the estimated total loss to the property, origin of the fire as determined by investigation, and other facts, statistics, and circumstances concerning the fire incidents.

(Code of Iowa, Sec. 100.2 & 100.3)

9. Right of Entry. Have the right, during reasonable hours, to enter any building or premises within the Fire Chief's jurisdiction for the purpose of making such investigation or inspection which under law or ordinance may be necessary to be made and is reasonably necessary to protect the public health, safety and welfare.

(Code of Iowa, Sec. 100.12)

10. Recommendation. Make such recommendations to owners, occupants, caretakers or managers of buildings necessary to eliminate fire hazards.

(Code of Iowa, Sec. 100.13)

11. Assist State Fire Marshal. At the request of the State Fire Marshal, and as provided by law, aid said marshal in the performance of duties by investigating, preventing and reporting data pertaining to fires.

(Code of Iowa, Sec. 100.4)

12. Records. Cause to be kept records of the Fire Department personnel, fire fighting equipment, the number of responses to alarms, their cause and location, and an analysis of losses by value, type and location of buildings.

13. Reports. Compile and submit to the Mayor and Council an annual report of the status and activities of the department as well as such other reports as may be requested by the Mayor or Council.

35.07 OBEDIENCE TO FIRE CHIEF. No person shall willfully fail or refuse to comply with any lawful order or direction of the Fire Chief.

35.08 CONSTITUTION. The department shall adopt a constitution and bylaws as they deem calculated to accomplish the object contemplated, and such constitution and bylaws and any change or amendment to such constitution and bylaws before being effective, must be approved by the Council.

35.09 ACCIDENTAL INJURY INSURANCE. The Council shall contract to insure the City against liability for worker’s compensation and against statutory liability for the costs of hospitalization, nursing, and medical attention for volunteer fire fighters injured in the performance of their duties as fire fighters whether within or outside the corporate limits of the City. All volunteer fire fighters shall be covered by the contract.

(Code of Iowa, Sec. 85.2, 85.61 and Sec. 410.18)

35.10 LIABILITY INSURANCE. The Council shall contract to insure against liability of the City or members of the department for injuries, death or property damage arising out of and resulting from the performance of departmental duties within or outside the corporate limits of the City.

(Code of Iowa, Sec. 670.2 & 517A.1)

35.11 CALLS OUTSIDE CITY. The department shall answer calls to fires and other emergencies outside the City limits if the Fire Chief determines that such emergency exists and that such action will not endanger persons and property within the City limits.

(Code of Iowa, Sec. 364.4[2 & 3])

35.12 MUTUAL AID. The Council shall be the sole body with authority to enter into mutual aid agreements and/or contracts with neighboring municipalities and townships for the furnishing of fire related services during emergencies or otherwise. The Council shall also establish rules governing aid to areas not covered by such agreements. The department shall be bound by such agreements and rules.

(Code of Iowa, Sec. 364.4[2 & 3])

35.13 AUTHORITY TO CITE VIOLATIONS. Fire officials acting under the authority of Chapter 100 of the Code of Iowa may issue citations in accordance to Chapter 805 of the Code of Iowa, for violations of state and/or local fire safety regulations.

(Code of Iowa, Sec. 100.41)

35.14 EMERGENCY RESCUE SERVICE. The department is authorized to provide emergency rescue services, and the accidental injury and liability insurance provided for herein shall include such operation.

o o o o o o o o o

Support for: Agenda Item #10 - Reports

Submitted for:
Information

Recommendation:

Sample Motions:

Fire Dept Report to City Council for month of March 2013

During the month of March personnel of the Van Meter Fire Dept gave their time in service to the community and surrounding area in the following way:

Emergency calls:

Fires: 3 calls- 1 semi fire, 1 call for smoke alarm activation(no fire), 1 call for semi fire that was overheated rear brakes.

EMS: 3 calls

MVA: (motor vehicle accident) on I-80

Other: search for lost 10 yr old.

Subtotal man hours for calls	29+30
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Training:

1 training session

Sub total man hrs for training	12
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Meetings;

2 meetings

Subtotal hours for meetings	18
-----------------------------	----

Total hrs for all activity	<u>59 +30</u>
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Note: this does not include time spent by individuals cleaning up maint and other activities.



