

**-NOTICE OF A PUBLIC MEETING-  
Governmental Body: Van Meter City Council**

**Date of Meeting: Monday, August 10, 2015**

**Time/Place of Meeting: 7:00 p.m. – Veteran’s Reception Center, 910 Main Street**

Business Meeting Agenda:

1. Call to Order
2. Pledge of Allegiance
3. Civility Statement
4. Approval of Agenda
5. Introductions
6. Citizen Hearing
7. Consent Agenda:
  - a. Minutes of the July 13, 2015 City Council meeting
  - b. July Claims list
  - c. July Financial Statement
  - d. A Resolution Releasing a Lien on 208 Pleasant Street for a 2007 Sidewalk Project
  - e. Approve a 5 day alcohol permit for Legends Fieldhouse Bar and Grill.
8. Annual Library Report Per Chapter 22.09 of the Van Meter Code of Ordinances
9. Public hearing and action on the first reading of a proposed ordinance codifying weight limits on certain city streets. Consideration may be given to waiving readings two and three and proceeding directly to approval and adoption.
10. Action on an amended lease agreement for space on the water tower for a cellular array with AT&T.
11. Action on a proposed Resource Enhancement and Protection (REAP) grant application for improvements at the Van Meter Recreation Complex.
12. Action on a proposal to seek partnerships for a hotel feasibility study.
13. Department/Committee Reports:
  - a. Parks and Rec
  - b. Library
  - c. Public Safety
  - d. Public Works
  - e. Attorney
  - f. Engineer
  - g. Administrator
  - h. Council
    - i. Public Works/Infrastructure
    - ii. Culture and Recreation
    - iii. Ad-Hoc Committees
  - i. Mayor
    - i. Finance
    - ii. Policy
    - iii. Economic Development
    - iv. Public Safety
    - v. EMA, E91
14. Adjourn

# Agenda Item #1 - Call to Order

Submitted for:

Recommendation:

Sample Language:

Mayor: *The time is Seven O'clock PM on Monday, August 10, 2015. I hereby call this meeting of the Van Meter City Council to order.*

# Agenda Item #2 - Pledge of Allegiance

Submitted for:

Recommendation:

Sample Language:

Those Present Led by Mayor:

*"I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all."*

# Agenda Item #3 - Civility Statement

Submitted for:

Recommendation:

Sample Language:

Mayor: *Our organization is proud to participate in the Show Some Respect initiative from the Iowa Civility Project. The goal of the Show Some Respect campaign is to improve respect and civility in our community. To help achieve this goal, our expectations are that everyone will:*

- 1. Listen attentively*
- 2. Respect the opinions of others*
- 3. Keep an open mind*
- 4. Give constructive comments, suggestions & feedback*
- 5. Avoid personal attacks*
- 6. Remember the things we have in common*
- 7. Value people, the process, and the results*

# Agenda Item #4 - Approval of the Agenda

Submitted for:

Action

Recommendation:

Approval

Sample Language:

Mayor: *Do I hear a motion to approve the agenda?*

City Councilmember \_\_\_\_\_: *So moved.*

City Councilmember \_\_\_\_\_: *Second.*

Mayor: *Roll call please.*

City Clerk: *Lacy \_\_\_; Stump \_\_\_; Tweed \_\_\_; Sacker \_\_\_; Peterson \_\_\_;*

Mayor: *The agenda is adopted. Thank you.*

# Agenda Item #5 - Introductions

Submitted for:

Information

Recommendation:

Sample Language:

Mayor: *Would those present please introduce themselves?*

# Agenda Item #6 - Citizen Hearing

Submitted for:

Information

Recommendation:

N/A

Sample Language:

Mayor: *At this time I will recognize members of the public who have signed in and wish to address the City Council. Once given the floor you will have a maximum of three minutes to read your statement into the record.*

*Under Iowa law, the City Council is prohibited from discussion or taking any action on an item not appearing on its posted agenda. Therefore, any issue raised under the “citizen hearing” section of the agenda will be referred to staff for a decision about whether it should be placed on a future agenda for discussion, action, or report. Council is not permitted to answer questions, engage in discussion, or otherwise entertain or deliberate on any matters raised during matters raised in the “citizen hearing” section of the agenda.*

# Agenda Item #7 - Consent Agenda

Submitted for:

Action

Recommendation:

Approval

Sample Language:

Mayor: *Would staff please review the Consent Agenda.*

Staff: *Gives Review.*

Mayor: *Does the City Council wish to discuss any item on the consent agenda separately? If not, I would entertain a motion to approve a Resolution Adopting the Consent Agenda as it has been presented to us.*

City Councilmember \_\_\_\_\_: *So moved.*

City Councilmember \_\_\_\_\_: *Second.*

Mayor: *Roll Call Please.*

City Clerk: *Lacy \_\_\_; Sacker \_\_\_; Tweed \_\_\_; Peterson \_\_\_; Stump \_\_\_;*

Mayor: *The Consent Agenda is adopted. Thank you.*

- 1) The Van Meter City Council met for a regular council meeting on Monday, July 13, 2015 at the Veterans Reception Center. Mayor Allan Adams called the meeting to order at 7:00PM. The following council members were present upon roll call: Bob Lacy, Kim Sacker, Owen Stump, and Elizabeth Tweed.

Staff present: City Administrator Jake Anderson, City Engineer Bob Veenstra, City Attorney Erik Fisk, Public Safety Director William Daggett, Fire Chief Jon Bruen, Officer John Petithory, and Parks and Rec Coordinator Alex Brayton.

- 2) Mayor Adams led the Pledge of Allegiance.
- 3) Mayor Adams read a Civility Statement setting expectations for the meeting.
- 4) Mayor Adams asked for a motion to approve the agenda amended to provide for the presentation of honors following the Council’s consideration of the consent agenda. Moved by Lacy supported by Peterson. Passed unanimously.
- 5) Introductions were made.
- 6) Mayor Adams opened the citizens hearing. Hearing none Mayor Adams closed the citizens hearing.
- 7) Mayor Adams reviewed the consent agenda, and asked for discussion. City Administrator Anderson noted amendments to the claims list. Mayor Adams asked for a motion to adopt the revised consent agenda which included the following:
  - a. Minutes of the June 13, 2015, and June 23, 2015 council meetings.
  - b. June Claims list.

