CITY OF ATLANTIC COUNCIL MEETING November 6, 2024 tlantic City Hall City Council Chambers - 5:20 PM

Atlantic City Hall - City Council Chambers – 5:30 PM

AGENDA

- 1. Roll Call.
- 2. Approve Agenda.
- 3. Pledge of Allegiance.
- 4. Adopt Consent Agenda Items.
 - a. Minutes of the October 16, 2024, City Council Meeting.
 - b. Minutes of the October 30, 2024, City Council Special Meeting.
 - c. Minutes of the October 30, 2024, City Council Work Session.
 - d. Class C Retail Alcohol License with Outdoor Services Elbow Room LLC.
 - e. Class E Retail Alcohol License Atlantic Liquor.
 - a. Bills: \$125,560.35.
- 5. Public Forum.
- 6. Recognition of Assistant Police Chief Paul Wood for his Twenty Years of Service in Keeping our Community Safe.
- 7. Resolution #53-24 "Resolution Setting Date for Public Hearing on Urban Renewal Plan Amendment for the Southeast Urban Renewal District.
- 8. Resolution #54-24 "Authorizing City Administrator John Lund to Sign and Execute Surface Transportation Block Grant (STBG) SWAP Program and Other Department of Transportation (DOT) Documents."
- 9. Resolution #55-24 "Recognition of Municipal Responsibility for Community Sidewalks and Development of Comprehensive Sidewalk Improvement Plan to Maintain Sidewalks in a Safe and Hazard-Free Condition."
- 10. Third & Final Reading of Ordinance No. 1046 "Amending the City of Atlantic Code of Ordinances Subsection 151.04(03) Titled 'Prohibited Trees.'"
- 11. Administrator's Report.
- 12. Mayor's Report.
- 13. City Council Reports.
- 14. Adjournment.

CITY OF ATLANTIC COUNCIL MEETING November 6, 2024 Atlantic City Hall - City Council Chambers – 5:30 PM

AGENDA NOTES

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- 6. Recognition of Assistant Police Chief Paul Wood for his Twenty Years of Service in Keeping our Community Safe.

The following has been provided my Chief Hogue and should be credited to him in his tribute to Assistant Police Chief Paul Wood's 20th Anniversary with the Atlantic Police Department.

"Paul Wood joined the Atlantic Police Department in November of 2004. Prior to joining the APD, he worked for the Pella Police Department and attended the 187th basic class through the Iowa Law Enforcement Academy. Paul attended Western Iowa Tech Community College and earned an Associate's Degree in Police Science. Paul was promoted to the position of Sergeant in 2011 and to the position of Lieutenant in 2016. In April of 2022, he was promoted to the position of Assistant Chief. Paul has been a member of the Atlantic Fire Department since 2007 and was recognized as Firefighter of the Year in February of 2024. He and his wife Sara have two children, Riley and Brady. Over the past 20 years, Paul has served the roles of field training officer, sexual & child abuse investigator, arson investigator, taser instructor, and radar instructor for the department. Assistant Chief Wood is an invaluable member of our department, and we can't thank him enough for his leadership, selflessness, and commitment to the APD."

7. Resolution #53-24 "Resolution Setting Date for Public Hearing on Urban Renewal Plan Amendment for the Southeast Urban Renewal District.

On several occasions, the City Council has resolved to partner with Vision Atlantic on a housing development with a child development center on land purchased by the land and sold to Vision

Atlantic, earlier this year. This would be the largest housing development project in Atlantic since the Nishna Hills Final Plat was adopted in 1978.

Before the Council adopts a development agreement utilizing tax increment financing (TIF) can be utilized for Vision Atlantic, the City Council must first amend the Southeast Urban Renewal Area, where the development will be located. This is required by Iowa Code Section 403.5(5). This same subsection also requires that we set the date of public hearing for amending the Urban Renewal Plan and adding the proposed urban renewal project.

This Resolution sets the date of the public hearing for amending the urban renewal area for December 4, 2024.

City Administrator Recommends Approval

8. Resolution #54-24 "Authorizing City Administrator John Lund to Sign and Execute Surface Transportation Block Grant (STBG) SWAP Program and Other Department of Transportation (DOT) Documents."

In an astounding feat of bureaucracy, the Iowa Department of Transportation (DOT) requires that the City Clerk attest to my signature and that the City Council, via dated resolution, authorizes me to sign the "Agreement for a Surface Transportation Block Grant Program Federal Aid SWAP Project" (STBG SWAP).

STBG SWAP is the program where we are utilizing \$1,056,633 in the City's accrued and borrowing from future Transportation Improvement Plan funds to fund the estimated \$1,320,791 in costs for the reconstruction of West 22nd Street in the Spring and Summer of 2025. It should be noted that I have been signing DOT documents as the City's representative for over a decade; Yet, this resolution is required all the same.

City Administrator Recommends Approval

 Resolution #55-24 "Recognition of Municipal Responsibility for Community Sidewalks and Development of Comprehensive Sidewalk Improvement Plan to Maintain Sidewalks in a Safe and Hazard-Free Condition."

The following information is from the City Council's Work Session on October 30th. During that meeting the consensus was to adopt a resolution demonstrating the City's resolve to take the Iowa Supreme Court's decision from *Splittgerber v. Bankers Trust Company & City of Des Moines*, seriously. This resolution will have to suffice until a comprehensive sidewalk improvement program can be developed and implemented.