VAN METER POLICE DEPARTMENT

MONTHLY ACTIVITY REPORT

MONTH OF MARCH, 2013

MONTHLY CALLS FOR SERVICE

<u>CASE NUMBER</u>	<u>DATE</u>	<u>CALL TYPE</u>	<u>LOCATION</u>	<u>SYNOPSIS CALL FOR SERVICE</u>
2013-0070	3-1-13	PEDDLERS	400 PLEASANT	REPORT OF PEOPLE GOING DOOR TO DOOR. THEY WERE JEHOVAH'S WITNESSES
2013-0071	3-1-13	SNOW ORD. ENFORCE	CITY WIDE	RESPONDED TO ASSIST PUBLIC WORKS WITH MOVING VEHICLE FOR SNOW REMOVAL
2013-0072	3-2-13	MEDICAL	320 WILSON STREET	LAW ENFORCEMENT DID NOT RESPOND.
2013-0073	3-3-13	HARASS	121 HAZEL STREET	RESIDENT HAD QUESTIONS ABOUT EX-HUSBAND HARASSING HER
2013-0074	3-4-13	THEFT 4 TH	508 PARK STREET	RESIDENT REPORTED THE THEFT OF HER WALLET CONTAINING CASH. INVESTIGATION IS ON GOING
2013-0075	3-4-13	BURGLARY IN PROGRESS	204 ARLINGTON	RESIDENT CAME HOME AND THOUGHT SOMEONE WAS IN THE HOUSE. I CLEARED THE HOME.
2013-0076	3-5-13	CIVIL	224 WILSON STREET	RESIDENT HAD A QUESTION ABOUT OBTAINING A PROTECTIVE ORDER
2013-0077	3-10-13	MOTOR VEHICLE ACCIDENT	100 HAZEL STREET	DCSO ASSIGNED A CASE NUMBER FOR AN ACCIDENT INVOLVING ART JOHNSON I WAS NOT DISPATCHED
2013-0078	3-13-13	MEDICAL	520 PLEASANT	ASSIST VMFD & DC AMBULANCE WITH FEMALE DIFFICULTY BREATHING
2013-0079	3-13-13	MISSING CHILD	121 HAZEL STREET	MOTHER REPORTING MISSING 10 YOA BOY. I DISPATCHED VMFD TO ASSIST. WE LOCATED THE BOY.
2013-0080	3-14-15	ASSAULT	VM COMM SCHOOLS	SCHOOL REPORTING ASSAULT ON BUS DRIVER. ASSAULT INVESTIGATED AND NO CHARGES FILED
2013-0081	3-15-13	SUSP. PERSON	409 MAIN STREET	REPORT OF SUBJECT GOING THROUGH GARBAGE. SUBJECT IS GLEN STINE I KNOW HIM.
2013-0082	3-15-13	FOUND PROPERTY	720 MAIN STREET	A FORD KEY WAS FOUND AT WELLS FARGO AND WAS PICKED UP BY THE POLICE DEPARTMENT
2013-0083	3-16-13	DRUG ODOR	522 LINWOOD	ODOR OF MARIJUANA IN THE HALLWAY. UPON ARRIVAL NO ODOR. I SPOKE WITH THE RESIDENT WHO REPORTED.
2013-0084	3-16-13	JUVENILE PARTY	100 HAZEL STREET	REPORT OF POSSIBLE JUVENILE PARTY NEAR THE METHODIST CHURCH. JUVENILES PLAYING WAR.
2013-0085	3-18-13	NOTIFY RESIDENT	313 HAZEL STREET	RESIDENT WENT IN DITCH ON I-80 REQUESTED I NOTIFY HER HUSBAND. HUSBAND NOTIFIED.
2013-0086	3-18-13	CHILD ENDANGER	505 GRANT STREET	RESIDENT QUESTIONING A GRANDFATHER LETTING BOYS HOLD AN UNLOADED AR-15 RIFLE
2013-0087	3-19-13	MEDICAL	32099 PUCKERBRUSH	DCSO DISPATCH OF LIFT ASSIST FOR DC AMBULANCE. I RESPONDED.
2013-0088	3-20-13	VEHICLE UNLOCK	700 DEBRA DRIVE	REQUEST TO UNLOCK VEHICLE. WAIVER SIGNED AND VEHICLE UNLOCKED.
2013-0089	3-21-13	ASSAULT	VM COMM SCHOOLS	PARENT REPORTING ASSAULT BY BUS DRIVER ON STUDENT. IT WAS INVESTIGATED AND NO ASSAULT