<b>VENDOR</b>	<b>REFERENCE</b>	<b>AMOUNT</b>
ACCO	WATER CHEMICALS	\$ 720.00
ACCUJET LLC	INSTALL 8' POINT REPAIR	\$ 3,500.00
ADT SECURITY SERVICES	SECURITY SERVICES	\$ 175.21
ADT SECURITY SERVICES	QRTLTY BILL 8/1/15-10/31/15	\$ 120.00
AGSOURCE	WASTE WA TESTING	\$ 458.00
ALEX BRAYTON	MILEAGE	\$ 86.83
ALL AMERICAN TURF BEAUTY	TOTAL VEG CONTROL LAGOON	\$ 914.43
AMERICAN LEGION POST 403	KIDS MEALS - FARMERS MARKET	\$ 140.00
BANKERS TRUST	2008-2011 SERIES DEBT SERVICE	\$ 49,410.00
BRIAN ANDERSON CONST	REPAIR SOFFIT FELLER LOCATION	\$ 450.00
BUSINESS FURNITURE	LIB/CITY HALL FURNITURE	\$ 1,230.00
CALHOUN-BURNS & ASSOC	2015 BRIDGE RATING & INSPECTIO	\$ 2,100.00
CASEY'S GENERAL STORE	PW GAS	\$ 1,213.66
CENTURY LINK	FIRE/PD PHONE	\$ 328.18
CLIVE POWER EQUIPMENT	PARTS FOR WEED WHACKER	\$ 61.78
COAST TO COAST SOLUTIONS	SUMMER READING PROGRAM	\$ 713.52
COMPETITIVE EDGE SOFTWARE	REPORTEXEC CONTRACT	\$ 1,800.00
CONTINENTAL RESEARCH CORP	FREIGHT FOR PREVIOUS SHIPMENT	\$ 25.91
CRESTVIEW ESTATES NO1 LLC	TIF REBATE % DEV AGREE	\$ 44,870.38
CULLIGAN	FREIGHT FOR PREVIOUS SHIPMENT	\$ 21.95

DALLAS COUNTY NEWS	52 WEEK SUBSCRIPTION	\$ 44.00
DELTA DENTAL	EMPLOYEE DENTAL INS	\$ 512.70
DEPT OF ADMINSTRATIVE	THOMPSON CPM COHORT 23	\$ 500.00
EFTPS	FED/FICA TAX	\$ 3,631.10
EFTPS	FED/FICA TAX	\$ 3,660.64
EFTPS	FED/FICA TAX	\$ 3,610.18
ELECTRONIC ENGINEERING	UNIT CHECK AND REPAIR	\$ 114.95
ERIK FISK	RESERVE PD LEGAL INSTRUCTION	\$ 312.50
FASTSIGNS	PLANT SALE SIGN	\$ 116.24
FOTRONIC CORP	SOUND METER	\$ 684.00
GATEHOUSE MEDIA IOWA	LEGAL PUBLICATIONS	\$ 744.82
GCMOA	MEMBERSHIP FEES 2015	\$ 20.00
GREATER DALLAS CO - GDCDA	ONE YEAR MEMBERSHIP	\$ 2,032.00
GRINNELL STATE BANK	DEVLOP AGREE TIF PMT	\$ 7,691.16
H D SUPPLY WATERWORKS	SHUT OFF KEY	\$ 46.59
HEARTLAND COOP	FIRE DEPT DIESEL	\$ 61.71
HOPKINS SPORTING GOODS	RMVBLE PITCHER PLATE YOUTH	\$ 50.00
IA CMA	SUMMER CONFERENCE 2015	\$ 215.00
IFMCV	MONTHLY RENT PER LEASE/OPTION	\$ 1,000.00
ILEA	FIELD TRAINING SCHOOL PETITHOR	\$ 175.00
IOWA DNR	ANNUYAL WATER SUPPLY FEE FY16	\$ 123.03
IOWA LEAGUE OF CITIES	MEMBER DUES JULY 15-JUNE 16	\$ 712.00
IOWA ONE CALL	EMAIL NOTIFICATIONS	\$ 25.30
IPERS	PROTECT IPERS	\$ 1,968.86
IPERS	WAGE ADJUSTMENT	\$ 3.98
JIMS JOHNS INC	REC COMPLEX	\$ 150.00
JUNGMANN CORPORATION	FILL SAND	\$ 267.95
LIZ THOMPSON	CPM MILEAGE/DINING	\$ 91.03
LOWE'S	LIB LIGHTING/PW SHOP MISC	\$ 61.66
M DUBOIS	2015 RRDAY'S PHOTO BOOTH	\$ 400.00
MATHESON TRI GAS INC	OXYGEN	\$ 20.60
MEDIACOM	INTERNET 310 MILL ST	\$ 205.90
MIDAMERICAN ENERGY	GAS/ELEC	\$ 2,539.22
MIDWEST RADAR & EQUIP	CERT BEEIII RADAR UT PER CODE	\$ 40.00
MONTICELLO PUBLIC LIBRARY	BOOK - THE HEIST J EVANOVICH	\$ 10.00
NETWORKING SOLUTIONS	COMPUTER & MONITOR & SPEAKER	\$ 1,242.98
NEWCOM TECHNOLOGIES INC	LIC SERV AGREEMENT CEMETERY 16	\$ 350.00
NORTHERN TOOL & EQUIPMENT	INNER TUBE	\$ 9.99
OFFICE DEPOT	POSTAGE STAMPS, KEYBOARD	\$ 462.50
PETE HOWE INDUSTRIAL	CLEAN LINES NO SIDE OF ELM	\$ 3,485.00
RHODES INC	PW DIESEL	\$ 767.23
SAM'S CLUB MC/SYNCB	CONCESSION STAND SUPPLIES	\$ 1,063.89
SHORTELT INC	PHONE SERVICES 310 MILL ST	\$ 205.04

SIGNARAMA	RACCOON RIVER DAYS BANNER	\$	63.34
SOUTHERN UNIFORM & EQUIPMENT	VM PD SHOULDER PATCHES	\$	225.00
SQUARE, INC	CREDIT CARD ACCEPTANCE FEE	\$	13.98
STAR EQUIPMENT LTD	TRASH PUMP AND HOSE RENTAL	\$	348.00
SYNCB/AMAZON	LIB SUPPLIES/MATERIAL	\$	271.30
THATS MY TRUCK	2013 F250 PW TRUCK SEAT COVERS	\$	169.79
THE HARTFORD	EMPLOYEE LIFE/DIS INS	\$	186.32
TREAS - ST OF IA SALES TX	2 QRT SALES TAX 2015	\$	2,471.00
TREAS - STATE OF IOWA W/H	STATE TAX	\$	582.00
UNPLUGGED WIRELESS	REPAIR HAVUS DOCKIGN STATION	\$	660.00
US POSTMASTER	JULY UT BILLS/NEWSLETTERS	\$	199.82
VEENSTRA & KIMM INC	BUILDING PERMIT FEES	\$	2,524.80
VERIZON WIRELESS	PD PHONE	\$	374.50
VERIZON WIRELESS	CLERK	\$	936.89
WASTE CONNECTIONS	GARBAGE CONTRACT	\$	6,492.52
WELLMARK	EMPLOYEE HEALTH INS	\$	4,163.45
WELLS FARGO CC	LEAGUE OF CITIES CONF	\$	552.90
WHITFIELD & EDDY PLC	LEGAL SERVICES	\$	3,264.00
	<b>***** REPORT TOTAL *****</b>	<b>\$</b>	<b>171,268.21</b>

c. June Financial Statements/Quarterly Investment Report.