"The City's current Code of Ordinances cites the chapters of Iowa Code:

136.01 REMOVAL OF SNOW, ICE AND ACCUMULATIONS. It is the responsibility of the abutting property owners to remove snow, ice and accumulations promptly from sidewalks. If a property owner does not remove snow, ice or accumulations within 24 hours following the cessation of snowfall, the City may do so and assess the costs as outlined below against the property owner for collection in the same manner as a property tax. (*Code of Iowa, Sec. 364.12[2b & e]*)

136.02 RESPONSIBILITY FOR MAINTENANCE. It is the responsibility of the abutting property owners to maintain in a safe and hazard-free condition any sidewalk outside the lot and property lines and inside the curb lines or traveled portion of the public street. (*Code of Iowa, Sec. 364.12 [2c]*)

136.03 CITY MAY ORDER REPAIRS. If the abutting property owner does not maintain sidewalks as required, the Council may serve notice on such owner, by certified mail, requiring the owner to repair, replace or reconstruct sidewalks within a reasonable time and if such action is not completed within the time stated in the notice, the Council may require the work to be done and assess the costs against the abutting property for collection in the same manner as a property tax. (Code of lowa, Sec. 364.12[2d & e])

Since 1984 municipalities in Iowa have relied on the ability to transfer liability for sidewalk conditions from the municipality to the abutting property owner using Iowa Code 364.12(2). This practice was upheld by the Supreme Court for the State of Iowa as recently as *Madden v. City of Iowa City (2014)*

The Supreme Court announced on June 14, 2024 its decision on *Splittgerber v. Bankers Trust*Company & City of Des Moines.

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"We respectfully believe that *Madden* was wrongly decided. In our view, Madden failed to recognize a clear conflict between what the state statute permitted cities to do and what the city attempted to do through its ordinance. The statute permits cities to require abutting landowners to repair sidewalks, but only if the City first notifies the landowners by certified mail that a repair is necessary lowa Code 364.12(2)(d). Likewise, the stature permits cities to hold abutting landowners liable for damages, but <u>only</u> for damages that result from failing to use reasonable care in removing snow and ice from the sidewalk."

This leaves the City not only as the owner of sidewalks, but the party liable for damages resulting from Failure to "maintain [them] in a safe and hazard-free condition."

The City can transfer liability, but each and every instance of this must involve notice via certified mail with the notice requiring the owner to "repair, replace or reconstruct sidewalks within a reasonable time and if such action is not completed within the time stated in the notice, the Council may require the work to be done and assess the costs against the abutting property for collection in the same manner as a property tax."

The City does not have to assist the homeowner with the expenses related to such repairs, but prior Councils have developed programs to assist homeowners. One such program existed before my time with the City. In FY 2009 the City spent \$5,380 and in FY 2010 the City spent \$31,039 in a program that shared the cost of sidewalk

reconstruction between the City and the property owner. If the property owner paid for the cement, the City's Street Department would do the labor of the repair. This program was discontinued due to the excessive time it burdened the Street Department crew to do this work.

To keep our liability under control, a comprehensive assessment of all sidewalks within the City will need to be undertaken. Sidewalks not in a safe and hazard-free condition need to be flagged and notices sent to their abutters. It will be up to the Council to determine if a program should be developed to share in the cost of repairs, and if so, what that program would look like."

City Administrator Recommends Approval

10. Third & Final Reading of Ordinance No. 1046 "Amending the City of Atlantic Code of Ordinances Subsection 151.04(03) Titled 'Prohibited Trees.'"

During the October 2, 2024 City Council meeting, the Council passed the first reading of Ordinance No. 1046, and the second reading passed during the October 16, 2024 Council meeting. The following information is from those agenda notes.

"During the September 19, 2024, Council meeting, the Council heard of the following request by the City's Parks Commission:

"Kevin Ferguson, the Chairman of the Atlantic Parks Commission has forwarded the Council this recommendation from the Commission.

'The Parks Commission would like to recommend these trees to be added to the list of trees that should not be planted. In our parks. Please add this to the council agenda for review.

Below are the prohibited trees from DNR and Trees Forever.

'Prohibited Trees: Freeman/Hybrid Maple (*Acer x freemanii* Autumn Blaze, Armstrong, Marmo, and Sienna Glen are frequently seen cultivars), Amur Maple, Norway Maple, Ash, Blue Spruce, Callery/Ornamental Pear, Ornamental Cherry, Mulberry, Golden Raintree, Tree of Heaven, Black Locust, White Poplar, Siberian Elm, Russian Olive & Salt Cedar.'"

It was the consensus of the Council to accept the recommendation of the Parks Commission and add these specific trees to the "prohibited trees" list under Subsection 151.04(03)."

City Administrator Recommends Approval

11. Administrator's Report.

12. Mayor's Report.

- 13. City Council Reports.
- 14. Adjournment.

Minutes

&

Misc.

City Council October 30, 2024 5:00 p.m.

Atlantic City Council met in special session in the Council Chambers at City Hall with Mayor Garrett presiding. Council members present were Kennedy (Ward 1), Behrens (Ward 2), McDermott (Ward 3), Sarsfield (Ward 4), Halder (Ward 5), Brink (At-Large), and Otte (At-Large). Absent: None. Also present: City Administrator John Lund, City Engineer Dave Sturm, City Clerk Laura McLean.

Motion by Sarsfield; second by McDermott to approve agenda as posted. All ayes. Motion carried.

Council recited the Pledge of Allegiance.

Public Forum: There were no speakers.

Motion by Brink; second by Behrens to approve Resolution #51-24 "ADOPTING A MEMORANDUM OF UNDERSTANDING WITH THE ATLANTIC COMMUNITY SCHOOL DISTRICT FOR A SCHOOL RESOURCE OFFICER PROGRAM."

Otte reported that there were minor changes to the MOU specifying that the officer hired would spend a minimum of 75% of work time on SRO duties. SRO training will be required if the officer hired doesn't have that qualification already. Following approval by the City Council, the MOU will go to the ACSD Board for their approval.

Ayes: Brink, Behrens, Kennedy, McDermott, Sarsfield, Halder, Otte. Nays: none. Motion carried.

Motion by Behrens, second by McDermott to approve Resolution #52-24 "AUTHORIZING VISION ATLANTIC, INC., TO PROCEED WITH INFRASTRUCTURE CONSTRUCTION FOR THE CAMBLIN HILLS DEVELOPMENT AND ASSURANCES REGARDING DEVELOPMENT AGREEMENT."

Ayes: Behrens, McDermott, Kennedy, Sarsfield, Halder, Brink, Otte. Nays: none. Motion carried.