2013-0090	3-21-13	DRIVING UNDER SUSPENSION	360 TH & F90	CHARLES JONES WAS ARRESTED AFTER A TRAFFIC STOP FOR DRIVING UNDER SUSPENSION
2013-0091	3-22-13	SUSPICIOUS VEHICLE	300 HAZEL STREET	PUBLIC WORKS REPORTED A W/M IN A GRAY BUICK TAKING PICTURES OF HOUSES. UTL.
2013-0092	3-23-13	VEHICLE UNLOCK	700 DEBRA DRIVE	REQUEST TO UNLOCK VEHICLE. WAIVER SIGNED AND VEHICLE UNLOCKED.
2013-0093	3-25-13	DOG BARKING	305 HAZEL STREET	ANONYMOUS COMPLAINT OF BARKING DOG. UPON RESPONDING I WAS UTL ON A BARKING DOG.
2013-0094	3-29-13	JUVENILE W/ OBSCENE MATERIAL	VM COMM SCHOOLS	MR. DERFLINGER REPORTED A MIDDLE SCHOOL STUDENT IN POSSESSION OF INAPPROPRIATE MATERIALS. I COUNSELED HIM ON THE IOWA CODE
2013-0095	3-30-13	SUSPICIOUS VEHICLE	700 DEBRA DRIVE	DOUGHNUT COOK AT CASEY'S CALLED A SUSPICIOUS VEHICLE IN THAT LEFT. DCSO DID NOT DISPATCH ME.
2013-0096	3-30-13	REPORT IN ERROR		REPORT NUMBER ASSIGNED BY DCSO IN ERROR
2013-0097	3-30-13	FIREWORKS	2673 BROOKVIEW DRIVE	REPORT OF FIREWORKS BEING SHOT. JUVENILES WERE LOCATED AND TOLD TO STOP
2013-0098	3-31-13	REPORT IN ERROR		REPORT NUMBER ASSIGNED BY DCSO IN ERROR

ADMINISTRATIVE UPDATE

I have worked on the following issues during the month of December related to management of police operations:

1. We were accepted into the U.S. Government 1033 program. This program allows our municipality to obtain government property for reutilization including such things as vehicles, firearms, office equipment, etc. Jake and I will be looking over items that may be appropriate for the city. This may require us to travel to the location of the property and transport it back to the City of Van Meter.
2. The reserve officer program is moving forward with Officer Campbell and Farrell attending the Reserve Academy classes with the City of West Des Moines Police Department. This consent agenda will appoint Brandon Carter as the third approved reserve position. Officer Carter has, on his own, been attending the West Des Moines Academy. Officer Carter is also a licensed EMT-A in Indiana and is attending a course to bridge the Iowa EMT-A so moving forward we will add another EMT-A to the medical side of public safety service. I would ask each of you keep in mind as you see the reserve officers that each officer has expended hundreds of dollars of their own money to buy uniforms and equipment to serve the city. Please thank them when you see them for their dedication.

3. The new patrol vehicle has been ordered for delivery on July 1st. I have been working with Ernie Hockenberry and Kenny and Gyle regarding a new vehicle design. If you have any input on how you believe the vehicle design should look please let me know.



The design is based on the Dallas Police Department design incorporating the Van Meter bulldog blue and white with an updated design. I am trying to get this exact design rather than what is above.

4. I am working with the fire department on developing a grant through the USDA for a rural development grant regarding a public safety or municipal facility. This may allow us to develop a new city facility with a portion of grant funding. As this develops Jake or I will provide additional information. This is a thought process at the moment rather than an actual application yet.

COMMUNITY POLICING UPDATE

The following strides have been made in the community related to community policing:

1. I continue to present through the newsletter a neighborhood watch program to the community. I have had excellent feedback and several residents have stepped forward to ask to be block captains. I will continue to foster this program with a goal of having National Night Out in August or September of this year. National Night Out will consist of block parties held throughout the city and I will be asking for your cooperation in attending the parties. This program will be initiated the first of July.

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2. The Explorer Post is closer to reality. I met with the Police Chief's and Dallas County Sheriff and they have agreed to participate. This includes the cities of West Des Moines, Clive and Urbandale. We are hoping Van Meter students will be able to be a part of a post that is thirty to forty strong and they will be able to experience not only law enforcement in a small agency but municipal law enforcement.

As always if you have any questions or concerns let me know. I invite each of you to come ride or spend time with me at the schools seeing how your police department works.

Respectfully Submitted,

William J. Daggett

William J. Daggett
Chief of Police