<b>FUND</b>	<b>RECEIVED</b>	<b>DISBURSED</b>
GENERAL	\$ 28,041.49	\$ 50,709.22
LIBRARY TECHNOLOGY FUND	\$ 0.01	\$ -
VEHICLE REPLACEMENT-FIR	\$ 30.00	\$ -
FARMERS MARKET	\$ 95.00	\$ -
PARK OPERATIONS	\$ 2,679.85	\$ 3,930.05
ROAD USE TAX	\$ 11,401.52	\$ 5,526.89
EMPLOYEE BENEFITS	\$ 422.57	\$ 5,454.07
EMERGENCY FUND	\$ 36.56	\$ 4,165.69
TIF-CR ESTATE	\$ -	\$ 44,870.38
TIF-WH PINES SUBDIVISIO	\$ -	\$ 44,407.00
TIF-POLK CO. BANK	\$ -	\$ 7,691.16
TIF ORIGINAL (420-844)	\$ -	\$ 10,494.00
PARK TRUST FUND	\$ 0.14	\$ 5,228.04
LIBRARY TRUST FUND	\$ 27,552.18	\$ 3,488.74
VM COMMUNITY BETTERMENT	\$ 4,361.00	\$ 7,728.00
DEBT SERVICE	\$ 10,836.71	\$ 49,410.00
DEBT SERVICE-WATER	\$ 27,882.50	\$ -
DEBT SERVICE-LIFT STATI	\$ 16,524.50	\$ -
CEMETARY-PERPETUAL CARE	\$ 1,150.00	\$ -
WATER	\$ 18,116.33	\$ 9,740.16
SEWER	\$ 11,906.40	\$ 8,395.13
<b>*****REPORT TOTAL*****</b>	<b>\$ 161,036.76</b>	<b>\$ 261,238.53</b>

d. Resolution #2015-23, "A Resolution Approving Transfers Between Funds."

e. Resolution #2015-24, "A Resolution establishing a Parks Operations Fund and a Concessions

Change Fund.”

- f. Approval of a remediation plan with the Iowa Public Information Board
- g. Approval of revised Council Committee Assignments
- h. Approval of Legends Fieldhouse Liquor License
- i. Approval of a request to temporarily close a street for the Van Meter Visitor Festival
- j. Approval of a request to temporarily close a street for the Van Meter Fire Fighter’s Associations Street Dance.

Lacy moved supported by Peterson to adopt and approve Resolution #2015-25, “A Resolution Adopting the Revised Consent Agenda.” Passed unanimously.

Agenda Amendment: Presentation of Honors. Mayor Adams and Public Safety Director Daggett presented Austin F. Rice, Thomas H. Rice & Austin T. Matter with a Mayoral Proclamation and a Certificate of Award for a Life Saving Act for selflessly and without regard to their personal safety making a quick split second decision of a life and death nature, both for themselves and the child, choosing to enter the waters of the Raccoon River and the debris field trapping a child and removed the child to safety placing the value of his life above their own.

- 8) Mayor Adams asked Public Safety Director Daggett to present the proposed resolution establishing weight limits on certain city streets and directing signs to be erected per Chapter 66.03 of the Van Meter Code of Ordinances. Daggett explained that from time-to-time trucks that are overloaded get off the interstate and come through town to avoid the DOT’s scales. Anderson noted that the resolution was examined by the public safety committee and was being recommended to the City Council for approval. Lacy moved supported by Sacker to approve Resolution #2015-26, “A Resolution Designating Streets with Weight Limits Pursuant to the Van Meter Code of Ordinances Chapter 66.” Passed unanimously.
- 9) Mayor Adams asked Administrator Anderson to present the proposal to set a date and time for a public hearing on a proposal to amend the Code of Ordinances codifying weight limits on certain city streets. Anderson explained that on the advice of the City Attorney the codification of the weight limits establishes a more clear policy for the enforcement of weight limits. Sacker moved supported by Tweed to set Monday, August 10, 2015 at 7:00p.m. to hold a public hearing on the proposal. Passed unanimously.
- 10) Mayor Adams asked Administrator Anderson to present the proposed resolution concerning the conversion of street lights to light emitting diode (LED) technology. Anderson explained that MidAmerican Energy Company will replace the street lights in Van Meter as they fail with LEDs over an 8-10 year period. MEC does allow the City to expedite the conversion at a cost of \$100 per light and can convert the entire community within 4-6 months. Anderson explained that the savings realized by the lower energy costs associated with LED lights calculates to a payoff period of 8.1 years. Peterson moved supported by Sacker to approve a resolution expediting the conversion. On roll call the votes were as follows: Lacy – No; Sacker – Yes; Peterson – Yes; Tweed – No; Stump – No. Motion failed. Lacy moved supported by Tweed to approve Resolution #2015-27, “A resolution concerning the conversion of street lights to light emitting diode technology on an ‘as-they-fail-basis.’” On roll call the votes were as follows: Lacy – Yes; Sacker – No; Peterson – No; Tweed – Yes; Stump – Yes. Motion passed.
- 11) Mayor Adams asked Jerel Mercial to present his proposal concerning volunteerism at the Bob Feller Museum. Mercial stated that he and a few others were involved in the museum at the beginning and would like to be again. Peterson moved supported by Tweed to approve the acceptance of volunteer contributions at the museum as long as the efforts were coordinated with Mr. Anderson. Passed unanimously.
- 12) Mayor Adams asked Administrator Anderson to present the proposed preliminary plat for Roberts Acres. Anderson noted that Jim Roberts who owns the property immediately south of Richland Circle/Cemetery access drive is seeking to create two single family residential lots that would affront Richland Circle. Anderson noted that sanitary sewer is required and that the Planning and Zoning Commission’s recommendation of approval was contingent upon Mr. Roberts recording covenants similar to those in force at the Hilltop development. Moved by Lacy supported by Stump to approve the preliminary plat for Robert’s Acres as it was forwarded from Planning and Zoning. Passed unanimously.

13) Mayor Adams asked Administrator Anderson to present the proposed preliminary and final plat for Hickory Lodge Plat 5. Anderson noted that the City's review is extraterritorial and is limited to enforcing compliance with the City's subdivision ordinance. Steve Venard of Bishop Engineering explained that the plat creates 19 lots all in excess of an acre and a half. The project plans concrete streets with curb and gutter in compliance with the subdivision ordinance. Sewer is not planned for the subdivision. Water service will be provided by Warren Rural Water. Lacy moved supported by Peterson to approve the plat waiving the requirements for sanitary sewer but requiring that water service lines be built to City standards and stubbed out for future fire hydrants. Passed unanimously.