Other Business: None

Motion by Otte, second by Halder to adjourn at 5:05 pm. All ayes. Motion carried.

		Grace N. Garrett, Mayor
ATTEST: _		
	Laura McLean, City Clerk	

Atlantic City Council met for a work session in the Council Chambers at City Hall with Mayor Garrett presiding. Council members present were: Otte (at-large), Kennedy (Ward 1), Behrens (Ward 2), McDermott (Ward 3), Sarsfield (Ward 4), Halder (Ward 5), and Brink (at-large). Absent: None. Also present: City Administrator John Lund, City Engineer David Sturm, City Clerk Laura McLean.

Motion by Brink; second by McDermott to approve agenda as posted. All ayes. Motion carried.

Review, Discussion, and Consensus on Housing Redevelopment Policy:

Administrator Lund explained that while the City has a policy on disposition of properties, it does not currently have one on acquisition of properties.

Regarding the property at 506 W. 10th, the City had purchased it under the belief it was not able to be rehabbed. However, a potential purchaser has expressed interest in purchasing it with the intent to rehab and sell it. The City cannot accept such an offer without listing the property for a bidding process.

Council members held discussion about how involved the City should be in the business of buying and selling properties, requirements for purchasers, and who would conduct follow-up inspections.

The Council decided to review and revise the current policy of disposition of City-owned properties. Council members should review the policy and submit comments to the City Administrator.

The Council would also like to create a new policy with guidelines for the acquisition of properties.

The Comprehensive Plan will include some components addressing these types of housing questions.

Review, Discussion, and Consensus on Sidewalk Program:

Due to a recent lowa Supreme Court ruling, the City has a major liability issue around sidewalk maintenance, both residential and commercial. The City needs to be proactive in addressing it. The City's liability can be mitigated by using certified mail to inform a property holder of the hazard and the requirement to repair it.

The Council questioned what standard of repair must be met and how quickly an identified hazard would need to be addressed.

In the past, the City had a program where if the property owner supplied the materials, the City would supply the labor to repair; however, this became too burdensome on City staff. Possibly the City could hire temporary labor to focus on sidewalk repair.

The City Administrator will meet with the Director of Public Works to discuss the issue with the goal of having a plan in place by next spring.

There was a question raised about whether the Council should vote to pass a letter of intent to inform the public and demonstrate proactivity.

Engineer Sturm stated that all new public sidewalks need to be ADA compliant, requiring a maximum cross slope of 2% with exceptions permitted to follow the grade of the street.

McDermott reported that there was some interest from students in taking pictures of non-compliant properties but the students didn't think they had enough information yet.

Other Business:

Kennedy said that at the YMCA board meeting she heard that Vision Atlantic wants the letter of support previously signed by the City Council to be rewritten to include the three components of the Vision Atlantic plan, including the expansion of the YMCA.

Kennedy reported that at the Parks and Recreation planning session, she learned that someone may be interested in purchasing the City-owned piece of land near Midtown Apartments. This was formerly a right of way that the City vacated. Kennedy and McDermott also reported that the main focus of discussion was the possible creation of an aquatics committee. In addition, the Parks and Rec committee discussed creating a policy to decommission sponsored benches once they have outlived their life expectancy.

McDermott asked about the Council meeting schedule in January. Council meetings will be held on January 8 and January 22 (instead of January 1 and January 15 per usual).

Otte mentioned that City Council listening sessions will be held at the library in November. Both the ward councilmember and the at-large councilmembers will be in attendance. Members of the public are invited to attend any listening session regardless of where they live.

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Monday, November 4, 5:30 pm: Ward 5	
Monday, November 11, 5:00 pm: Ward 2	
Tuesday, November 12, 5:30 pm: Ward 1	
Motion by Behrens; second by Halder to adjourn at 6:12 pm. All aye	es. Motion carried.
	Grace N. Garrett, Mayor
ATTEST:	
Laura McLean, City Clerk	

LIQUOR LICENSE - POLICE CHIEF'S REPORT

BUSINESS NAME: ELBOW ROOM LLC
CONTACT PERSON: ZACHARY BLANCHARD
CONTACT'S TELEPHONE: 712-243-2944 OR 402-689-6642
EVENT/PREMISE ADDRESS: 19 E 3rd St.
TYPE: CLASS C RETAIL ALCOHOL LICENSE
PRIVILEGES: Outdoor Services
PRIVILEGES: Choose One
PRIVILEGES: Choose One
PRIVILEGES: Choose One
APPLICATION RECEIVED BY CITY CLERK'S OFFICE:
PLEASE FILE REPORT WITH CITY CLERK'S OFFICE BY: 10/31/24
APPLICATION WILL BE PRESENTED TO CITY COUNCIL: 11/6/24
APPLICANT'S CURRENT LICENSE EXPIRES:
POLICE CHIEF'S RECOMMENDATION:
APPROVAL OF APPLICATION
DENIAL OF APPLICATION Chy De Hogne 10-31-24 Police Chief's Signature
POLICE CHIEF'S REMARKS:

LIQUOR LICENSE - FIRE CHIEF'S REPORT

BUSINESS NAME: ELBOW ROOM LLC **CONTACT PERSON:** ZACHARY BLANCHARD CONTACT'S TELEPHONE: 712-243-2944 OR 402-689-6642 EVENT/PREMISE ADDRESS: 505 BIRCH ST, ATLANTIC, IA TYPE: CLASS C RETAIL ALCOHOL LICENSE PRIVILEGES: **Outdoor Services** PRIVILEGES: Choose One PRIVILEGES: Choose One PRIVILEGES: Choose One APPLICATION RECEIVED BY CITY CLERK'S OFFICE: PLEASE FILE REPORT WITH CITY CLERK'S OFFICE BY: 10/31/24 **APPLICATION WILL BE PRESENTED TO CITY COUNCIL: 11/6/24** APPLICANT'S CURRENT LICENSE EXPIRES: FIRE CHIEF'S RECOMMENDATION: APPROVAL OF APPLICATION

Fire Chief's Signature

FIRE CHIEF'S REMARKS:

DENIAL OF APPLICATION

LIQUOR LICENSE - POLICE CHIEF'S REPORT

BUSINESS NAME: ATLANTIC LIQUOR CONTACT PERSON: SUNNY SINGH CONTACT'S TELEPHONE: 515-300-8791 **EVENT/PREMISE ADDRESS: 411 CHESTNUT** TYPE: CLASS E RETAIL ALCHOHOL LICENSE PRIVILEGES: Choose One PRIVILEGES: Choose One PRIVILEGES: Choose One PRIVILEGES: Choose One APPLICATION RECEIVED BY CITY CLERK'S OFFICE: PLEASE FILE REPORT WITH CITY CLERK'S OFFICE BY: 10/31/24 **APPLICATION WILL BE PRESENTED TO CITY COUNCIL: 11/6/24** APPLICANT'S CURRENT LICENSE EXPIRES: POLICE CHIEF'S RECOMMENDATION: APPROVAL OF APPLICATION **DENIAL OF APPLICATION POLICE CHIEF'S REMARKS:**

LIQUOR LICENSE - FIRE CHIEF'S REPORT

BUSINESS NAME: ATLANTIC LIQUOR CONTACT PERSON: SUNNY SINGH CONTACT'S TELEPHONE: 515-300-8791 **EVENT/PREMISE ADDRESS: 411 CHESTNUT** TYPE: CLASS E RETAIL ALCOHOL LICENSE PRIVILEGES: Choose One PRIVILEGES: Choose One PRIVILEGES: Choose One PRIVILEGES: Choose One APPLICATION RECEIVED BY CITY CLERK'S OFFICE: PLEASE FILE REPORT WITH CITY CLERK'S OFFICE BY: 10/31/24 **APPLICATION WILL BE PRESENTED TO CITY COUNCIL: 11/6/24 APPLICANT'S CURRENT LICENSE EXPIRES:** FIRE CHIEF'S RECOMMENDATION: APPROVAL OF APPLICATION Fire Chief's Signature **DENIAL OF APPLICATION** FIRE CHIEF'S REMARKS:

Bills

INVOICE#	VENDOR NAME	INVOICE DESCRIPTION	INVOICE AMT	VENDOR TOTAL	
PR20241019 PR20241011 PR20241015	LIABILITIES AFLAC EQUITABLE SALARY ALLOTMENT EQUITABLE SALARY ALLOTMENT	AFLAC PRE-TAX AXA EQUITABLE AXA EQUITABLE	298.63 331.85	208.17	
PR20241024 PR20241025 PR20241024	EQUITABLE SALARY ALLOTMENT EQUITABLE SALARY ALLOTMENT COLLECTION SERVICES CENTER	AXA EQUITABLE AXA EQUITABLE GARNISHMENT	314.27 285.34	1,230.09 702.00	
PR20241019 PR20241024 PR20241011 PR20241025	EFTPS EFTPS INTERNATIONAL UNION OF INTERNATIONAL UNION OF	FED/FICA TAX FED/FICA TAX UNION DUES-ST UNION DUES-ST	16,004.63 6,429.53 117.74 117.74	22,434.16	
PR20241011 PR20241015 PR20241024	IPERS IPERS IPERS	IPERS PROTECTIVE IPER PROTECTIVE IPER	11,568.92 6,979.51 6,588.99	233.40	
PR20241025 PR20241015 PR20241024 PR20241015	IPERS LIBERTY NATIONAL LIFE INS LIBERTY NATIONAL LIFE INS LINCOLN FINANCIAL GROUP	IPERS LIBERTY AFTER T LIBERTY AFTER T LINCOLN ANNUITY	11,875.22 6.50 6.50 441.61	37,012.64 13.00	
PR20241024 PR20241011 PR20241015	LINCOLN FINANCIAL GROUP TREASURER-STATE OF IOWA TREASURER-STATE OF IOWA	LINCOLN ANNUITY STATE TAXES STATE TAXES	379.60 2,571.11 1,710.51	821.21	
PR20241024 PR20241025 PR20241019 PR20241024	TREASURER-STATE OF IOWA TREASURER-STATE OF IOWA MISSION SQUARE RETIREMENT MISSION SQUARE RETIREMENT	STATE TAX STATE TAXES ICMA ICMA	1,594.90 2,651.53 233.06 537.28	8,528.05 770.34	
110211021	050		-	71,955.14	
I24-252 OCT 2024 OCT 2024 OCT 2024 #9 102024 NOVEMBER 2024	POLICE ATLAS CONSULTING GROUP BANKERS BANK CASS HEALTH CASS HEALTH CENTURY LINK DONALD LAPPE	CARRIERS FOR BULLET PF VESTS CHIEF'S CONFERENCE KELBY SMITH CHRISTIAN HOLZAPFEL ACCT# 333870129 POLICE	27.00 519.00	3,460.00 466.57 546.00 288.65 2,030.36	
10-2024 MAY 28 11122024 9975676140	MEDIACOM COMMUNICATIONS TELRITE TN BLUE COMGLOMERA TE LLC VERIZON WIRELESS	POLICE INTERNET LONG DISTANCE PHONE SRVC training grant CELLULAR TELEPHONE		169.95 14.43 10,000.00 363.01	
	11	O POLICE TOTAL		17,338.97	
1NTG-M33G-1TF9 INV-5510	CODE ENFORCEMENT AMAZON CAPITAL SERVICES GOVOS INC	OFFICE SUPPLIES SEAMLESS DOCS		93.87 4,349.18	
	11	5 CODE ENFORCEMENT TOTAL		4,443.05	
10/22/24 FIRE 2822 SEPT-OCT 24 11191 180662/1	FIRE ATLANTIC MUNICIPAL ATLANTIC MUNICIPAL BANKERS BANK BRYMONS INTERIORS CAPPEL'S ACE HARDWARE	1203 SW 7TH WATER HEATER FIRE DEPT FIRE & SAFETY PLUS ENGINEERS LIVING QUARTERS	445.05 1,241.20 13.17	1,686.25 569.69 377.97	