14) Mayor Adams asked Engineer Veenstra to present a proposed agreement for professional services with Veensta and Kimm Inc. for a well field exploration study in connection with the proposed water treatment plant project. Veenstra explained that they would get permission from some land owners to do some drilling this fall after harvest. The drilling will be done in two phases: one broad, the second more narrow. The process is about identifying property that would be suitable to place a new drinking water well and to potentially construct a water treatment plant. Moved by lacy supported by Peterson to approve the agreement as presented. Passed unanimously.

15) Department/Committee Reports

Alex Brayton reported on the flood recovery efforts at the rec complex.

16) Having no further business Mayor Adams asked for a motion to adjourn. Moved by Lacy supported by Peterson. Passed unanimously.

\_\_\_\_\_ Allan B. Adams, Mayor

ATTEST \_\_\_\_\_ Liz Thompson, City Clerk

VENDOR NAME	REFERENCE	VENDOR TOTAL	CHECK#	CHECK DATE
<b>ACCOUNTS PAYABLE CLAIMS</b>				
ACCUJET LLC	TREAT SW MAIN W ROOT X	1,480.00		
AGSOURCE COOPERATIVE SERVICES	SW TESTING	298.85		
ALL STATES AG PARTS	TRACTOR BUCKET & GRAPPLE ASSEM	5,108.00	25394	7/15/15
BEHANISH ELECTRICAL	INSPECT ELEC FLOOD DAM REC COM	454.74		
BOBS AUTO PARTS	FD/PUBLIC WORKS	105.06		
CARPENTER UNIFORM CO	PROFESSIONAL POLO FD	218.25		
CENTRAL IA FAB & PAINT LLC	VMFD LOCERS PAID RED, CASTERS	528.12		
CENTRAL IA SEAMLESS GUTTERS	GUTTERS AT FELLER BUILDING	832.00		
CENTURY LINK	PHONE SERVICES	328.23		
CUSTOM LAWN CARE & LANDSCAPING	JOHNS PARK/REC CENTER	1,423.00		
DELTA DENTAL	Employee Dental Ins	185.86		
DELTA DENTAL	EMPLOYEE DENTAL INS	551.16	737.02	11178514 7/31/15
DEMCO	LIBRARY SUPPLIES	150.39		
DEPT OF ADMINSTRATIVE	CPM COHORT 23 THOMPSON	500.00		
DYKSTRA CONCRETE LLC	SCHOOL BRIDGE SIDEWALKS	1,800.00		
EFTPS	FED/FICA TAX	3,610.18	11178507	7/17/15
EFTPS	FED/FICA TAX	5,587.91	9,198.09	11178510 7/31/15
ELECTRONIC ENGINEERING	RADIO REPAIR	529.35		
FRED SCHIMMELS	POWER STEERING REPAIR	940.60		
H D SUPPLY WATERWORKS	WA FLAGS/CURB BOX	108.30		
IA CMA	IaCMA FY 15/16 MEMBERSHIP	120.00		
IFMCV	MONTHLY RENT PER LEASE OPTION	1,000.00		
ILEA	MMPI 2 REI SETTER	330.00		
IOWA LIBRARY SERVICES	FY 16 EBSCO HOST SUB	75.80		
IOWA ONE CALL	EMAIL NOTICES	23.50		
IOWA WORKFORCE DEVELOPMENT	WELKER UNEMPLOYMENT	2,880.00	11178511	7/29/15
I PERS	I PERS	6,634.73	11178508	7/31/15
KEEPRS INC	HOLSTER	139.99		
KONICA MINOLTA	QRTLY INV & MAIN AGREEMENT	210.47		
LIZ THOMPSON	CPM MILEAGE/DINING	93.81		
LOWE'S	SHOP & LIB	49.57		
MAFFIN OUTDOOR POWER & AUTO	ALT & BELT ON #846	111.41		
MEDIACOM	INTERNET	205.90		
METERING & TECHNOLOGY SOLUTION	WATER DEPT SUPPLIES	538.71		
MIDAMERICAN ENERGY	GAS/ELEC	2,607.55		
MIDWEST RADAR & EQUIP	CERTIFY RADAR	40.00		
MOVIE LICENSING USA	COPYRIGHT COMPLIANCE	266.00		
NETWORKING SOLUTIONS	SERVER PROJECT	2,926.00		
OFFICE DEPOT	LIBRARY SUPPLIES	111.03		
SAM'S CLUB MC/SYNCB	REC COMPLEX SUPPLIES	313.47		
SHORTEL INC	PHONE SERVICES FELLER BUILDING	205.04		
SPRAYER SPECIALTIES INC	STRAPS	28.55		
SQUARE, INC	CREDIT CARD ACCEPTANCE FEE	34.27	11178512	7/31/15
THE HARTFORD	EMPLOYEE LIFE/DIS INS	220.59	11178515	7/31/15
THORPE WATER DEV CO	REPAIR WELL REC COMPLEX	188.48		
TREAS - STATE OF IOWA W/H	STATE TAX	1,975.00	11178509	7/31/15
US POSTMASTER	AUG UT BILLS/NEWSLETTER	199.34	25402	7/29/15
VEENSTRA & KIMM INC	BUILDING PERMIT FEES	2,546.40		
WASTE CONNECTIONS	GARBAGE CONTRACT	6,511.51		
WELLMARK	EMPLOYEE HEALTH INS	4,163.45	11178513	7/31/15

VENDOR NAME	REFERENCE	VENDOR TOTAL	CHECK#	CHECK DATE
WHITFIELD & EDDY PLC	LEGAL SERVICES	4,935.00		
**** PAID    TOTAL ****		30,964.63		
**** SCHED    TOTAL ****		33,512.83		
**** OPEN    TOTAL ****				
**** ON HOLD    TOTAL ****				
***** REPORT TOTAL *****		=====		
		64,477.46		
		=====		

DEPT DEPT NAME TOTAL CHECK# DATE

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LIABILITIES	17,807.82
POLICE	2,251.50
EMERGENCY MANAGEMENT	11.88
FIRE	1,304.55
ROADS, BRIDGES, SIDEWALKS	7,551.41
STREET LIGHTING	209.11
SNOW REMOVAL	40.00
GARBAGE	6,511.51
LIBRARY	4,885.05
PARKS	599.95
RECREATION	2,252.22
CEMETERY	1,702.66
CLERK/TREASURER/ADM	1,305.32
LEGAL SERVICES/ATTORNEY	8,456.73
CITY HALL/GENERAL BLDGS	509.46
WATER	3,793.90
SEWER/SEWAGE DISPOSAL	5,284.39

\*\*\* CITY OF VAN METER IA \*\*\*  
ACCOUNTS PAYABLE ACTIVITY  
CLAIMS FUND SUMMARY

FUND	FUND NAME	TOTAL	CHECK#	DATE
001	GENERAL	31,411.15		
059	PARK OPERATIONS	1,445.40		
110	ROAD USE TAX	7,929.76		
112	EMPLOYEE BENEFITS	6,372.90		
182	LIBRARY TRUST FUND	2,533.63		
600	WATER	6,639.23		
610	SEWER	8,145.39		



**CITY OF VAN METER**

**Bank Reconciliation/Financial Summary - Month/Year: July 2015**

<u><i>Treasurer's Report</i></u>	
<b>Book Balance, Beginning of Month:</b>	<b>\$1,203,947.77</b>
Add: Total Revenues this Month: with transfers	\$153,881.31
Less: Total Expenditures this Month: with transfers	( <b>\$210,765.95</b> )
Add: Δ Liability	\$0.00
<b>Book Balance End of Month:</b>	<b>\$1,147,063.13</b>

<u><i>Bank Reconciliation</i></u>	
<b>Checking Account Balance End of Month:</b>	\$632,751.19
Less: Outstanding Transactions (Cash Report):	( <b>\$10,855.93</b> )
<b>Adjusted Checking Account Balance:</b>	<b>\$621,895.26</b>
<b>Currency</b>	
Petty Cash: (res Nov 2004)	\$100.00
Change Fund:	\$30.00
Concessions Change Fund: (Res 2015-24)	\$200.00
<b>Total Currency:</b>	<b>\$330.00</b>
<b>Investments: (Interest for month included)</b>	
IPAIT	
IPAIT – general	\$220,829.01
IPAIT – park	\$20,623.33
IPAIT – library	\$17,061.44
IPAIT – library/technology	\$1,187.25
IPAIT TOTAL:	\$259,701.03
Certificate of Deposit/ESB	\$250,000.00
Wells Fargo – savings acc't	\$15,136.84
<b>Total Investments:</b>	<b>\$524,837.87</b>
<b>Total of Bank Statements End of Month</b>	<b>\$1,147,063.13</b>

<b>Difference:</b>	<b>\$0.00</b>
Note(s):	

**Verify: Mayor or Mayor Pro Tem:**

ACCOUNT TITLE	LAST MONTH END BALANCE	RECEIVED	DISBURSED	CHANGE IN LIABILITY	ENDING BALANCE
001 GENERAL	73,124.33	20,165.08	46,056.56	.00	47,232.85
049 VEHICLE INSPECTION FUND	9,967.93	.00	450.00	.00	9,517.93
051 LIBRARY TECHNOLOGY FUND	210.08	.01	.00	.00	210.09
052 PW-VEHICLE REPLACEMENT	7,000.00	.00	.00	.00	7,000.00
053 FD-VEHICLE REPLACEMENT	18,044.93	.00	.00	.00	18,044.93
054 VEHICLE REPLACEMENT-POL	5,631.25	.00	.00	.00	5,631.25
055 VEHICLE REPLACEMENT-FIR	13,903.82	.00	.00	.00	13,903.82
056 TECHNOLOGY REPLACEMENT-	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	3,399.21	170.00	140.00	.00	3,429.21
059 PARK OPERATIONS	5,779.18	310.00	5,192.86	.00	896.32
110 ROAD USE TAX	75,898.07	10,448.71	15,032.81	.00	71,313.97
112 EMPLOYEE BENEFITS	109,401.83	1,030.07	10,321.98	.00	100,109.92
119 EMERGENCY FUND	36.56	89.07	.00	.00	125.63
121 LOCAL OPTION SALES TAX	.00	.00	.00	.00	.00
125 TIF-CR ESTATE	118,171.01	89,975.98	.00	.00	208,146.99
126 TIF-WH PINES SUBDIVISIO	10,798.15	.00	.00	.00	10,798.15
127 TIF-POLK CO. BANK	41,097.19	.00	.00	.00	41,097.19
128 TIF-STANDBROUGH	.00	.00	.00	.00	.00
129 TIF ORIGINAL (420-844)	132,030.98	.00	89,975.98	.00	42,055.00
180 PARK TRUST FUND	32,388.84	1,500.14	.00	.00	33,888.98
181 REC TRUST	143,774.41	.00	.00	.00	143,774.41
182 LIBRARY TRUST FUND	58,222.89	394.17	5,949.68	.00	52,667.38
183 VM COMMUNITY BETTERMENT	2,202.37	.00	123.34	.00	2,079.03
184 CDBG/HOUSING PROJECT	.00	.00	.00	.00	.00
185 REC CAPITAL FUND	27,431.22	.00	.00	.00	27,431.22
186 SITE CERT/WA PROJECT	156,783.10	.00	.00	.00	156,783.10
200 DEBT SERVICE	13,463.02-	835.36	.00	.00	12,627.66-
205 DEBT SERVICE-WATER	.00	.00	.00	.00	.00
213 DEBT SERVICE-LIFT STATI	.00	.00	.00	.00	.00
300 SIDEWALK CAPITAL PROJEC	.00	.00	.00	.00	.00
500 CEMETARY-PERPETUAL CARE	20,350.00	.00	.00	.00	20,350.00
600 WATER	93,679.69	17,669.01	17,182.38	.00	94,166.32
606 WATER MAIN PROJECT	37,710.29	.00	.00	.00	37,710.29
610 SEWER	12,373.46	11,293.71	20,340.36	.00	3,326.81
612 DEBT SERVICE-SEWER LAGO	.00	.00	.00	.00	.00
Report Total	1,203,947.77	153,881.31	210,765.95	.00	1,147,063.13

**Preparer  
Information:**

Whitfield & Eddy, P.L.C., 317 Sixth Ave., Suite 1200, Des Moines, Iowa 50309 (515) 288-6041  
Name Street Address City, State,Zip Area Code-Phone

When Recorded Return to:  
Luke Hardie 208 Pleasant Street Van Meter, Iowa 50261  
Name Street Address City, State,Zip Area Code-Phone

**RELEASE OF SIDEWALK LIEN AND SATISFACTION OF AGREEMENT**

In consideration of the discharge of the landowner's duties as set forth in that certain Agreement and covering the following real estate:

Lot 8 in Block "D" of W. S. Chenowith's 2nd Addition to the City of Van Meter, Dallas County, Iowa.

which is recorded January 5, 2007, in Book 2007, Page 249 of the records of the Dallas County, Iowa recorder, the sidewalk agreement detailed therein is deemed satisfied in all material respects, and the landowner and/or his/her successors and assigns are discharged and forever released from any obligations therein.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

Signed this \_\_\_\_ day of \_\_\_\_\_, 2015.