INVOICE#	VENDOR NAME	INVOICE DESCRIPTION	INVOICE AMT	VENDOR TOTAL	
180693/1 181162/1 OCT 2024 #7 138259 10/31/24 10/19/24 FIRE 87495 MAY 28 37660085	CAPPEL'S ACE HARDWARE CAPPEL'S ACE HARDWARE CASS HEALTH DANKO EMERGENCY EQUIPMENT GENE SCHMELING MEDIACOM COMMUNICATIONS NISHNA VALLEY CYCLE INC TELRITE VISUAL EDGE	GLASS CLEANER JACOB REYNOLDS FOAM FOR RURAL TRUCK CLOTHING REIMBURSEMENT	46.58 6.78	66.53 651.00 865.98 276.44 166.02 10.08 7.80 200.16	
	1	50 FIRE TOTAL		4,877.92	
5031536247 11R6-TRNR-1W4W 1JLR-CNJH-HJ3V 1JP1-9LT7-W3C4 1NPJ-43HQ-4DDR 1VRT-4479-L4NL 9/30/24 CODE/ANIMAL 10-10-24 180960/1	CAPPEL'S ACE HARDWARE CAPPEL'S ACE HARDWARE	ANIMAL SHELTER COPIER SPRAYER OFFICE SUPPLIES POWER STRIP CAR WASH FOAMER COVERT SCOUT CATCHUP CLEANING SUPP	36.82 44.67 80.60 19.21 49.94 45.99 22.58	278.78 231.24 158.90	
181411 416098+ OCT 2024 #3 9975676140	CAPPEL'S ACE HARDWARE CASS COUNTY ANIMAL CLINIC CASS HEALTH VERIZON WIRELESS	BGM SUPPLIES ANIMAL CARE SERVICES ZACH HART CELLULAR TELEPHONE 90 ANIMAL CONTROL TOTAL	23.35	91.92 377.09 258.00 132.40	
	1	90 ANIMAL CONTROL TOTAL		1,528.33	
OCT 2024 STREETS 1VKP-MW4T-LRWR 82NV069229 125836 125997 126235 126341 180298/1 180405/1	ROADS, BRIDGES, SIDEWALKS ALLIANT ENERCY AMAZON CAPITAL SERVICES ARNOLD MOTOR SUPPLY ATLANTIC MOTOR SUPPLY ATLANTIC MOTOR SUPPLY ATLANTIC MOTOR SUPPLY ATLANTIC MOTOR SUPPLY CAPPEL'S ACE HARDWARE CAPPEL'S ACE HARDWARE	STREETS MAINTENANCE BLDG WRENCH RELEARN TOOL BATTERY CHARGER HOSE AND FITTINGS OLD LOADER #115 #293 AIR GAUGES	16.49 95.98 184.85 218.99 8.18	36.08 489.99 23.99	
180508/1 567 OCT 2024 #5 10-16-24 CI-0023893 MAY ADJUSTMENT 10/17/24 9975676140	CAPPEL'S ACE HARDWARE CARPOLL CDL TRAINING CASS HEALTH CHAD SILENCE IOWA DOT IPERS MCATEE TIRE VERIZON WIRELESS	PARKING STALLS PAINT SUPPL PAINT SUUPLIES CLASS A CDL TRAINING STEVE MATHIAS CLOTHING ALLOWANCE IPERS ADJUSTMENT CITY DUMP TRUCK CELLULAR TELEPHONE	26.15 6.59	40.92 2,500.00 312.00 241.93 182.72 369.06 19.90 106.60	
	2	10 ROADS, BRIDGES, SIDEWALKS TOTAL	-	4,839.50	
501530080 9975676140	TRAFFIC CONTROL & SAFETY DIAMOND VOGEL PAINT VERIZON WIRELESS	WHITE ALK AND BEADS CELLULAR TELEPHONE		2,490.00 80.02	

INVOICE#	VENDOR NAME	INVOICE DESCRIPTION	VENDOR INVOICE AMT TOTAL	
	240	TRAFFIC CONTROL & SAFETY TOTAL	2,570.02	
150982 151008 151069 CI-0023893	SNOW REMOVAL BLACKSTRAP INC BLACKSTRAP INC BLACKSTRAP INC IOWA DOT	ROAD SALT ROAD SALT SALT	1,835.75 1,857.78 1,882.01 5,575.54 729.84	
	250	SNOW REMOVAL TOTAL	6,305.38	
OCT 2024 #4 MAY 28	AIRPORT CASS HEALTH TELRITE	VINCE GUYER LONG DISTANCE PHONE SRVC AIRPORT TOTAL	258.00 7.83 	
OCT 2024 LIBRARY 1MJ9-G4J4-NTFQ+MORE 2038515720+MORE OCT 2024 LIBRARY 15025 ACCT#730 181197/1 10/8/2024 10/10/24 1002 3184 1298381 KRC08-13373 115444 10/14/2024 962754 MULTI 5569 0601835-IN 3422728 473293 70861338 10/8/2024 6012856940 11/12/2024	LIBRARY ALLIANT ENERGY AMAZON CAPITAL SERVICES BAKER & TAYLOR BOOKS BANKERS BANK BROWN ELECTRIC CO CAPPEL'S ACE HARDWARE CASS COUNTY LIBRARY ASSN CENTURY LINK CRAIG HART DEVORE FENCING SERVICE, LLC HEPLER SANITATION, INC. KIDS REFERENCE LIBRARY IDEAS MICHELLE ANDERSEN MICROMARKETING LLC MIDWEST TAPE OUTFITTERS PLUS PENWORTHY PER MAR SECURITY SERVICES PLAYAWAY PRODUCTS LLC PROQUEST LLC SHANA STUART STAPLES TINA BAKEHOUSE	LIBRARY MISC SUPPLIES BOOKS & VIDEOS CANVA LIGHT BULBS MISC ITEMS PIZZA,PUZZLE,PUB NIGHT ACCT #334160480 LIBRARY AUTHOR TALK/QA FENCE SECTIONS TRASH SERVICE BOOKS ROCKET LANGUAGES MILEAGE ILA CONF. AUDIO & VIDEO 506125046/506099704 TOTE BAGS BOOKS FIRE ALARM LIGHTNING THIEF ANCESTRY LIBRARY LIBRARIES OF IOWA PRESENTATION OFFICE SUPPLIES AUTHORS TALK	41.58 438.27 1,299.46 514.97 122.99 132.89 120.00 69.75 150.00 1,040.77 60.00 240.35 355.00 338.81 221.52 1,446.10 232.80 289.44 1,994.16 24.99 1,822.32 300.00 270.09 200.00	
	410	O LIBRARY TOTAL	11,726.26	
180280 180511 180621 181033 181055 181066 181208 181223	RECREATION CAPPEL'S ACE HARDWARE	FOR WATER TANK RESTROOMS SIGN FRAME CEDAR PARK REPAIR	95.99 2.39 28.59 33.42 3.00- 1.61 26.99 26.99	