CITY OF VAN METER, IOWA

By: \_\_\_\_\_  
Allan Adams, Mayor

ATTEST:  
By: \_\_\_\_\_  
Liz Thompson, City Clerk



**Applicant License Application ( )**

<b>Name of Applicant:</b> <u>Legend's Fieldhouse Bar and Grill</u>		
<b>Name of Business (DBA):</b> <u>Legend's Fieldhouse Bar and Grill</u>		
<b>Address of Premises:</b> <u>420 Mill St.</u>		
<b>City</b> <u>Van Meter</u>	<b>County:</b> <u>Dallas</u>	<b>Zip:</b> <u>50265</u>
<b>Business</b> <u>(515) 996-9043</u>		
<b>Mailing</b> <u>420 Mill St.</u>		
<b>City</b> <u>Van Meter</u>	<b>State</b> <u>IA</u>	<b>Zip:</b> <u>50265</u>

**Contact Person**

<b>Name</b> <u>Paul Scieszinski</u>		
<b>Phone:</b> <u>(515) 988-1041</u>	<b>Email</b> <u>capitalpro5@netzero.net</u>	

**Classification** Class B Beer (BB) (Includes Wine Coolers)

**Term:** 5 days

**Effective Date:** 07/18/2015

**Expiration Date:** 01/01/1900

**Privileges:**

Class B Beer (BB) (Includes Wine Coolers)

Outdoor Service

**Status of Business**

<b>BusinessType:</b> <u>Limited Liability Company</u>		
<b>Corporate ID Number:</b> <u>471348</u>	<b>Federal Employer ID</b> <u>37-1748669</u>	

**Ownership**

**Paul Scieszinski**

**First Name:** Paul

**Last Name:** Scieszinski

**City:** Adel

**State:** Iowa

**Zip:** 50003

**Position:** Owner

**% of Ownership:** 50.00%

**U.S. Citizen:** Yes

**Insurance Company Information**

<b>Insurance Company:</b>	
<b>Policy Effective Date:</b>	<b>Policy Expiration</b>
<b>Bond Effective</b>	<b>Dram Cancel Date:</b>
<b>Outdoor Service Effective</b>	<b>Outdoor Service Expiration</b>
<b>Temp Transfer Effective</b>	<b>Temp Transfer Expiration Date:</b>

# Agenda Item #8 - Annual Library Report

Submitted for:

Information

Recommendation:

Receive and file.

Sample Language:

Mayor: *Would representatives from the Public Library please present the annual report.*

Staff/Board: *Gives Review.*

Mayor: *Does the City Council wish to discuss the report further? If not, thank you for the presentation.*



---

# Annual Report

August 2015

July 2013	90	August 2013	Sept 2013	Oct 2013	Nov 2013	Dec 2013	Jan 2014	Feb 2014	March 2014	April 2014	May 2014	0	June 2014	1
July 2014		August 2014	Sept 2014	Oct 2014	Nov 2014	Dec 2014	Jan 2015	Feb 2015	March 2015	April 2015	May 2015	251	June 2015	585

# Circulation Transactions

The total number of items circulated with Surpass: 1571

Living in Van Meter	Living Outside Van Meter	Total
778	210	988

DRAFT

# Cardholders

The Van Meter Public Library is a Participant in the Open Access project with the State Library of Iowa

July 14	August 14	Sept 14	Oct 14	Nov 13	Dec 13	Jan 14	Feb 14	March 14	April 14	May 14	June 15
July 13	August 13	Sept 14	Oct 13	Nov 14	Dec 14	Jan 15	Feb 15	March 15	April 15	May 15 270	June 15 561

DRAFT

# Visitors to the Library

Total number of visitors for FY 14-15 was ...

DRAFT

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## Hours of Computer Use

Total number of computer time for FY 14-15 was ...

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# Director's Report

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## Library Collections

### Revision of Library Organization :

- Adult
- Teen
- Children
- Large Print
- Audiobooks
- Movies & TV Shows
- Magazines
- Reference
- Special Collections

DRAFT

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# Director's Report Cont.

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## Library Collections Cont.

### Accessibility :

- Height limits to certain collections
- Clearly labeled shelves and spine labels
- Limiting staff space in public areas and shifting materials to allow for more shelf space and enhance ease of use.
- Displays for new materials and features items.

---

# Director's Report Cont.

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## Library Collections Cont.

### **Growing and Managing the Collection :**

- Set annual times for weeding projects to ensure space for new materials.
- Utilize a variety of resources to bring in diverse materials from all genres.
- Seek input from patrons to discover what materials are in demand.

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# Surpass Integrated Library System

## What's been done :

- Current number of materials cataloged.
- Collections that have barcodes.
- Collections that have spine labels.
- Collections that have been covered.

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## Surpass Integrated Library System Cont.

### What's next :

- Placing materials in their proper category location in Surpass.
- Correcting call numbers in Surpass.
- Properly labeling collections.
- Barcoding remaining collections.
- Properly covering materials.
- Reviewing and editing MARC records.

---

# Director's Report Cont.

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## Programming

### Summer Reading

- Total number of participants:
- Event attendance:
- Support.

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# Director's Report Cont.

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## Technology

### Computers :

- 4 desktop computers and 2 laptop computers for in-house use.
- Access to the internet and information resources.
- Free WiFi access.

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# Director's Report Cont.

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**Looking Ahead**

DRAFT

# Agenda Item #9 - Ordinance Establishing Weight Limits

Submitted for:

Action

Recommendation:

Approval

Sample Language:

Mayor: *Would staff please review the proposal.*

Staff: *Gives Review.*

Mayor: *Does the City Council wish to discuss the proposal further? If not, I would entertain a motion to approve the first reading of the proposed ordinance.*

City Councilmember \_\_\_\_\_: *So moved.*

City Councilmember \_\_\_\_\_: *Second.*

Mayor: *Roll Call Please.*

City Clerk: *Lacy \_\_\_; Sacker \_\_\_; Tweed \_\_\_; Peterson \_\_\_; Stump \_\_\_;*

Mayor: *Does the City Council wish to waive the second reading?*

City Councilmember \_\_\_\_\_: *So moved.*

City Councilmember \_\_\_\_\_: *Second.*

Mayor: *Roll Call Please.*

City Clerk: *Lacy \_\_\_; Sacker \_\_\_; Tweed \_\_\_; Peterson \_\_\_; Stump \_\_\_;*

Mayor: *Does the City Council wish to waive the third reading?*

City Councilmember \_\_\_\_\_: *So moved.*

City Councilmember \_\_\_\_\_: *Second.*

Mayor: *Roll Call Please.*

City Clerk: *Lacy \_\_\_; Sacker \_\_\_; Tweed \_\_\_; Peterson \_\_\_; Stump \_\_\_;*

Mayor: *Does the City Council wish to approve and adopt the proposal?*

City Councilmember \_\_\_\_\_: *So moved.*

City Councilmember \_\_\_\_\_: *Second.*

Mayor: *Roll Call Please.*

City Clerk: *Lacy \_\_\_; Sacker \_\_\_; Tweed \_\_\_; Peterson \_\_\_; Stump \_\_\_;*

Mayor: *The ordinance is adopted. Thank you.*

ORDINANCE No. \_\_\_\_\_

ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE  
CITY OF VAN METER, IOWA, 2007, DESIGNATING STREETS WITH WEIGHT LIMITS

**BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF VAN METER, IOWA:**

**SECTION 1: Purpose.** The purpose of this Ordinance is to amend Chapter 66, and to designate those roadways with weight limits and designate truck routes through the City of Van Meter.

**SECTION 2: Amendment.**

(A) Sections 66.03 is amended with the following new paragraph added:

The Council has hereby determined by resolution that the following streets and/or portions of streets shall be designated at a weight limit of 18,000 pounds:

- (1) Elm Street from the intersection with Mill Street, and east and south until it becomes East Street and continues north to its intersection with F90;
- (2) Main Street from its eastern termination of paving and west until it becomes Hazel Street;
- (3) Mill Street from its intersection with Elm Street and north to its intersection with Debra Drive;
- (4) Virginia Street from its intersection with Main Street and north until it becomes Grant Street;
- (5) Cross Street from its intersection with Main Street and north until it intersects with Virginia/Grant Street;
- (6) Wilson Street from its intersection with Main Street and north until it becomes Grand Street; and
- (7) Grand Street from its intersection with Ellis Street and west until it becomes Wilson Street.

**SECTION 3: Repealer.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**SECTION 4: Severability Clause.** If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

**SECTION 5: Effective Date.** This ordinance shall be in effect after its final passage, approval and publication as provided by law.

Passed by the City Council of the City of Van Meter, Iowa, on this \_\_\_\_ day of \_\_\_\_\_, 2015, and approved this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
ALLAN ADAMS, MAYOR

ATTEST:

\_\_\_\_\_  
LIZ THOMPSON, CITY CLERK

E:\VanMeter\FISK\Ordinances\07 10 15 Designating Weight Limit Streets.docx

# Agenda Item #10 - Amended Lease Agreement with AT&T

Submitted for:

Action

Recommendation:

Approval

Sample Language:

Mayor: *Would staff please review the proposal.*

Staff: *Gives Review.*

Mayor: *Does the City Council wish to discuss the proposal further? If not, I would entertain a motion to approve the proposal as it has been presented to us.*

City Councilmember \_\_\_\_\_: *So moved.*

City Councilmember \_\_\_\_\_: *Second.*

Mayor: *Roll Call Please.*

City Clerk: *Lacy \_\_\_; Sacker \_\_\_; Tweed \_\_\_; Peterson \_\_\_; Stump \_\_\_;*

Mayor: *The proposal is adopted. Thank you.*

Market: MNP  
Cell Site Number: DESMIA1604  
Cell Site Name: Van Meter  
Fixed Asset Number: 10147526

## FIRST AMENDMENT TO OPTION AND STRUCTURE LEASE AGREEMENT

THIS FIRST AMENDMENT TO OPTION AND STRUCTURE LEASE AGREEMENT (“**First Amendment**”), dated as of the latter of the signature dates below (the “**Effective Date**”), is by and between the City of Van Meter Iowa, an Iowa corporation, having a mailing address of P.O. Box 160, 505 Grant Street, Van Meter, IA 50261 (“**Landlord**”) and New Cingular Wireless PCS, LLC, a Delaware limited liability company, having a mailing address of 575 Morosgo Drive NE, Atlanta, GA 30324 (“**Tenant**”).

WHEREAS, Landlord and Tenant entered into an Option and Structure Lease Agreement dated December 18, 2012 (“**Agreement**”), whereby Landlord leased to Tenant certain premises (“**Premises**”), therein described, that are a portion of the property (“**Property**”) located at 2684 Brookview Drive, Van Meter, Iowa 50261; and

WHEREAS, Landlord and Tenant desire to modify, as set forth herein, the Tenant’s obligations to pay Rent to Landlord for a Rent Guarantee Period (as defined below); and

WHEREAS, Landlord and Tenant desire to amend the Agreement to modify the Rent escalation rate; and

WHEREAS, Landlord and Tenant desire to amend the Agreement to modify the notice section thereof; and

WHEREAS, Landlord and Tenant, in their mutual interest, further wish to amend the Agreement as set forth below accordingly.

NOW THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Landlord and Tenant agree that the recitals set forth above are incorporated herein as if set forth in their entirety and further agree as follows:

**1. Modification of Tenant’s Obligation to Pay – Rent Guarantee.** Notwithstanding Tenant’s obligations to pay Rent set forth under the Agreement, for a twelve (12) month period commencing September 1, 2015 and ending August 31, 2016 (“**Rent Guarantee Period**”), Tenant’s obligation to pay Rent is guaranteed and such obligation will not be subject to offset or cancellation by Tenant. Notwithstanding the foregoing, if Landlord exercises any of Landlord’s rights to terminate the Agreement, if any, other than the Landlord’s right to terminate the Agreement due to the default of Tenant under the terms of the Agreement beyond any applicable grace period, Tenant will be released from any and all of its obligations to pay Rent during the Rent Guarantee Period as of the effective date of the termination. In addition, Tenant shall be released from any and all of its obligations to pay Rent during the Rent Guarantee Period if the following shall occur: (a) Landlord is in breach of the Agreement, including but not limited to any default under the terms of the Agreement beyond any applicable grace and cure period; (b) there is a foreclosure of the Property which results in a termination of the Agreement; (c) the Landlord shall require Tenant to relocate Tenant’s equipment and facilities to a location that is

Market: MNP  
Cell Site Number: DESMIA1604  
Cell Site Name: Van Meter  
**Fixed Asset Number: 10147526**

not acceptable to Tenant in its reasonable business judgment if allowed for in the Agreement, or (d) any existing government permits and/or approvals cannot be obtained or maintained, at no fault of the Tenant. If the Agreement is further modified in the future with an obligation for Tenant to pay additional Rent, the payment of the Rent guarantee established in this paragraph will not be diminished or limited, but such Rent guarantee will not extend to that future additional Rent obligation.

2. **Future Rent Increase / Extension Term Increase.** The Agreement is amended to provide that commencing on April 1, 2018, Rent shall increase by twelve percent (12%) and at the beginning of each Extension Term, as applicable.