INVOICE#	VENDOR NAME		INVOICE DESCRIPTION	INVOICE AMT	VENDOR TOTAL	
181392/1 181649/1 181716/1 0CT 2024 #6 26562 26728 26819 00059449 881410 5468 9975676140	CAPPEL'S ACE HARDWARE CAPPEL'S ACE HARDWARE CASS HEALTH ED'S LAWN EQUIPMENT ED'S LAWN EQUIPMENT ED'S LAWN EQUIPMENT FAREWAY STORES INC. MIRACLE RECREATION EQUIP OUTFITTERS PLUS VERIZON WIRELESS		TRASH BAGS TREE TRIMMING TOOLS GRAFFITI RMVR TYLER CHRISTENSEN TIRES SHARPEN SAW CHAIN CHAIN PUMPKINS SPRING REPLACEMENT TEE SHIRTS CELLULAR TELEPHONE	41.99 66.98 71.94 300.00 16.00 74.00	393.89 1,207.00 390.00 59.90 337.90 411.60 41.47	
3373070110	TENZEN HINEELSS	440	RECREATION TOTAL	-51	2,841.76	
10/22/24 181252/1 246069 CHEM	SCHILDBERG CAMPGROUND ATLANTIC MUNICIPAL CAPPEL'S ACE HARDWARE LYMAN AG SUPPLY		CAMPGROUND KEYS FOR DROPBOX CAMPGROUND		1,484.66 10.77 125.00	
		442	SCHILDBERG CAMPGROUND TOTAL		1,620.43	
0247086-IN 0247102-IN 0244437-IN 0245093-IN 00020404 00023134 00046147 00049348 00050616 00050918 00080322 00080900 00083623 00083903 00084827 00085340 00089403 00089403 00089403 00099460 00093460 00098479 130609	POOL ACCO ACCO ACCO UNLIMITED CORP ACCO UNLIMITED CORP FAREWAY STORES INC.		WINTERIZING POOL FILTER FACE REPAIR AND PARTS MEDIA PROJECT ADDON, SUPPLIES PHENOL RED BKFST SUPPLIES POOL CONCESSIONS	1,286.90 9,770.00 2,353.53 30.68 8.57 4.50 15.55 7.16 17.84 46.40 48.29 2.78 7.95 2.94 2.94 4.41 29.93 19.94 5.37 16.13 17.97 6.94	265.61	
		445	POOL TOTAL		13,706.72	
10-10-24	COMMUNITY BEAUTIFICATION CAPPEL'S ACE HARDWARE		TRASH BAGS	2	41.99	
		510	COMMUNITY BEAUTIFICATION TOTAL		41.99	

INVOICE#	VENDOR NAME		INVOICE DESCRIPTION	INVOICE AMT	VENDOR TOTAL	
1/24	ECONOMIC DEVELOPMENT CASS ATLANTIC DEVELOPMENT		NOV 2024		3,975.00	
		520	ECONOMIC DEVELOPMENT TOTAL	12.	3,975.00	
OVEMBER 2024	ECON DEVELOPMENT ATLANTIC AREA CHAMBER OF				7,725.00	
		521	ECON DEVELOPMENT TOTAL) a s	7,725.00	
0/22/24 506 W 10TH 0-10-24	HOUSING & URBAN RENEWAL ATLANTIC MUNICIPAL CAPPEL'S ACE HARDWARE		506 W 10TH TARP		88.20 22.99	
		530	HOUSING & URBAN RENEWAL TOTAL	-	111.19	
CT 2024 314 CHESTNU OVEMBER 2024 OVEMBER 2024	OTHER COMM & ECO DEV ALLIANT ENERGY PERRY'S WINDOW SERVICE RICCI SPRIGGS		CABLE STATION		99.78 15.00 400.00	
		599	OTHER COMM & ECO DEV TOTAL	-	514.78	
/30/24 CODE/ANIMAL CTOBER 2024 P134B 6/30/24 478 02426	CASS HEALTH		LATE CHARGES LAURA MCLEAN UNDERPAY FED TAX DEPOSIT+FEES PENS CLERK PHOTO		98.05 323.00 19.17 353.45 225.00	
		620	CLERK/TREASURER/ADM TOTAL	-	1,018.67	
OVEMBER 2024 OVEMBER 2024	LEGAL SERVICES/ATTORNEY CRARY HUFF LAW FIRM OTTO & LORENCE LAW FIRM	640	LEGAL RETAINER	-	500.00 2,000.00	
7707988 OCT 2024 CITY HALL 80906/1 505 71 72 8035814 01549864	CITY HALL/GENERAL BLDGS ACCESS SYSTEMS ALLIANT ENERGY CAPPEL'S ACE HARDWARE CHOICE PRINTING MELISSA E. JOHNSON MELISSA E. JOHNSON NISHNANET QUADIENT LEASING USA INC	640	CITY HALL COPIER FRUITFLIES YELLOW CHECKS CLEANING SERVICES 50/50 BUSINESS ACCESS POSTAGE MACHINE	900.00 1,350.00	2,500.00 373.49 48.07 8.97 381.30 2,250.00 150.00 164.97	
		650	CITY HALL/GENERAL BLDGS TOTAL		3,376.80	
AMU0027 122.1452.09A-12 122.1479.09-10	CAPITAL PROJECTS ATLANTIC MUNICIPAL SNYDER & ASSOCIATES INC SNYDER & ASSOCIATES INC		CDBG GRANT #24-ECBG-01 RUNWAY REHAB SPLASH PAD THRU 9/30/24	7,615.73 1,058.00	144,033.00	