3. **Expansion of the Premises – Modified.** Landlord grants, to the extent practicable and on a space available basis, the Tenant the right to enlarge the Premises or the Landlord shall make space available on the Property for Tenant so that Tenant or its authorized sub lessees may implement any necessary modifications, supplements, replacements, refurbishments, or expansions to the Communication Facility or to any equipment related thereto, or for any other reasons, as determined by Tenant in its sole discretion. Should Tenant exercise the right to expand the Premises, Tenant will pay and Landlord will accept as additional Rent under the Agreement an amount equal to the then-current rent calculated on a per square foot basis as multiplied by each additional square foot added to the Premises. Upon notice to Landlord, a description and/or depiction of the modified Premises ground will become part of the Agreement without any additional action on the part of Tenant and Landlord; however, at the request of Tenant, the parties will execute a memorandum of lease in recordable form memorializing the modification of the ground space of Landlord's Property, which either party may record at its option.

4. **Notices.** Section 17 of the Original Agreement is hereby deleted in its entirety and replaced with the following:

**NOTICES.** All notices, requests, and demands hereunder will be given by first class certified or registered mail, return receipt requested, or by a nationally recognized overnight courier, postage prepaid, to be effective when properly sent and received, refused or returned undelivered. Notices will be addressed to the parties as follows.

If to Tenant: New Cingular Wireless PCS, LLC  
Attn: Network Real Estate Administration  
Re: Cell Site #: DESMIA1604; Cell Site Name: Van Meter (IA)  
FA No: 10147526  
575 Morosgo Drive NE  
Atlanta, GA 30324

With a copy to: New Cingular Wireless PCS, LLC  
Attn: Legal Department  
Re: Cell Site #: DESMIA1604; Cell Site Name: Van Meter (IA)  
FA No: 10147526  
208 S. Akard Street

Market: MNP  
Cell Site Number: DESMIA1604  
Cell Site Name: Van Meter  
**Fixed Asset Number: 10147526**

Dallas, TX 75202-4206

The copy sent to the Legal Department is an administrative step which alone does not constitute legal notice.

If to Landlord: City of Van Meter, Iowa  
Attn: City Administrator  
P.O. Box 160  
505 Grant Street  
Van Meter, IA 50261

Either party hereto may change the place for the giving of notice to it by thirty (30) days prior written notice to the other as provided herein.]

5. **Acknowledgement.** Landlord acknowledges that: 1) this First Amendment is entered into of the Landlord's free will and volition; 2) Landlord has read and understands this First Amendment and the underlying Agreement and, prior to execution of this First Amendment, was free to consult with counsel of its choosing regarding Landlord's decision to enter into this First Amendment and to have counsel review the terms and conditions of this First Amendment; 3) Landlord has been advised and is informed that should Landlord not enter into this First Amendment, the underlying Agreement between Landlord and Tenant, including any termination or non-renewal provision therein, would remain in full force and effect.

6. **Other Terms and Conditions Remain.** In the event of any inconsistencies between the Agreement and this First Amendment, the terms of this First Amendment shall control. Except as expressly set forth in this First Amendment, the Agreement otherwise is unmodified and remains in full force and effect. Each reference in the Agreement to itself shall be deemed also to refer to this First Amendment.

7. **Capitalized Terms.** All capitalized terms used but not defined herein shall have the same meanings as defined in the Agreement.

Market: MNP  
Cell Site Number: DESMIA1604  
Cell Site Name: Van Meter  
**Fixed Asset Number: 10147526**

IN WITNESS WHEREOF, the parties have caused their properly authorized representatives to execute and seal this First Amendment on the dates set forth below.

**“LANDLORD”**

City of Van Meter, Iowa  
An Iowa municipal corporation

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

**“TENANT”**

New Cingular Wireless PCS, LLC  
a Delaware limited liability company  
By: AT&T Mobility Corporation  
Its: Manager

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

**[ACKNOWLEDGEMENTS APPEAR ON NEXT PAGE]**

Market: MNP  
Cell Site Number: DESMIA1604  
Cell Site Name: Van Meter  
**Fixed Asset Number: 10147526**

TENANT ACKNOWLEDGEMENT

STATE OF

COUNTY OF \_\_\_\_\_

On the \_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_ before me, the undersigned, personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

\_\_\_\_\_  
Notary Public

Printed Name: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

LANDLORD ACKNOWLEDGEMENT

STATE OF

COUNTY OF \_\_\_\_\_

On the \_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_ before me, the undersigned, personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

\_\_\_\_\_  
Notary Public

Printed Name: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

# Agenda Item #11 - REAP Grant Application

Submitted for:

Action

Recommendation:

Approval

Sample Language:

Mayor: *Would staff please review the proposal.*

Staff: *Gives Review.*

Mayor: *Does the City Council wish to discuss the proposal further? If not, I would entertain a motion to approve the proposal as it has been presented to us.*

City Councilmember \_\_\_\_\_: *So moved.*

City Councilmember \_\_\_\_\_: *Second.*

Mayor: *Roll Call Please.*

City Clerk: *Lacy \_\_\_; Sacker \_\_\_; Tweed \_\_\_; Peterson \_\_\_; Stump \_\_\_;*

Mayor: *The proposal is adopted. Thank you.*

# Agenda Item #12 - Hotel Study

Submitted for:

Action

Recommendation:

Action

Sample Language:

Mayor: *Would staff please review the proposal.*

Staff: *Gives Review.*

Mayor: *Does the City Council wish to discuss the proposal further? If not, I would entertain a motion to approve the proposal as it has been presented to us.*

City Councilmember \_\_\_\_\_: *So moved.*

City Councilmember \_\_\_\_\_: *Second.*

Mayor: *Roll Call Please.*

City Clerk: *Lacy \_\_\_; Sacker \_\_\_; Tweed \_\_\_; Peterson \_\_\_; Stump \_\_\_;*

Mayor: *The proposal is adopted. Thank you.*

# Agenda Item #14 - Adjournment

Submitted for:

Action

Recommendation:

Approval

Sample Language:

Mayor: *With no further business do I hear a motion to adjourn?*

City Councilmember \_\_\_\_\_: *So Moved.*

City Councilmember \_\_\_\_\_: *Second*

City Clerk: *Lacy \_\_\_; Stump \_\_\_; Tweed \_\_\_; Sacker \_\_\_; Peterson \_\_\_;*

Mayor: *The meeting is adjourned. Thank you.*

# Agenda Item #13 - Reports

Submitted for:  
Information  
Recommendation:

Sample Language:

- 1) *Parks and Rec*
- 2) *Library*
- 3) *Public Safety*
- 4) *Public Works*
- 5) *Attorney*
- 6) *Engineer*
- 7) *Administrator*
- 8) *Council*
  - Committees (Chair Listed First)
  - a. Public Works/Infrastructure – Sacker, Stump
  - b. Culture and Recreation – Peterson, Sacker
  - c. Special Liaison Assignments or Ad-Hoc Committees
- 9) *Mayor*
  - a. Finance – Adams, Lacy, Tweed
  - b. Policy – Adams, Sacker, Peterson
  - c. Economic Development – Adams, Lacy, Tweed
  - d. Public Safety – Adams, Stump, Lacy
  - e. EMA, E911 \*Lacy Alternate