INVOICE#	VENDOR NAME	INVOICE DESCRIPTION	INVOICE AMT	VENDOR TOTAL	
124.0738.09-3 1187-2 1188-2 1190-3 1191-1	SNYDER & ASSOCIATES INC SOUTHWEST IOWA PLANNING COUNCE SOUTHWEST IOWA PLANNING COUNCE SOUTHWEST IOWA PLANNING COUNCE SOUTHWEST IOWA PLANNING COUNCE	I CMTY CATALYST GRANT I CDBG WATER SYSTEM I ECBG STREET LIGHTS	2,800.00 1,128.00 458.00 166.00	11,473.73	
1191-2	SOUTHWEST IOWA PLANNING COUNCE	I ECBG STREET LIGHTS	9,833.00	11,752.00	
	750	CAPITAL PROJECTS TOTAL		167,258.73	
OCT 2024 OCT 2024 WWTP 15343-74267 180657/1 181318/1 181426 567 OCT 2024 #8 NOV 8 24 IAATA71388 IAATA71451 2025 TRAX 9.30.24 1204053 964312126 383761640001 383766393001	SEWER/SEWAGE DISPOSAL ALLIANT ENERGY ALLIANT ENERGY ATLANTIC AG & AUTO CAPPEL'S ACE HARDWARE CAPPEL'S ACE HARDWARE CARPOLL CDL TRAINING CASS HEALTH CENTURY LINK FASTENAL COMPANY FASTENAL COMPANY GREG YOUNG AUTOMOTIVE HY VEE MIDWEST LABORATORIES, INC. MSA SAFETY SALES ODP BUSINESS SOLUTIONS ODP BUSINESS SOLUTIONS	304 SUNNYSIDE WWTP STAHLEY FOR BREAKROOM SINK CLASS A CDL TRAINING LANE RING WWTP TANK 1 DIFFUSERS NEW CODE VEHICLE DISTILLED WATER Oct invoice plus Sept \$288.01 SENSOR EXCHANGE TONER TONER	56.84 39.75 3.87 11.99 94.99 46.44 303.30	96.59 110.34 110.85 2,500.00 351.00 84.00 349.74 22,170.00 15.48 1,136.37 320.00	
24364-2 123.1116.09-5 9975676140	OLSEN'S OUTDOOR POWER SNYDER & ASSOCIATES INC VERIZON WIRELESS	STIHL BAR OIL 2024 SANITARY SEWER REHAB CELLULAR TELEPHONE		26.50 2,362.00 82.94	
	815	SEWER/SEWAGE DISPOSAL TOTAL	-	30,066.48	
0665484-IN 0301-412248 0301-412332	STORM WATER AGRI DRAIN CORPORATION O'REILLY AUTO PARTS O'REILLY AUTO PARTS	ASH ST TUBE BY DOT CAPSULE SWEEPER DRIVE SHAFT STORM WATER TOTAL	18.99 62.39	2,851.25 81.38 2,932.63	
			=		LI .
		Accounts Payable Total		363,540.58	\$ 125,560.35
		Invoices: Paid Invoices: Not Scheduled		263,009.11 100,531.47	

CLAIMS REPORT CLAIMS FUND SUMMARY

FUND	NAME	AMOUNT	
001	GENERAL	87,502.89	
003	T&A FIRE GIFTS FUND	489.60	
004	LIBRARY GIFTS FUND	701.92	
017	RECREATION IMP RESERVE	9,770.00	
026	POLICE FEDERAL GRANTS	10,000.00	
110	ROAD USE TAX	27,163.64	
112	EMPLOYEE BENEFITS	3,479.17	
117	T&A POLICE PENSION	2,030.36	
121	LOST PROGRESS FUND	11,853.18	
347	2024-2026 CIP	2,800.00	
350	CDBG-AMU WATER PROJECT	166.00	
353	AIRPORT CAP PROJECTS	7,615.73	
356	SPLASH PARK PROJECT	1,058.00	
359	COMMUNITY CATALYST-HOPLEY	458.00	
360	CDBG-WHITNEY DEV CORP	1,128.00	
361	2025-2028 CAPITAL EQUIP	154,033.00	
610	SEWER	18,188.46	
612	SEWER EQUIPMENT RESERVE	22,170.00	
740	STORM WATER	81.38	
741	STORM WATER CAP PROJECT	2,851.25	
	TOTAL FUNDS	363,540.58	

RESOLUTION NO.53-24

Resolution Setting Date for Public Hearing on Urban Renewal Plan Amendment for the Southeast Urban Renewal District

WHEREAS, the City Council of the City of Atlantic, Iowa by resolution previously established the Southeast Urban Renewal District (the "Urban Renewal Area") and adopted an urban renewal plan (the "Plan") for the governance of initiatives and projects therein; and

WHEREAS, an amendment (the "Amendment") to the Plan has been prepared which authorizes the undertaking of new urban renewal projects in the Urban Renewal Area consisting of providing tax increment financing support to Vision Atlantic, Inc. in connection with the (a) the construction of public infrastructure necessary to support the development of market rate housing; (b) the development and construction of housing affordable to families of low and moderate income; and (c) the development and construction of a daycare facility; and

WHEREAS, it is now necessary that a date be set for a public hearing on the Amendment;

NOW, THEREFORE, Be It Resolved by the City Council of the City of Atlantic, Iowa, as follows:

- Section 1. This City Council will meet at the Atlantic City Hall, City Council Chambers, Atlantic, Iowa, on December 4, 2024, at 5:30 p.m., at which time and place it will hold a public hearing on the proposed Amendment.
- Section 2. The City Clerk shall publish notice of said hearing, the same being in the form attached hereto, which publication shall be made in a legal newspaper of general circulation in the City, which publication shall be not less than four (4) and not more than twenty (20) days before the date set for hearing.
- Section 3. Pursuant to Section 403.5 of the Code of Iowa, the City Clerk is hereby designated as the City's representative in connection with the consultation process which is required under that section of the urban renewal law.

Passed and approved this November 6, 2024.

	Mayor	
Attest:		
City Clerk		

NOTICE OF PUBLIC HEARING ON PROPOSED URBAN RENEWAL PLAN AMENDMENT

Notice Is Hereby Given: That at 5:30 p.m., at the Atlantic City Hall, City Council Chambers, Atlantic, Iowa, on December 4, 2024, the City Council of the City of Atlantic, Iowa, will hold a public hearing on the question of amending the urban renewal plan for the Southeast Urban Renewal District (the "Urban Renewal Area") to authorize the undertaking of new urban renewal projects in the Urban Renewal Area consisting of providing tax increment financing support to Vision Atlantic, Inc. in connection with the (a) the construction of public infrastructure necessary to support the development of market rate housing; (b) the development and construction of housing affordable to families of low and moderate income; and (c) the development and construction of a daycare facility. A copy of the amendment is on file for public inspection in the office of the City Clerk.

At said hearing any interested person may file written objections or comments and may be heard orally with respect to the subject matters of the hearing.

Laura McLean City Clerk

RESOLUTION NO. 54-24

AUTHORIZING CITY ADMINISTRATOR JOHN LUND TO SIGN AN EXECTUTE SURFACE TRANSPORTATATION BLOACK GRANT (STBG) SWAP PROGRAM AND OTHER DEPARTMENT OF TRANSPORTATION (DOT) DOCUMENTS

WHEREAS, the City Council of the City of Atlantic, Iowa is required by the Iowa Department of Transportation (DOT) to designate an official, via resolution, to sign on behalf the City, the DOT's documents relating to the STBG SWAP Program; and

NOW, THEREFORE, Be It Resolved by the City Council of the City of Atlantic, Iowa, that City Administrator, John Lund, is authorized to sign and execute all documents pertaining to the West 22nd Street Reconstruction Project for the STBG SWAP program.

Passed and approved this November 6, 2024.

		_
	Grace N. Garrett, Mayor	
Attest:		
Laura McLean, City Clerk		

RESOLUTION NO. 55-24

RECOGNITION OF MUNICIPAL RESPONSIBILITY FOR COMMUNITY SIDEWALKS AND DEVELOPMENT OF A COMPREHENSIVE SIDEWALK IMPORVEMENT PLAN TO MAINTAIN SIDEWALKS IN A SAFE AND HAZARD-FREE CONDITION

WHEREAS, Since 1984 municipalities in Iowa have relied on the ability to transfe
liability for sidewalk conditions from the municipality to the abutting property owner using Iow
Code 364.12(2). This practice was upheld by the Supreme Court for the State of Iowa as recently
as Madden v. City of Iowa City (2014); and

WHEREAS, The Supreme Court announced on June 14, 2024 its decision on *Splittgerber v. Bankers Trust*, effectively reversing *Madden*, defaulting the burden of the condition of sidewalks located within the City right-of-way (ROW) back on municipalities, not the abutting property owner; and

WHEREAS, the City Council held a Work Session on October 30, 2024 to discuss the seriousness of the matter and consensus was that action was required to limit City liability and ensure the safety of residents and visitors using sidewalks in our right-of-way (ROW);

NOW, THEREFORE, Be It Resolved by the City Council of the City of Atlantic, Iowa, that a Comprehensive Sidewalk Improvement Program shall be developed and implemented by this Council to ensure that the City of Atlantic's Sidewalks are maintained in a safe and hazard-free condition.

Passed and approved this Nove	ember 6, 2024.
	Grace N. Garrett, Mayor
Attest:	
Laura McLean, City Clerk	

ORDINANCE NO. 1046

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF ATLANTIC, IOWA, BY AMENDING SECTION 151.04 SUBECTION 3: PLANTING RESTRICTIONS PROHIBITED TREES.

BE IT ENACTED by the City Council of the City of Atlantic, Iowa:

SECTION 1. Section/Subsection 151.04(3) of the Code of Ordinances of the City of Atlantic Iowa, repealed and the following adopted in lieu thereof:

- **3. Prohibited Trees.** No person shall plant the following tree species in the road right-of-way nor in City parks: cotton bearing poplar trees, white poplar, cottonwood, boxelder, willow, evergreen, freeman/hybrid maple (acer x freemanii autumn blaze, armstrong, marmo, and sienna glen are frequently seen cultivars), amur maple, norway maple, silver maple ash, blue spruce, callery/ornamental pear, ornamental cherry, mulberry, golden raintree, tree of heaven, black locust, siberian elm, russian olive, and salt cedar
- SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.
- SECTION 3. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

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

Passed by the	Council the, 2024.	day of	, 2024 and approved this day	y o
Attest:			Grace Garrett, Mayor	
Laura McLean,	City Clerk			



The Atlantic Police Department were engaged in the following activities between the September 1st and October 28th, 2024.

Calls for service - 1,037

Traffic Stops - 174

Citations issued - 82

Written Warnings issued - 29

Arrest made -52

Charges filed - 79

Incident reports completed - 57

Accidents covered - 13

Chief Devin Hogue

Atlantic Police Department

23 East 4th Street Atlantic, IA 50022

Phone: (712) 243-3512 Fax: (712) 243-3514



Atlantic Park & Rec Oct 2024

cut trees down water trees cage around trees tied up trees embassadors meeting trails meeting mowed parks trash and bathroom washed shelter at east ridge took down cable fence at schildbergs trim trees healthy cass meeting took down tennis nets puppy treat with animal shelter zombie run fix shelf for library drove truck for streets